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SUMMARY OF THE CHIEF PUBLIC DEFENDER



Susan O. Storey
Chief Public
Defender

“Despite the economic downturn, it is incumbent on all of us to make sure that the promise of Gideon is fulfilled in our Connecticut courts.” – Susan O. Storey

FY 2012/13 was yet another year for remarkable change and challenges for the Division of Public Defender Services. Public defender administrative and field office staff focused on implementing improvements and efficiencies to services for clients in all areas of practice. While the mission of the Agency is clearly set forth by statute, and the United States and Connecticut Constitution, the overarching quality of life result provided by the Division of Public Defender Services must be that Connecticut’s criminal, juvenile and child welfare court systems provide equal justice to clients regardless of their ability to pay for representation.

The severity of the state budget crisis continued to strain Division personnel and resources to their maximum capacity in FY 2012/13 and the next biennium budget cycle is predicted to be even more difficult. Providing the best possible representation and protections for each indigent adult and child in the criminal and child welfare system can only be achieved with adequate funding, resources, and personnel. The Division continues to review all resources in order to make sure that

they are provided in the most cost efficient and equitable manner in order to continue to provide the best representation possible. Equal justice is expensive, but failure to provide it is far more costly.

Despite prospective repeal of the Death Penalty, the Division continues to expend an extreme portion of its appropriation on death penalty cases. Division staff and assigned counsel continue to defend clients charged with death eligible offenses. Even as I write this summary, the severely reduced staff in the Division’s Capital Defense Unit is engaged in defending Richard Roszkowski in the retrial of the penalty phase of his case in Bridgeport. Division staff and Assigned Counsel also defended Jose Jusino in the Tolland JD post - repeal and were fortunate to receive a life sentence verdict from the jury. There are also several clients who have been sentenced to death whose cases are now on direct appeal, habeas corpus litigation, or the consolidated habeas action trial and appeal of claims of racial bias in death penalty cases. The expenses involved in these cases severely impact the Agency’s ability to provide adequate staffing and services

to other indigent clients throughout the state.

March 18, 2013 marked the 50th Anniversary of the landmark U.S. Supreme Court decision in *Gideon v. Wainwright*. That case held that the states must provide counsel to indigent defendants in criminal cases if they are unable to pay for private representation. Indigent Defense organizations across the country celebrated the importance of the right to counsel in criminal cases, while informing the public that the promise of Gideon has not yet been fulfilled in many states. However, there was some irony that the critical importance of Gideon, the constitutional right to liberty, and the right to counsel in Connecticut was overshadowed by the public and political furor over the Second Amendment and the Right to Bear Arms. We are most fortunate that the framers of our state statute enacted in 1975 had the vision to create a statewide model for providing quality indigent defense services in Connecticut. Despite the economic downturn, it is incumbent on all of us to make sure that the promise of Gideon is fulfilled in our Connecticut courts.

Susan O. Storey
Chief Public Defender

Chapter Two

Organization and Administration



2012/13 FISCAL YEAR

Organization

The 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 7 together with their appointing authorities and the terms of office.

As established by statute, the Division is made up of three separate components: a Commission, which is 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 in the thirteen (13) Judicial Districts, the twenty (20) Geographical Areas and the thirteen (13) Juvenile venues of the Superior Court, providing legal services throughout the State to indigent persons accused of crimes as required by both the United States and Connecticut Constitutions.

The six (6) specialized units of the Division include the Legal Services

(Appellate) Unit located in Hamden; the Psychiatric Defense Unit, located at Connecticut Valley Hospital in Middletown; the Capital Defense Unit and the Juvenile Post-Conviction and Reentry Unit located at the Office of Chief Public Defender, Hartford, the Assigned Counsel (formerly Special Public Defenders) Unit at the Office of the Chief Public Defender, the Child Protection Unit located at 330 Main Street, Hartford and in Rocky Hill the newly combined Habeas Corpus and Innocence Project.

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.

The chief administrative officer for the Division, appointed by the Commission, is Chief Public Defender Attorney Susan O. Storey.

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The Deputy Chief Public Defender is Attorney Brian S. Carlow. The duties of the 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, in Hartford. Administrative staff consists of Director of Training, Director of Assigned Counsel, Director of Delinquency Defense and Child Protection, Legal Counsel, a Financial Director, a Director of Human Resources, Chief Investigator, Chief Social Worker, four (4) Managers (Administrative Services, Information Services and Research, Information Systems and Manager of Legal Technology Planning and Staff Development, seventeen (17) administrative staff, and two (2) secretarial positions.

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 (combined in FY 2013/14 to five units) and branches of the Office of Chief Public Defender. Pursuant to Sec. 51-296 C.G.S., public defenders may be appointed to represent individuals in any criminal action, any habeas corpus proceeding arising from a criminal matter, any extradition proceeding, or in any delinquency matter.

Representation is provided to clients in both adult and juvenile misdemeanor and felony cases, including appeals and other post-conviction 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



*Office of the Chief Public Defender
30 Trinity Street,, Hartford CT*



*Connecticut State Capitol
Building
Hartford, Connecticut*

WORKFORCE ANALYSIS FOR THE DIVISION OF PUBLIC DEFENDER SERVICES

This comparison is based on the Division’s 411 employees as of October 1, 2013. Workforce availability figures are based on the 2000 U.S. Census reports as reportable by the U.S. Census Bureau.

- B = Black or African American
- H = Hispanic or Latino
- W= White
- AI = American Indian or Alaskan Native
- A= Asian
- NH = Native Hawaiian or Other Pacific Islander
- T = Two or More Races

Officials and Administrators Workforce Availability

This category includes Chief, Deputy Chief, Directors, Managers, Executive Assistant Public Defenders, Supervisory Assistant Public Defenders, Public Defenders, Chief Social Worker and Chief Investigator.

Officials & Administrators

Workforce Availability

WM=	24	47%	56%
WF=	22	43.1%	34%
BM=	2	3.9%	2%
BF=	2	3.9%	2%
HM=	0	0%	2%
HF=	1	2%	1%
AM=	1	2%	2%
AF=	0	0%	1%
NH./OPIM=	0	0%	0%
NH/OPIF=	0	0%	0%
AI/ANM=	0	0%	0%
AI/ANF=	0	0%	0%
TM=	0	0%	0%
TF=	0	0%	0%
Total	51		

Professionals Workforce

Availability

This category includes attorneys, social workers, mitigation specialists, Payroll officer, Human Resources officer, Financial Officer, Systems Specialist, Network Administration and Legal Technology.

Professionals

Workforce Availability

WM=	84	38%	40%
WF=	101	45.7%	46%
BM=	8	3.2%	2%
BF=	16	7.2%	3%
HM=	3	1.4%	1%
HF=	4	1.8%	2%
AM=	1	.45%	0%
AF=	4	1.8%	2%
NH/OPIM=	0	0%	0%
NH/OPIF=	0	0%	0%
AI/ANM=	0	0%	0%
AI/ANF=	0	0%	0%
TM=	0	0%	0%
TF=	0	0%	0%
Total	221		

Protective Service Workers Workforce Availability

This category includes Investigators

Protective Service Workers (non-sworn)

Workforce Availability

WM=	24	40%	48%
WF=	20	33.3%	31.6%
BM=	1	1.6%	4%
BF=	2	3.3%	4%
HM=	11	18.3%	4%
HF=	2	3.3%	3%
AM=	0	0%	1%
AF=	0	0%	1%
NH/OPIM=	0	0%	0%
NH/OPIF=	0	0%	0%
AI/ANM=	0	0%	1%
AI/ANF=	0	0%	0%
TM=	0	0%	0%
TF=	0	0%	1%
Total	60		

Administrative Support Workforce Availability

This category includes Clerical, Administrative Support and Paralegals.

Officials & Administrators

Workforce Availability

WM=	2	2.5%	26%
WF=	39	49.4%	55%
BM=	2	2.5%	3%
BF=	14	17.7%	6%
HM=	2	2.5%	2%
HF=	18	22.8%	6%
AM=	1	1.3%	1%
AF=	1	1.3%	1%
NH/OPIM=	0	0%	0%
NH/OPIF=	0	0%	0%
AI/ANM=	0	0%	0%
AI/ANF=	0	0%	0%
TM=	0	0%	0%
TF=	0	0%	1%
Total	79		

Males/Females

TOTAL MALES	165	40.2%
TOTAL FEMALES	246	59.1%
TOTAL MINORITY	95	22.9%
TOTAL MINORITY	64	67.3%
FEMALES		
TOTAL MINORITY	31	32.9%
MALES		

**CHIEF JUSTICE:
APPOINTS TWO JUDGES**

**GOVERNOR:
APPOINTS CHAIRMAN**

**GENERAL ASSEMBLY LEADERS:
APPOINT FOUR MEMBERS**

**PUBLIC DEFENDER
SERVICES COMMISSION**

- SPECIALIZED UNITS:**
- CAPITAL DEFENSE AND TRIAL SERVICES UNIT
 - CONNECTICUT INNOCENCE PROJECT and HABEAS CORPUS UNIT
 - JUVENILE POST-CONVICTION AND REENTRY UNIT
 - LEGAL SERVICES UNIT
 - PSYCHIATRIC DEFENSE UNIT

- ADMINISTRATIVE STAFF:**
- LEGAL COUNSEL
 - DIRECTOR OF TRAINING
 - DIRECTOR OF ASSIGNED COUNSEL
 - CHIEF SOCIAL WORKER
 - CHIEF INVESTIGATOR
 - DIRECTOR OF HUMAN RESOURCES
 - FINANCIAL DIRECTOR
 - MANAGER OF ADMINISTRATIVE SERVICES
 - MANAGER OF SYSTEMS
 - MANAGER OF INFORMATION SERVICES AND RESEARCH
 - MANAGER OF LEGAL TECHNICAL PLANNING AND STAFF SUPPORT

**OFFICE OF THE
CHIEF PUBLIC DEFENDER**

- CHIEF PUBLIC DEFENDER
- DEPUTY CHIEF PUBLIC DEFENDER

JUDICIAL DISTRICT ANSONIA-MILFORD G.A. 22

JUDICIAL DISTRICT DANBURY G.A. 3 JUVENILE MATTERS

JUDICIAL DISTRICT FAIRFIELD

JUDICIAL DISTRICT HARTFORD

JUDICIAL DISTRICT LITCHFIELD

JUDICIAL DISTRICT NEW BRITAIN

JUDICIAL DISTRICT MIDDLETOWN G.A. 9

JUDICIAL DISTRICT NEW HAVEN

JUDICIAL DISTRICT NEW LONDON

JUDICIAL DISTRICT TOLLAND G.A. 19

JUDICIAL DISTRICT WATERBURY

JUDICIAL DISTRICT WINDHAM G.A. 11 DANIELSON

JUDICIAL DISTRICT STAMFORD-NORWALK

DERBY G.A. 5

BRIDGEPORT G.A. 2

MANCHESTER G.A. 12 ENFIELD G.A. 13 HARTFORD G.A. 14 Hartford Community Court

BANTAM G.A. 18

NEW BRITAIN G.A. 15 BRISTOL G.A. 17

MERIDEN G.A. 7 NEW HAVEN G.A. 23

NEW LONDON G.A. 10 NORWICH G.A. 21

WATERBURY G.A. 4

STAMFORD G.A. 1 NORWALK G.A. 20

**DIRECTOR OF DELINQUENCY DEFENSE
AND CHILD PROTECTION**

Child Protection Unit Hartford

BRIDGEPORT JUVENILE MATTERS

HARTFORD JUVENILE MATTERS

NEW BRITAIN JUVENILE MATTERS

MIDDLETOWN JUVENILE MATTERS

NEW HAVEN JUVENILE MATTERS

WATERFORD/WILLIMANTIC JUVENILE MATTERS

ROCKVILLE JUVENILE MATTERS

WATERBURY/TORRINGTON JUVENILE MATTERS

STAMFORD/NORWALK JUVENILE MATTERS

CONNECTICUT DIVISION OF PUBLIC DEFENDER SERVICES
ORGANIZATIONAL CHART: FISCAL YEAR 2012/13



PUBLIC DEFENDER SERVICES COMMISSION MEMBERS

MEMBER

Thomas J. Rechen, Esq. (Chair)

Honorable Julia DiCocco Dewey

Msgr. William A. Genuario

Aimee C. Golbert, LCSW

Attorney Ramona Mercado-Espinoza

Honorable Elpedio Vitale

Carl D. Eisenmann, Esq.

APPOINTING AUTHORITY

Governor

Chief Justice

House Minority Leader

Senate President Pro Tempore

Speaker of the House

Chief Justice

Senate Minority Leader

Chapter Three

CASELOAD¹



2012/13 FISCAL YEAR

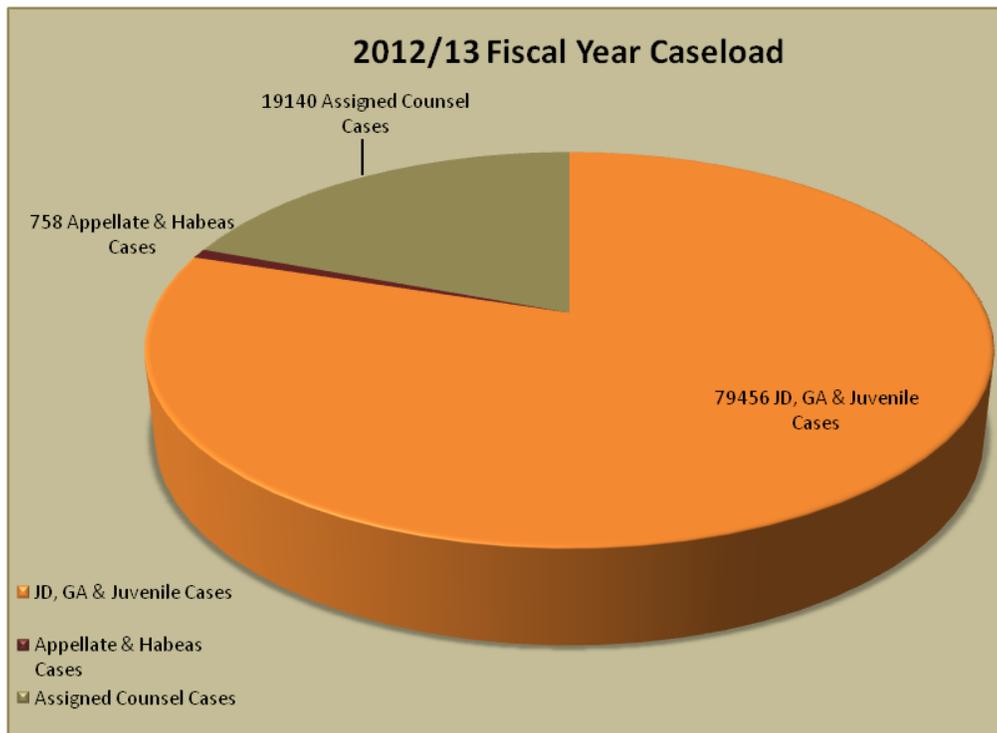
Total. During the 2012/13 Fiscal Year total public defender caseload was 98,596² cases. This is a 1.8% decrease from the 100,370 cases assigned during the 2011/12 Fiscal Year. An additional 758 cases were appointed to the appellate and habeas corpus units during the 2012/13 Fiscal Year totaling 99,354 cases for the Division of Public Defender Services.

Inside Chapter Three

Total Public Defender Caseload.....	Page 10
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adjusting for the cases transferred and applying case weighting, total “new cases assigned”⁴ to the JD offices was 1,512 cases. During this fiscal year, public defender offices were appointed to sixty-eight (68) murder cases. Due to conflicts of interest within those cases, thirty-seven (37) murder cases⁵ were assigned to Assigned Counsel (formerly known as Special Public Defenders), while

Bond Only. In January 2013, for the first time, the Division began collecting data on cases handled for “bond only” purposes. In the latter six months of the 2012/13 FY, Public Defender offices handled 4,061 bond only assignments for defendants in need of representation at time of arraignment.



private counsel entered appearances in nine (9) of the appointed cases. As a result, the public defender offices retained twenty two (22) murder cases.

Geographical Areas. GA offices were appointed to 62,528 cases over the 2012/13 Fiscal Year. After calculations,

there were 47,643 “new cases assigned” during the year.

Judicial Districts. During the 2012/13 FY the Judicial District (JD) offices were “appointed”³ to 2,952 cases. After

Juvenile Matters Offices. Juvenile Matters offices had 6,429 “appointed cases” during the 2012/13 FY resulting in 4,805 “new cases assigned” after calculations.

Trends. The Division has seen a steadily rising caseload increase over the past ten years that peaked in 2011/12 with the acquisition of 10,000 additional cases that mostly resulted from the Child Protection acquisition. Fiscal Year 2012/13 saw a 1.6% decrease in total caseload (99,354) from last year's high of 100,945 (includes appellate and habeas).

EVALUATION OF CASELOAD GOALS

In order to insure 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. The goals as established for the respective courts are as follows: Judicial Districts, not to exceed 75 cases, Geographical Areas, not to exceed 450-500 cases, Juvenile offices, not to exceed 300-400 cases, and Habeas Corpus, not to exceed 20-25 cases. These goals have enabled the Commission to assess staffing levels and allocate resources on an equitable basis.

An ongoing concern within the Division, the number of major felony cases remaining in the Geographical Area (GA) courts may require re-evaluation of these goals. Compared to Fiscal Years 2012, 2011, 2010, 2008 and 2007 when nearly 98% of major felony cases remained in the GA courts, 97.3% remained in the GA courts in the 2012/13 FY. 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 as a result 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 caseloads⁶.

CASELOAD GOALS AND 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 location⁷.

"NEW CASES ASSIGNED"

Judicial District offices calculate "new cases assigned" by weighing murder and non-death penalty capital cases as two (2) cases, (by adding [1] additional case) and capital felony cases in which the State seeks the death penalty as ten (10) cases (by adding nine [9] additional cases)⁷. 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 “new cases assigned” 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.

ASSIGNED COUNSEL

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. In 2012/13, Assigned Counsel were assigned to handle 19,140 cases for the Judicial District, Geographical Area, Juvenile Matters, Appellate, Habeas and Child Protection offices combined. This is a 1.6% increase from the 18,840 cases handled by

Assigned Counsel in FY 2011/12. The majority of these cases were assigned pursuant to contracts entered into between the Commission and members of the private bar.

LITIGATION—TRIALS

Judicial Districts. Attorneys in the Judicial District (JD) offices reported:

- Four (4) in which jury selection commenced⁸
- Seven (7) in which jury trials were begun
- Fifteen (15) jury trials to verdict
- Eleven (11) Court trials to judgment

Geographical Areas. The Geographical Area (GA) offices reported:

- Three (3) in which jury selection commenced
- Two (2) in which jury trials were begun
- Sixteen (16) jury trials to verdict
- Two (2) Court trials to judgment

Juvenile Matters. Juvenile Matters offices reported:

- One (1) in which a Court trial had begun
- Two (2) Court trials to judgment

MAJOR FELONY MEASURES

Currently, 32.6% of all new cases in the GA public defender offices are felonies (12.5% major felonies and 20.1% minor felonies). As GA felonies have increased, major felonies in JD offices have steadily decreased since 2008/09 FY and in the 2012/13 FY were 52.3% of the new cases. In the Juvenile Matters offices, 28.2% of juvenile cases were felonies with 12.8% of those considered “Serious Juvenile Offenses”.

CASE TRACKING

The “Case Tracking” software application produces reports for docket management and caseload tracking for all adult GA and JD offices. Case information is entered by each office into a centralized system. This system enables the Information and Research Services department to access office data in real time and to create statistical reports from the division-wide level down to the office and staff level.

The Information and Research Services department continues to collaborate with the Systems department in order to provide support to users in the field offices who are primarily responsible for data entry and report preparation.

¹This chapter was contributed by Jennie Albert, Manager of Information and Research Services, Office of the Chief Public Defender.

²*Fiscal year caseload* is defined as “cases pending at the beginning of the fiscal year plus cases appointed minus cases transferred after appointment to Part A (GA only), another court for consolidation, Special Public Defender (conflict of interest), private counsel or pro se.”

³*Cases appointed* is defined as “new cases appointed to the public defender’s office during the fiscal year.”

⁴*New cases assigned* was further defined in the text on page 11

⁵The number of capital cases reported in Chapter 3 refers to all capital cases, death and non-death either handled by the Capital Defense and Trial Services Unit (CDTSU) and/or the Judicial District offices. For statistical purposes, cases that are being tried for the second time are counted as “new” cases. Chapter 4 refers only to capital cases handled by CDTSU and does not count cases for retrial as “new cases”.

⁶American Bar Association Standing Committee on Ethics and Professional Responsibility (2006). Formal opinion 06-441L Ethical obligations of lawyers who represent indigent defendants when excessive caseloads interfere with competent and diligent representation. American Bar Association

⁷Transfers of murder and capital cases are excluded prior to the weighting process and are deducted from “transfers” to avoid double subtraction. A percentage of minor felonies, misdemeanors, motor vehicle and other cases is applied to “transfers” to avoid double subtraction.

⁸“Jury Trials Commenced” refers to only partial jury selection prior to the jury being sworn in plus “jury trials begun” in which the jury is sworn in after voir dire. The Judicial Branch also tracks “jury trials begun” and court trials begun (first witness sworn) in their reporting of trials in total.

PUBLIC DEFENDER OFFICES TRENDS IN CASELOAD AND STAFFING

AUTHORIZED PERMANENT FULL-TIME POSITIONS						
	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13
Attorneys	203	217	214	209	214	217
Clerical	61	60	66	62	86	79
Investigators	63	62	60	59	56	60
Social Workers	42	40	41	40	32	33
Exempt or Other Staff (Administrative)	21	21	22	33	25	22
TOTAL	390	400	403	403	413	411

CLASSIFICATIONS OF NEW CASES APPOINTED						
Judicial Districts	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13
Major Felonies	1503	1686	1579	1456	1483	1544
Minor Felonies	296	296	291	264	315	321
Misdemeanors	176	200	181	179	142	135
Total (Includes MV, VOP and Other)	2865	3067	2895	2800	2909	2915

Geographical Areas*	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13
Major Felonies	6964	7365	6846	8072	8457	7929
Minor Felonies	14730	14598	15282	14257	14801	12772
Misdemeanors	27344	27825	28646	26503	27036	25439
Total (Includes MV, VOP and Other)	68284	69476	69611	66821	69572	62978

*GA cases appointed include Community Courts (GA 14 and GA 4)

Juvenile Matters	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13
Serious Juvenile Offenses	636	594	624	643	613	821
Other Felonies	698	587	544	563	752	993
Misdemeanors	4531	3877	3797	4349	3861	4297
TOTAL (includes Other)	5903	5071	4985	5569	5443	6282

PERCENTAGE OF CASES APPOINTED BY CLASSIFICATION						
Judicial Districts	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13
Major Felonies	52.5%	55.0%	54.5%	52%	51.0%	52.3%
Minor Felonies	10.3%	9.7%	10.1%	9.4%	10.8%	10.9%
Misdemeanors	6.1%	6.5%	6.3%	6.4%	4.9%	4.6%
MV, VOP and Other	30.2%	27.9%	28.4%	32%	32.6%	31%

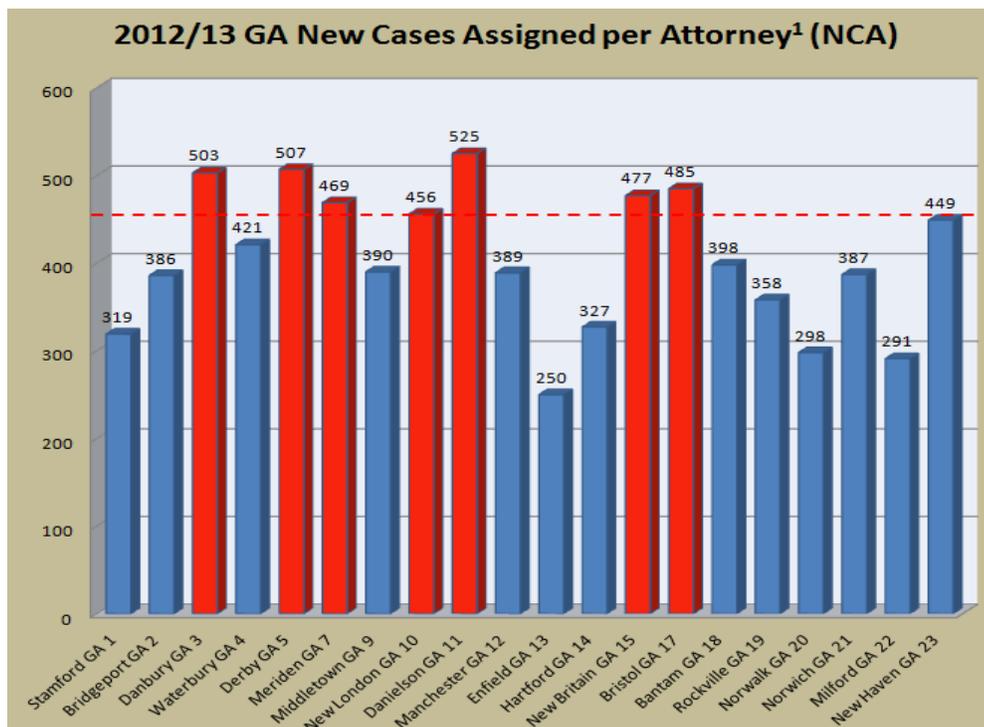
Geographical Areas	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13
Major Felonies	10.2%	10.6%	9.8%	12.1%	12.3%	12.5%
Minor Felonies	21.6%	21.0%	22.0%	21.3%	21.3%	20.1%
Misdemeanors	40.0%	40.0%	41.2%	39.7%	40.7%	40.1%
MV, VOP and Other	27.7%	27.8%	26.6%	26.3%	25.3%	26.5%

Juvenile Matters	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13
Serious Juvenile Offenses	10.8%	11.7%	12.5%	11.5%	11.3%	12.8%
Other Felonies	11.8%	11.6%	10.9%	10.1%	13.8%	15.4%
Misdemeanors	76.8%	76.5%	76.2%	78.1%	70.9%	66.8%
Other	0.6%	0.2%	0.4%	3%	4.1%	2.7%

Geographical Area Offices

Staffing and Caseloads

There was an average of one hundred sixteen point five (116.5) attorneys assigned to Geographical Area (GA) public defender offices in FY 2012/13 and an individual attorney in a GA public defender office was assigned an average of four hundred nine (409) new cases over the course of the fiscal year. The GA courts retained approximately 97.3% of major B and C felonies. As a result these cases continue to result in a significant increase on the demands of public defender staff. Again this year, several GA offices exceeded the Commission Caseload Goals in the Fourth quarter (see graph below). Per diem staff have been provided whenever possible to those offices with caseloads significantly over the Caseload Goals of 450-500 new cases assigned per attorney per fiscal year, but permanent staff continues to be critical to maintaining this growing and more complex GA caseload. The more complex cases have serious, life altering collateral consequences for clients upon conviction. As mentioned in previous years, the nationally accepted standards for mixed caseloads of misdemeanors and felonies, including clients with serious mental health issues, are approximately one-half the caseload carried by individual attorneys in the Connecticut GA public defender offices.



¹ Based on the Fourth Quarter end of FY 2012/13 figures when compared to the caseload goals (not to exceed 450-500 GA NCA)

Litigation

In FY 2012/13, GA offices handled sixteen (16) jury trials to verdict. Eight (8) of those trials resulted in not guilty verdicts (50%). Two (2) additional court trials to judgment were also handled. One (1) resulted in a not guilty judgment.

Juvenile Defense

Staffing and Caseloads

The Juvenile Unit consists of one (1) Juvenile Matters/Child Protection administrative office and twelve (12) Juvenile Matters Field Offices and is supervised by the Director of Delinquency Defense and Child Protection. The field offices are staffed with a total of seven (7) social workers, six (6) investigators, six (6) administrative support staff and twenty (20) attorneys. Most juvenile delinquency offices now represent children who are dually committed on both juvenile justice and child welfare matters. Investigators continue to serve subpoenas and have assisted with investigation in a few select child welfare matters.

In FY 2012-13, these offices added six thousand six hundred forty eight (6648) juvenile delinquency and child protection matters¹. Several offices share staff. Staff from Waterbury covers Danbury and Torrington, so the investigator and social worker handle cases in all three courts. The Bridgeport office staff handles matters in the Stamford juvenile court and the staff in Willimantic divides their time between Willimantic and Waterford. There are two offices where there is only one attorney assigned, Middletown and Rockville. These offices are backed up by the New Britain and Hartford offices, respectively. The larger offices provide coverage for vacations and emergencies. Coverage is also provided by the appellate attorney or the Director of Delinquency Defense and Child Protection. The Middletown office has limited social worker coverage, due to reprogramming of staff. No new juvenile staff has been added since the last annual report.

Legislation

After many years of dramatic reform, there were no major legislative changes in the juvenile area in 2013. The final implementation phase of the *Raise the Age* legislation went into effect on July 1, 2012. This initially resulted in an increase in caseloads in all juvenile courts. Caseloads have leveled off in many jurisdictions but our experience with implementing the 16 year olds in 2010 showed that it took a full 18 months to get an accurate assessment of the impact of the changes. Juvenile staff has also been active in the policy discussions around implementing the new juvenile competency statute that was passed as part of Public Act 12-1 of the July Special Session.

Litigation

FY 2012-13, juvenile attorneys litigated cases on several important issues. Juvenile matters lawyers began litigating discretionary juvenile transfer cases in October, 2012. These hearings were made part of juvenile jurisdiction when the General Assembly amended C.G.S. 46b-137. This had been a DPDS proposal, which moved hearings from the adult court to the juvenile court and set standards for the judge

¹ See Child Protection and Family Chapter for more detailed information.

to use in determining if transfer was appropriate. In Re: Tyriq T. is currently pending on appeal. Many transfer cases have been litigated and maintained in juvenile matters court as a result of the efforts of the public defender staff. Juvenile public defenders also litigated a number of competency hearings under the new juvenile competency law. This was important as they worked to set the procedures that implement this new statute.

Trends

Caseloads have increased due to the final implementation of the raise the age legislation. Field offices are reporting that clients needing residential placements are waiting longer to be matched with appropriate facilities. Because of the ruling in In Re: Justice R., attorneys are no longer able to negotiate shorter commitments for adjudicated delinquents. These sentences were often agreed to in recognition of the long time many clients spend detained waiting to go to a residential treatment program. PA 12- 1 of the July Special Session stripped the courts of their ability to directly order a child to a DCF facility, which has further restricted the public defender staff's efforts to obtain dispositions that are most advantageous to our clients.

Trainings Attended

- ABA Conference on Children and the Law, Washington D.C.
- ABA Parents Counsel Conference, Washington D.C.
- National Juvenile Defender Center Leadership Summit
- New England Regional Defender Center Training on Trauma
- National Association of Counsel for Children Annual Conference , Atlanta GA
- Yale Law School Rebellious Lawyering Conference
- CMHA Conference on Sex Trafficking
- Judicial Branch Court Improvement Project Child & Youth Law Forum
- UConn School of Social Work "Preventing Violence"
- "What Can You Do to Fight Intolerance?"
- US Dept of Health and Human Services, Court Improvement Project meeting
- Connecticut Bar Association Seminar on Addiction
- Federal Advisory Committee on Juvenile Justice Annual Meeting,
- Autism Spectrum Disorders & the Criminal Justice System
- Mass. Adolescent Sex Offender Coalition Conference on Preventing Sexual Violence thru Assessment, Treatment and Safe Management

Trainings Presented

- ABA Conference on Children and the Law
- Yale Law School Rebellious Lawyering Conference
- UCONN Law School Black and Latino Law Students Association “Night of Inspiration: School to Prison Pipeline”
- Basic Delinquency Trial Motions
- Preserving the Record on Appeal
- CPTV/Juvenile Justice Advisory Committee documentary “Color of Justice” and Roundtable
- New England Regional Defender Center Training on Trauma
- Child and Youth Law Forum-Negotiations
- Center for Children’s Advocacy: “Who will Speak for Me?”

Also offered or Co-Sponsored by OCPD Juvenile Unit

- Child Protection “Boot Camp”
- Connecticut Bar Association Forum on Addiction
- National Institute of Trial Advocacy three day child protection trial training program at Hofstra University
- Juvenile Legislative Changes Training

Center for Children’s Advocacy

- New Child Welfare Lawyer Training
- Child Protection Boot Camp
- Quarterly Topic Sessions

Children’s Law Center

- Safety assessment and Assessing Dangerousness
- Personality disorders and the alienated child (presented)

Juvenile Post Conviction Unit



Staffing and Caseloads

- Three attorneys with average daily caseload between 250 and 300 clients
- One Social Worker assisting the attorneys with addressing client needs
- One Paralegal providing support services to attorneys and social worker

Caseloads

- Cases pending as of June 30, 2013 - **276**
- New Cases assigned July 2012 - June 2013 - **190**
- Cases disposed July 2012 - June 2013 - **142**

Unit Responsibilities

- Appear on behalf of clients at Superior Court proceedings (motions to reopen and terminate commitments and motions to extend delinquency commitments)
- File and argue appeals of unfavorable decisions
- Represent client's interests at Administrative Hearings (Parole Revocation Hearings and Treatment Plan Hearings)
- Advocate for clients at regularly scheduled Department of Children and Families (DCF) administrative meetings (Administrative Case reviews, Treatment Plan Hearings, Plan of Service Meetings and Team Decision Making Meetings)
- Visit clients at residential treatment facilities
- Review DCF findings related to abuse/neglect investigations at DCF facilities
- Interact with law enforcement officials conducting investigations of clients as victims of criminal acts

Trends

- Increase in caseloads due to *Raise the Age* Legislation
- Change in client profile (older and more complex clients) due to jurisdiction extending to clients 20 years of age.
- Multiple commitments on clients
- Limited residential resources results in more community based treatment
- More committed delinquents involved in adult court proceedings

Trainings

Autism Spectrum Disorders and the Criminal Justice System

12/3/12, Hartford, CT

Massachusetts Adolescent Sex Offender Coalition Conference

4/10/13, Marlborough, MA

Providing Effective Legal Representation in Child Abuse and Neglect Cases

6/26/13, West Hartford, CT

Trials/Litigation/Advocacy

In Re: Justice W. (SC 19017)

Post Conviction Recidivism Research Project

Capital Defense and Trial Services Unit (CDTSU)

The Capital Defense staff is responsible for the representation of indigent clients in all capital felony cases statewide. Since the enactment of Public Act 12-5 on April 25, 2012, which eliminated the death penalty prospectively as of that date, staffing was reduced accordingly during the 2011/12 FY by the elimination of the following positions: two (2) trial attorneys, two (2) investigators, one (1) paralegal, and two (2) mitigation specialists. However, the Division of Criminal Justice continues to prosecute some cases as death penalty cases if the crime occurred prior to prospective abolition. See *State v. Jose Jusino* (Tolland) and *State v. Roszkowski* (Fairfield) below. The possibility also exists for future death penalty prosecutions for death eligible cold cases as well as retrials of clients sentenced to death prior to the repeal. Several cases are currently on direct appeal to the Connecticut Supreme Court.

Staffing

During most of the 2012/13 fiscal year, the Capital Defense and Trial Services Unit (CDTSU) was staffed by the acting Chief of Capital Defense, three (3) appellate attorneys, one (1) investigator, one (1) mitigation specialist and an administrative assistant.

Caseload

As of October 1, 2013 there were ten (10) pending capital cases (nine defendants):

- One (1) case represented by a private attorney

- Six (6) cases represented by Assigned Counsel (formerly known as Special Public Defenders) because of conflicts of interest

- One (1) case represented by Division of Public Defender Services staff within a field office

- Two (2) cases represented by the Capital Defense and Trial Services Unit

Per American Bar Association (ABA) standards, capital cases require the appointment of two attorneys per case who meet the standards for representing clients in capital felony cases. Per the settlement agreement in *Rivera v. Rowland*, these cases are handled on an hourly billing basis.

Litigation

On April 8, 2013, Jose Jusino was sentenced to Life without the Possibility of Parole following a capital trial and penalty phase in Tolland Judicial District Court. The State sought the death penalty in this case. Mr. Jusino was represented by an attorney from the Waterbury JD public defender's office and an Assigned Counsel.

In April 2012, in the *State v. Richard Roszkowski*, the Court found that Richard Roszkowski had been restored to competency. He is scheduled to begin the retrial of his penalty phase on January 7, 2014 at the Fairfield Judicial District Courthouse. Mr. Roszkowski's case, in which the state is seeking death, will be handled by an attorney from CDTSU and an attorney from the Hartford Judicial District public defender's office.

Eduardo Santiago's case was overturned on appeal and is currently awaiting retrial of the penalty phase. The state is also seeking the death penalty in this case. Mr. Santiago is represented by Assigned Counsel.

The consolidated habeas racial disparity in death penalty litigation trial, largely handled by Assigned Counsel, was held at Northern Correctional Institution and concluded at the end of 2012. The decision was pending as of the close of the 2012/13 FY. At this writing the Court, Sferraza, J. denied relief to the petitioners and the case is in the process of being appealed.

Legal Services Unit (Appellate)

Staffing

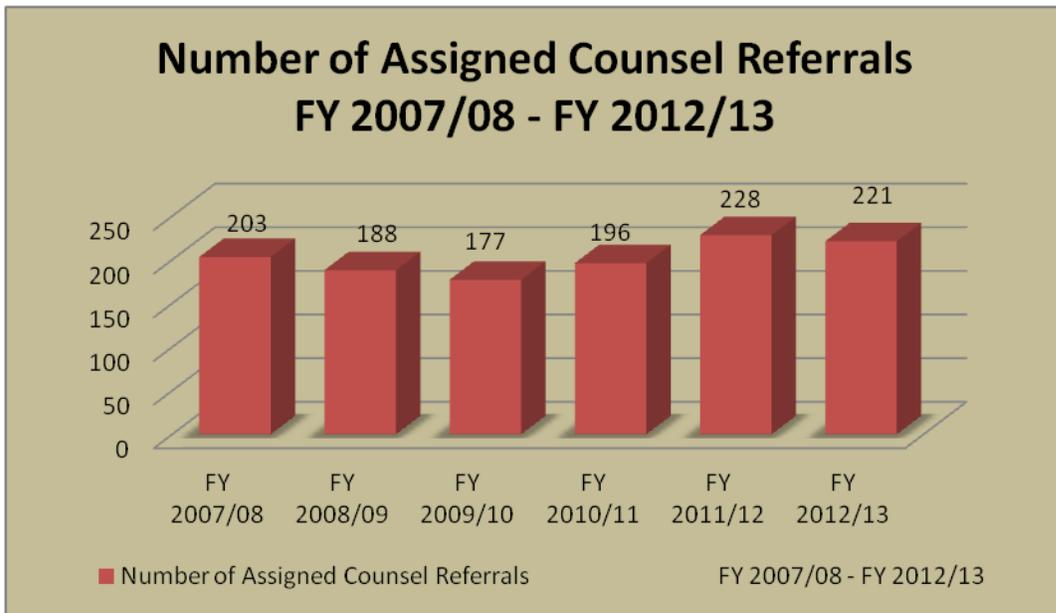
The Legal Services Unit is staffed by one (1) Chief of Legal Services and ten (10) full-time staff attorneys (one temporarily on transfer to the Capital Defense Unit) and two (2) half time attorneys. The present support staff consists of two (2) paralegals and two (2) secretaries. This staff is the central provider of appellate services for the Division statewide.

Appointments

In FY 2012/13, the Legal Services Unit received court appointments to two hundred sixty six (266) new cases for indigent litigants in the Supreme and Appellate Courts (This includes 240 initially opened cases plus twenty six (26) new appeals opened on certification). The number of appointments/appeals filed is lower than the 289 appointments/appeals filed in FY 2011-12 and is within the range of historic year to year fluctuations. As in all previous reports, the number of new cases continues to exceed the ability of the Unit to handle with existing staff. Therefore, many of the cases where the Legal Services Unit is appointed, primarily habeas corpus appeals, must be assigned to Assigned Counsel. Although the number of Assigned Counsel appointments for FY 2012/13 are fewer than the historical high of FY 2011/12, the number of habeas corpus assignments continues to increase dramatically. The LSU, in conjunction with the Assigned Counsel office, has embarked on implementation of an approach that will result in a more efficient and less costly habeas corpus assignment process at both the habeas trial level and the habeas appeal level. It must be noted that the procedures being implemented will not reduce

the number of assignments which by necessity remain dictated by the number of appointments made by the court. There is also a continued concern on the part of both the Appellate Court and the Supreme Court regarding delays in most every aspect of the appellate process. This office has been instrumental in significantly decreasing appellate delay.

Assigned Counsel referrals decreased slightly in FY 2012/13. See the table below.



Despite this year’s decrease in overall Assigned Counsel assignments, the number of habeas corpus assigned appeals as well as the percentage of the total assignments to Assigned Counsel continues to grow:

Fiscal Year	Habeas Corpus Assigned Appeals	Percentage of Total Assignments to Assigned Counsel
FY 2009/10	87	49%
FY 2010/11	101	52%
FY 2011/12	131	58%
FY 2012/13	152	70%

In the meantime, the number of non habeas corpus appeals that went to Assigned Counsel dropped dramatically from 97 to 69 . While the number of cases resolved/referred in this office, amount to at least 62 and very few of them habeas corpus appeals, this was an increase from at least 54 in FY 2011-2012. As noted in last year’s report, habeas corpus appeals now and for the foreseeable future account for a high percentage of the cases handled by this office and assigned to outside counsel.

To address the growing proportion of habeas corpus appeals assigned to Assigned Counsel, this Office, in conjunction with OCPD's Director of Assigned Counsel, developed a contract plan for handling a number of habeas corpus appeals. Under this plan, attorneys with significant appellate and habeas corpus experience agree to take habeas corpus appeals for the year at a set total fee per appeal handled. This contract plan became operational on July 1, 2010 and has an excellent record of success. As a result, most of our habeas corpus appeals are now assigned on a flat fee contract basis and we expect to expand the flat fee "contract" mode to violation of probation and guilty plea appeals. This flat fee approach appears to stabilize the assignment process for habeas corpus appeals; results in more uniform, expeditious and effective representation for habeas corpus appellate clients. Additionally, a higher percentage of habeas appeals are being handled by habeas trial counsel. Thus, it is becoming more expedient for the "firm" attorneys to be responsible for the entire habeas process from trial through appeal. There is definite economy and efficiency to this approach.

Assigned Counsel Appellate Representation

LSU in conjunction with the Office of Assigned Counsel continues to work diligently to improve both cost and quality of Assigned Counsel appellate representation. These controls include establishment of accountability for billing; guidelines in units of time for various billing functions, streamlining the entire billing process for the implementation of the aforementioned "firm" approach.

As an internal response to the growing need for competent appellate counsel, this office, again in conjunction the OCPD Director of Assigned Counsel, has developed a mandatory mentoring program for all new appellate assigned counsel and is available to any other assigned counsel who might make the request for assistance. The mentoring program effectively assists less experienced appellate attorneys learn the correct way to do appellate work.

State v. Wang

On a related note, there is pending in our Supreme Court the interlocutory appeal in State v. Wang. The reserved questions before the Wang Court revolve around whether pro se criminal litigants are entitled to investigators and experts and, if they are, who is responsible for payment of the investigators and the experts. In the case, argued in October 2013, Mr. Wang had appointed counsel and the Division was granted amicus status and allowed to file a brief and argue orally. While the decision in Wang is still pending, it is possible that the Court will entitle indigent self-represented litigants to experts and investigators and require the Division to provide and pay for the experts and the investigators. Such expenses have never been part of the Division's budget request or appropriation in the past and the impact could be very significant.

Death Penalty Appeals

An area where there has historically been substantial utilization of LSU resources is death penalty appeals. LSU attorneys have been involved in non death capital cases and during the past year, two of our attorneys have been involved in present death penalty appeals and litigation. One of our attorneys is responsible for the present Santiago proceedings re whether the death penalty repeal should apply retroactively. This appeal was argued earlier this year and is awaiting a decision from our Supreme Court. This attorney is presently also working on a reply brief in State v. Peeler and it is expected that Peeler will be argued in the spring of 2014. The other Office attorney is presently working with co-counsel on the main brief in State v. Hayes which was filed in December 2013. Prospective death penalty repeal presents unique concerns. Despite repeal there remains significant ongoing death penalty litigation at the trial level, the appellate level, the habeas corpus level, and the habeas corpus appeal level. In addition, the adverse ruling in the death penalty racial disparity case has been recently appealed by a number of inmates facing the death penalty. Several attorneys, both inside the Division and as Assigned Counsel continue to be involved in death penalty litigation. If Santiago holds that repeal applies only prospectively, then death penalty litigation will continue long into the future at great expense in time, money and lives at a time when most people in Connecticut believe there is no more death penalty.

Appellate Assistance

Each attorney in LSU is assigned to answer questions and to provide assistance to trial offices, trial public defenders, trial Assigned Counsel and appellate Assigned Counsel. In FY 2012/13 there was an increase in mentoring between LSU attorneys and Division trial attorneys and LSU has provided direct and indirect representation relative to important issues still at the trial court with appellate and/or legal implications. Finally, an LSU attorney is available to assist with Motions for Review coming from the trial courts around the state as well as addressing the deportation consequences of long ago pleas in light of *Padilla*.

Training and Legal Education

Criminal Appellate Clinic. LSU is in its nineteenth year of conducting the Criminal Appellate Clinic at Quinnipiac School of Law, through which law students brief and argue selected appeals that are assigned to the LSU. Our Clinic remains relevant and vibrant with a full contingent of selectively chosen qualified students. The Clinic Program made a successful transition with Attorney Alice Osedach now in charge of the program. As Alice enters her second year, she brings to our Clinic her own enthusiasm and her students remain excited as they brief and argue appeals in our Appellate and Supreme Courts. In addition, the Legal Services Unit works closely with the University of Connecticut (UCONN) Law School Criminal Clinic. These UCONN students, who are supervised by a professor at the Law School, continue to handle two (2) to three (3) LSU appeals a year at no cost to the Division.

New Case News. A cooperative venture with the Training Unit, which spotlights, summarizes and ultimately stores and indexes the most recent Connecticut cases, is into its seventh year. *New Case News* has improved its format and searchability; and is being utilized more frequently by Division attorneys as well as Assigned Counsel. In November of 2013, in conjunction with the Office of the Director of Assigned Counsel and the Director of Training, the LSU sponsored a full day training session for all Criminal/Habeas Appellate attorneys. The training session focused on the New Appellate Rules. The Training Session was well received and well attended. This Office continues to participate in the Appellate Rules Advisory Committee and the Bar Association's Appellate Group where their advocacy has resulted in significant changes in the Rules and the appellate practice in Connecticut.

New Appellate Rules

The new Appellate Rules became effective on July 1, 2013. The primary change in the rules eliminates the "Record" whose preparation was the cause of inordinate delay. "Record" preparation has historically been the responsibility of the Court, but now is the responsibility of appellate counsel in the form of an appendix to the appellant's brief. Although it is still early, there have been no significant problems on the part of this Office or on the part of Assigned Appellate counsel in the implementation of these Rules.

The Appellate Court is also requiring more appellate electronic filings in the near future. A proposed rule change would have all appellate briefs filed electronically.

Appellate Successes

- **State v. Jones, 139 Conn. App. 469 (2012)**, reversed defendant's conviction based on prosecutorial impropriety where the prosecutor compelled the defendant to comment on the veracity of the complainant and police officer witnesses.
- In **Gaines v. Commissioner, 306 Conn. 664 (2012)**, a trio of wins where the habeas trial court, the Appellate Court and finally our Supreme Court agreed that trial counsel was ineffective for failing to find and present crucial alibi witnesses.

This past year saw several wins where double jeopardy violations were found for the court's failure to vacate convictions:

- **State v. Polanco, 308 Conn. 242 (2013)**, overturned **State v. Chicano** and held that double jeopardy principles were violated when a lesser offense was merged with a greater offense. Therefore the Court concluded that the lesser offense must be vacated, not merged.

There are a number of variations to **Polanco** where the Appellate Court ruled in favor of the defendant but where also our Supreme Court certified the appeals which are pending in our high court.

State v. Johnson, 137 Conn. App. 733 (2012), where the Court held that conspiracy to commit possession with intent to sell narcotics cannot be committed without first committing conspiracy to possess narcotics. Thus there was a Double Jeopardy violation.

State v. Lee, 138 Conn. App. (2012), where there were again greater and lesser conspiracy charges and the lesser conviction needed to be vacated.

State v. Wright, 144 Conn. App. 731 (2013), the defendant entered into one unlawful agreement that resulted in three separate conspiracy convictions. The Appellate Court held that more than one conviction as here violated Double Jeopardy principles.

State v. Dunstan, 145 Conn. App. (2013), followed **Polanco** and vacated the lesser offense.

- **State v. Moulton, 310 Conn. 337 (2013)**, where the Court reversed a harassment conviction on free speech/first amendment grounds. The defendant did not have fair notice that she could be convicted solely on the basis of the content of her speech.
- **State v. Miguel C., 305 Conn. 562 (2012)**, a sexual assault conviction was reversed because the complainant improperly testified about an alleged confession made by the defendant to his wife.
- **State v. Arokium, 143 Conn. App. 419 (2013)**, vacated the lesser of the two narcotics convictions.
- **State v. Miranda, 145 Conn. App. 494 (2013)**, held that where the defendant had three convictions for capital felony, murder and felony murder, only the capital felony conviction could remain. The other two convictions needed to be vacated as double jeopardy violations.
- **State v. Braswell, 145 Conn. App. (2013)**, the trial court was found to have erred in its denial of the defendant's motion to dismiss counsel and to represent himself. The Appellate Court found that the defendant at trial had unequivocally asserted his right to self representation.
- **State v. Martinez, 143 Conn. App. 541 (2013)**. There the prosecutorial impropriety re drug offenses was found to be reversible error because the prosecutor's improper comments concerned the central issue in the case-the dominion and control of the drugs in question.
- **State v. Bennett, 307 Conn. 758 (2013)**, our Supreme Court reversed defendant's accessory to murder conviction where the evidence was held to be insufficient to allow an inference that the defendant had an intent to kill. Heather Wood
- **State v. Medrano, 308 Conn. 604 (2013)**, our Supreme Court held that the historically approved instruction allowing the jury to consider the defendant's interest in the outcome of the case could no longer be given. Instead the Court directed future trial court's to instruct that the defendant's testimony must be judged for credibility by general credibility standards.
- **Janulawicz v. Commissioner, 310 Conn. 265 (2013)**, establishes a process wherein defendants who lose in the Appellate Court can now effectively seek late Supreme Court certification and also exhaust state remedies in the process.

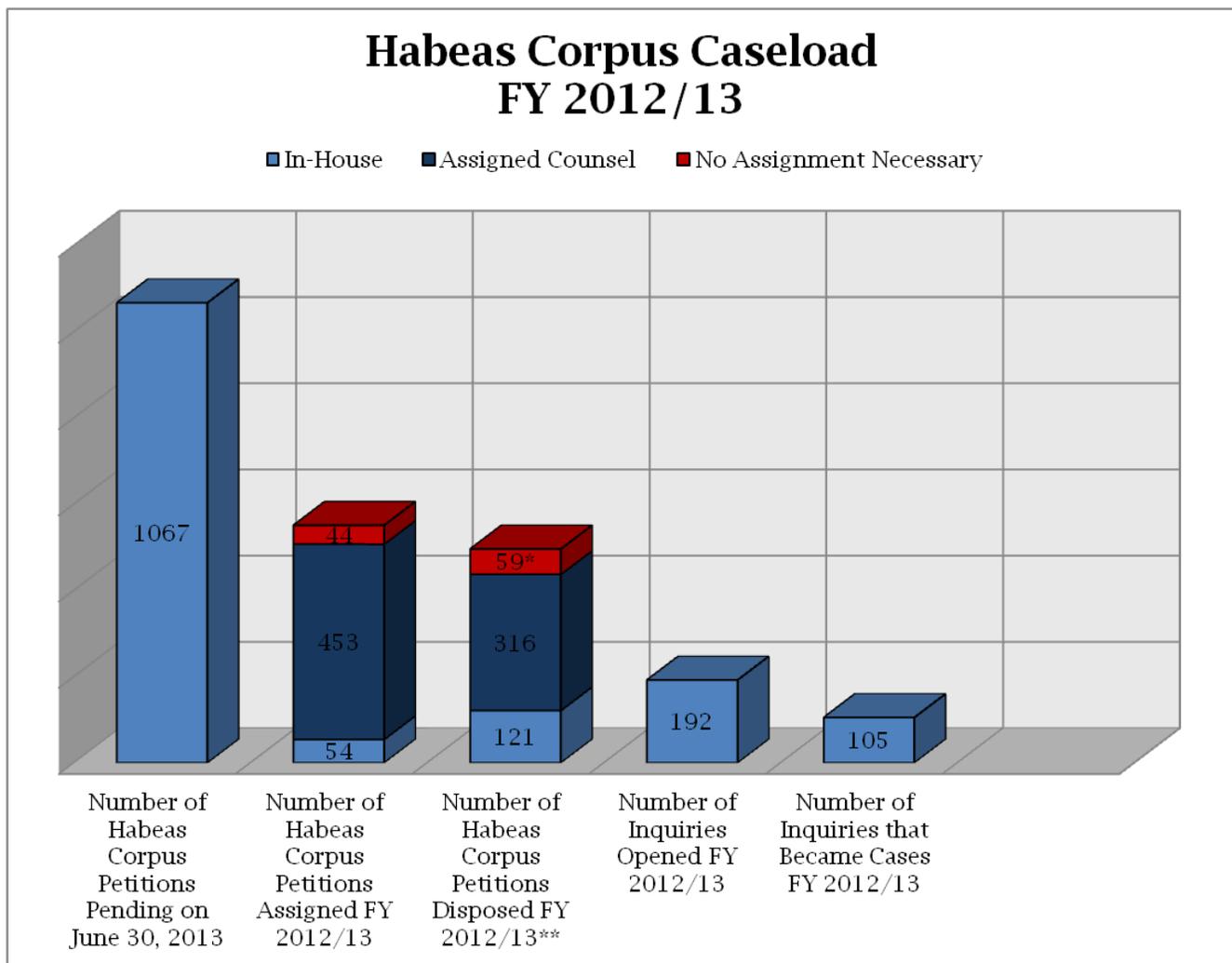
- **State v. Apt, 146 Conn. App. 641 (2013)**, the Court held that it was improper to allow the prosecutor to offer erased records into evidence and thereby enhance defendant's sentence by two years. The sentence enhancement was vacated.
- **State v. LaFleur, 307 Conn. 115 (2012)**, the Court held that the evidence was insufficient to prove assault first degree because defendant's use of fists alone were not, as a matter of law, a requisite "dangerous instrument."
- **State v. Clark, 137 Conn. App. 203 (2012)**, the Court determined that since the defendant and the victim were neither family nor household members there was no authority to issue a standing restraining order.
- **State v. Devalda, 306 Conn. 494 (2112)**, our Supreme Court reversed a kidnapping conviction based on the trial court's overreaching instruction on the essential element of "restraint."
- **State v. Obas, (2014)**, held that the trial court acted properly when it granted the defendant's request to modify his conditions of probation by eliminating the sex registration requirement.

Habeas Corpus and Connecticut Innocence Project Unit

Staffing

During Fiscal Year 2012 - 2013 the Habeas Corpus Unit was staffed by a Chief of Habeas Corpus Services, a Supervisory Assistant Public Defender and four (4) permanent attorneys. The support staff consists of two (2) investigators, three (3) paralegals, one (1) secretary and one (1) clerk. During the summer of 2012 the unit staffed two (2) interns.

Caseloads



* Due to Habeas Unit staff changes, cases were reassigned to Assigned Counsel

** Of the 496 disposed cases, 121 cases were closed prior to FY 12/13 according to the Judicial Branch Website - Assigned Counsel did not notify Habeas Unit when cases were closed so in order to update the database cases were closed during FY 12/13

Habeas Case Resolutions and Victories

Habeas Corpus Unit attorneys tried fifteen (15) cases FY 2012/2013. Of those fifteen (15) cases, two (2) cases were victories:

- Rafael Crespo v. Warden, State Prison habeas, Docket # 07-4001993. Mr. Crespo's case has been argued in the Appellate Court (AC 35372) and is awaiting a decision.
- Jourden Huertas v. Warden, State Prison habeas, Docket # CV07-4001950.

Out of Court Relief was granted in nine (9) cases This out of court relief includes sentence modifications, jail credit restoration and an early parole date granted.

Additionally, staff Attorneys also gained relief in restoring jail credit in several cases out of court prior to a habeas petition being filed and/or prior to counsel being appointed.

Assigned Counsel victories and case resolution are not reported at this time.

Habeas Corpus Reform

Legislation enacting habeas corpus reform became effective as of October 1, 2012. Exempted from the enacted changes are petitions that allege actual innocence, assert claims concerning conditions of confinement or challenge capital felony convictions for which a sentence of death has been imposed.

C.G.S. §52-470 now provides time limits for filing first and subsequent petitions and creates a rebuttable presumption of delay without good cause for petitions filed outside those limits. For first petitions, a presumption of delay arises: "(1) [f]ive years after the date on which the judgment of conviction is deemed to be a final judgment due to the conclusion of appellate review or the expiration of the time for seeking such review; (2) October 1, 2017; or (3) two years after the date on which the constitutional or statutory right asserted in the petition was initially recognized and made retroactive pursuant to a decision of the Supreme Court or Appellate Court of this state of the Supreme Court of the United States or by the enactment of any public or special act."

For subsequent petitions, the presumption of delay without good cause arises if the petition is filed after the later of the following:

“(1) [t]wo years after the date on which the judgment in the prior petition is deemed to be a final judgment due to the conclusion of appellate review or the expiration of the time for seeking such review; (2) October 1, 2014; or (3) two years after the date on which the constitutional or statutory right asserted in the petition was initially recognized and made retroactive pursuant to a decision of the Supreme or Appellate Court of this state or the Supreme Court of the United States or by the enactment of any public or special act.”

In addition, C.G.S. §52-470 has been changed to eliminate a petitioner’s entitlement to a habeas trial as a right. Under §52-470(b), habeas petitions are now subject to a preliminary screening on motion of any party or that of the court to determine if there is good cause for trial for all or part of the petition. No trial will be held unless the petitioner “(A) allege[s] the existence of specific facts which, if proven, would entitle the petitioner to relief under applicable law, and (B) provide[s] a factual basis upon which the court can conclude that evidence in support of the alleged facts exists and will be presented at trial...” If the court determines good cause does not exist for a trial, it “shall dismiss all or part of the petition, as applicable.”

Psychiatric Defense Unit

The Psychiatric Defense Unit is responsible for the representation of persons acquitted of crimes by reason of insanity and committed to the state's Psychiatric Security Review Board (PSRB). The Psychiatric Defense Unit also serves as a division wide advisory and educational resource on legal issues related to competency to stand trial and involuntary medication of criminal defendants, as well as to other legal issues related to the insanity defense and mitigation based on the presence of mental illness.

Pursuant to an agreement with the Department of Mental Health and Addiction Services, the Unit is conveniently located on the grounds of Connecticut Valley Hospital to accommodate Unit staff with frequent visits to clients who are not permitted to leave the hospital grounds or who are confined to the maximum security facility, Whiting Forensic Institute.

Staffing

The Unit is currently staffed by a Chief of Psychiatric Defense Services, one additional staff attorney, a social worker and a paralegal.



Caseload

Currently the Office represents one hundred (100) clients residing at the facility or conditionally released to the community. Of the 100 clients, twenty-two (22) are on conditional release, and seventeen (17) are on family temporary leaves or day temporary leaves. Clients are represented at treatment team meetings, PSRB hearings, discharge hearings before the trial court, and appeals.

The Unit was successful in:

- securing the discharge of eight (8) clients from Board jurisdiction during the past fiscal year
- advocating for the conditional release of eight (8) clients
- advocating for the temporary leave of 8 (eight) clients

Advocacy

The Chief of Psychiatric Defense Services also serves as the designee of the Chief Public Defender on the Behavioral Health Subcommittee of the Criminal Justice Policy Advisory Commission in order to create diversion opportunities for mentally ill persons involved in the criminal justice system and is also periodically called to serve as the designee of the Chief Public Defender on special committees created to deal with special issues related to the mentally ill population in the criminal justice system.

Assigned Counsel

Centralization of all Assignments

During 2013 the Office of Chief Public Defender embarked on a sweeping change to the case assignment system for contracted attorneys. A centralized database is now utilized to make case assignments and process all compensation. These assignments are now made through the use of a roster of approved attorneys in each court location. The local field offices refer cases in this system by entering specified data about each case. The case(s) are then assigned to an approved attorney from the list. Once an attorney accepts an assignment a payment is processed. This ensures 100% accuracy and is exceedingly more efficient. All hourly invoices are submitted using the database, which has been programmed to exclude duplicates and enforce a host of OCPD policies and procedures.

Habeas Corpus Changes

During 2013 extensive changes to habeas corpus assignments was implemented. The Office of Chief Public Defender entered into agreements with 7 specialized and experienced law firms engaged to focus on handling a large volume of habeas corpus assignments. This new procedure enabled OCPD to “retire” a substantial backlog of unassigned cases. This system ensures a high quality, client centered approach that saw several successful habeas petitions since its inception.

Assigned Counsel Criminal

As indicated above, case assignments to contracted attorneys now take place through a centralized database. There are approximately 550 attorneys contracting with OCPD. Of the attorneys in that group handling criminal matters, a total of 921 separate locations were contracted. This number includes overlapping contracts since several attorneys contract for more than one practice area and/or location. Case assignment statistics are as follows for the period of 7/1/12 - 6/30/13:

- GA courts - 5978 flat rate and hourly matters were assigned.
- Juvenile Delinquency - 957 flat rate and hourly matters were assigned.
- JD courts - 570 flat rate and hourly matters were assigned.
- Habeas matters - there were an average of approximately ---900 open ongoing assigned cases all compensated hourly at any given time during the year
- Appellate matters -- there were an average of approximately 400 open ongoing cases receiving both flat rate and hourly compensation at any given time during the year

Assigned Counsel Child Protection/GAL

Of the aforementioned 550 attorneys contracting with OCPD, 496 separate locations were contracted, again due to attorneys contracting for multiple locations. Statistics are as follows for the period of 7/1/12 - 6/30/13:

- GAL in delinquency matters - there were 565 assignments
- Child Protection matters - there were 8,320 assignments
- Family Court GAL assignments - there were approximately 1450 assignments

Training

Every attorney awarded an Assigned Counsel agreement for the first time in a specific area of practice is required to participate in the Mentoring Program which spans the fiscal year. This program pairs experienced attorneys with new attorneys and acts as a resource and ensure quality client representation.

All Assigned Counsel must attend at least six (6) hours of training annually. They are offered a wide range of legal training opportunities throughout the year. Each new Assigned Counsel is required to attend the full day *Basic Orientation Course* offered each year which focuses on basic criminal 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, several Assigned Counsel regularly take the opportunity to attend seminars focusing on:

- Juvenile Delinquency Defense
- Calculation of Sentences & Eligibility for Release
- The Defense of Sexual Assault Cases
- Collateral Consequences of Arrest
- Other training events offered by OCPD

Practice specific training for Assigned Counsel was offered for Appellate approved attorneys. Many Assigned Counsel received scholarships from the Chief Public Defender's Office and the Civil Justice Foundation, Inc. to attend the annual *Criminal Litigation Seminar*, sponsored by the Connecticut Trial Lawyers Association. In addition, the aforementioned habeas firms host a monthly training session focusing on a variety of habeas related matters. Assigned Counsel for child protection participated in a three day trial skills training through NITA. Scholarships were also awarded for Assigned Counsel to attend the ABA Parent's Attorney and Child and the Law Conference and the National Association of Counsel for Children Annual Conference.

Social Work

Staffing

During the 2012/13 Fiscal Year, the Division is staffed by one (1) Chief Social Worker and social workers covering forty one (41) locations among the JD, GA and Juvenile Matters Courts; three (3) of whom are assigned to specialty units and two (2) who fill grant-funded domestic violence positions.

Statistics

The Chief Social Worker initiated a review of the Division's social work statistics in an effort to develop a more standardized data collection process. This was timely as the Division heads toward the utilization of electronic files and a more sophisticated method of case tracking. The Social Work and Information Services and Research departments conducted meetings with a representative committee of social workers from the Division to develop methods of statistical gathering that the new system could easily absorb.

Social workers continue to be an integral part of the legal teams in the Public Defender Division. Their clinical and case management expertise in working with the defendants enables them to assist attorneys in the following categories:

- *Assessment: Conducts interviews and diagnostic assessments of clients to determine their psychological, social, medical and mental condition and their competence to assist in their own defense, including those with multiple mentally compromising conditions*
- *Records: Obtains and analyzes confidential psychological, medical and other social history of clients.*
- *Counseling: Provides counsel to clients and their families in a variety of settings in order to facilitate understanding.*
- *Experts: Selects/participates in selecting and contracting with mental health professionals for specialized evaluations and testimony on clients' behalf.*
- *Case Management: Provides services related to planning, seeking, advocating for, and monitoring services from different social services or health care organizations and staff on behalf of a client in order to coordinate their efforts to serve a given client through professional teamwork, thus expanding the range of needed services offered..*
- *Referral: Refers clients to social service agencies/practitioners and rehabilitative programs, facilitates clients' admissions into specific programs and serves as a liaison by following their progress.*
- *Collaboration with Legal Team, Court other: consults with attorneys regarding active cases through history summary and discussion provides advice to public defenders, other attorneys and judges on proper courses of treatment for clients while also assisting public defenders in presenting information to the courts.*

Professional Development and Supervision: Participates in professional development, trains and oversees other social workers and interns as outlined by job description.

Post Conviction/Acquittal Work: Assists attorneys, clients and families when called upon to address post-conviction needs.

The Social Work staff experienced change in leadership this year. Katie Heffernan, LCSW was appointed to the position of Chief Social Worker in November 2012. Ms. Heffernan had been a Social Worker III in the New Haven JD office. In January, new staff was appointed to the New Haven JD Social Worker III from and to the New Britain Social Worker I position. In February, staff was appointed to the New Haven GA Social Worker I position. Per diem Domestic Violence social workers in Bridgeport and New Haven finished out the grant for these positions that ended in 2013. During the appropriations process, Chief Public Defender Susan Storey submitted data on the efficacy of the two grant funded domestic violence social worker positions and their impact on the clients in the two jurisdictions resulting in two permanent positions.

Training

The social workers in our Division had the opportunity to expand upon their profession knowledge this year by attend the following trainings:

- Acquired Brain Injury
- Advanced Dialectical Behavior Therapy
- Art of Making Effective PPT Presentations
- Ask the Parole Board
- Autism Spectrum Disorders & Criminal Justice System
- Bipolar Disorder: Diagnosis through Treatment
- Brief Intensive Trauma-Informed Therapy
- Child Psychopathology: A Fresh Perspective
- Conference on Serving Adults with Disabilities
- Demystifying Dementia
- Dialectical Behavioral Therapy
- Eating Disorders
- Helping Men Recover Part I & II
- Introduction to Mindfulness Meditation

- Loss & Grief Issues with Children & Teens
- Meet the Wardens
- Melanie Rieger Conference
- National Association of Social Work/Connecticut (NASW/CT)'s 28th Annual Statewide

Conferences

- Nutritional/Comp Treatment for MH Disorders
- Optimizing Wellness: Emerging Practices for 2012 and Beyond
- Preventing Sexual Violence Conference
- Providing Effective Legal Representation in Child Abuse/Neglect Cases
- Psychopharmacology Seminar
- Reducing Disparity in CT's Criminal Justice System
- Role of Drug Courts
- Sex Offender Treatment & Probation
- Solution Focused Approaches with Challenging Clients
- Surviving Brain Injury
- Trauma Informed Care & Role of Peer Supporters
- Understanding Psychological Trauma & Trauma-Informed Care
- Voices: Training on Gender Responsive Principles & Practices
- Working with Court Involved Girls

Presentations and Assistance with New Lawyer Training

- Discovery, Investigation & Client Counseling
- Mental Health - Competency
- Mental Health - Hearing Voices
- Motions - Eyewitness ID
- Trial Advocacy School

Resources

The 5th edition of the Diagnostic and Statistical Manual of Mental Disorders (DSM V) was released in May 2013. Every social worker in the Division was provided with a DSM V manual to utilize and share with their office. A DSM V training for the Division conducted by one of the editors of the manual is scheduled for September 2013. The training will cover the changes from the DSM IV TR to the DSM V.

A review was also conducted of the social workers who split their time between Juvenile offices assessing the security of the copies of confidential client records that are being transported back and forth. As a result of this review, locked bags were obtained and distributed.

The Chief Social Worker and the Chief Investigator began a collaborative relationship by initiating a survey to identify client transportation needs in each of the courts. As a result of this survey, two state cars were reallocated for the use of three offices that did not have access to a nearby car. A policy was formalized to instruct offices without cars on whom to contact in nearby offices to reserve the use of the cars housed in their court. Finally, a policy was established and funds were secured so that staff may call for a taxi and obtain bus passes to distribute to clients leaving court to treatment appointments, etc.

The Chief Social Worker and Chief Investigator also initiated efforts with the Department of Correction, Parole, Jail Diversion, the Department of Mental Health and Addiction Services and Court Support Services to collaborate on the development of a medical diversion pilot. Efforts are still ongoing.

Training Department

The Training Department held seventeen (17) in-house and collaborative trainings in the 2012/13 Fiscal Year. In addition to trainings, the Department oversaw the Division's annual participation in Stand Down for Connecticut Veterans.

In House Trainings FY 2012-13

Division of Public Defender Services In House Trainings FY 2012/13

Training	# Attendees	New Public Defenders*	Division of Public Defender Services Staff	Assigned Counsel	Department of Criminal Justice	Connecticut Criminal Defense Lawyers Association	Other
Collateral Consequences of Conviction	83	X	X	X	X		
Classification/ Calculation of Sentence & Eligibility for Release	115	X	X	X		X	X DOC EMPLOYEES
Eyewitness ID and False Memory	67		X	X		X	
Hearing Voices	36	X	X	X		X	
Sex Offender Probation and Treatment	90		X	X		X	
Arraignments and Alternative Dispositions	12	X					
Brainstorming and Trial Prep**	26	X		X			
Discovery, Investigation and Client Counseling	17	X		X			
Competency	13	X					
Motions, Eyewitness ID	20	X					
Negotiations	14	X					
Trial Advocacy School**	26	X		X			

*Indicates that all new public defenders are required to complete the listed trainings.

**Indicates trainings offered twice during FY 2012/13

Collaborative Training Events FY 2012-13

In FY 2012/13 the Training Department collaborated with several agencies to provide trainings to Division staff as well as Assigned Counsel, Department of Criminal Justice, Connecticut Criminal Defense Lawyers Association and other agencies. The collaborative trainings were well-attended by many.

**Collaborative Trainings
FY 2012/13**

Training	Collaborating Agency and # Division Staff	Division of Public Defender Services	Assigned Counsel	Department of Criminal Justice (DCJ)	Connecticut Criminal Defense Lawyers Association (CCDLA)	Other
Appellate Training	Legal Services Unit 31	X	X			
Autism Spectrum Disorders and the Criminal Justice System	Department of Criminal Justice 29	X	X	X		X Judicial Employees
Digital Forensics in Criminal Cases	Department of Criminal Justice 48	X	X	X		
Forensic Science Seminar	Connecticut Criminal Defense Lawyers Association 57	X	X		X	
Meet the Wardens	Connecticut Criminal Defense Lawyers Association 39	X	X		X	X DOC Employees



Stand Down:

Stand Down is an annual event which takes place on the grounds of the Veterans Hospital in Rocky Hill. Every year a modified criminal court is convened to assist the veterans. This year we assisted in resolving 52 cases for veterans. We acted as a referral resource for an additional 32 veterans whose cases were too significant to be handled at the Stand Down court. Ten (10) Division attorneys and eleven (11) Division support staff volunteered for Stand Down For Veterans this year.

New Lawyer Training:

All new lawyers to the Division are required to participate in new lawyer training. We have a yearlong curriculum which is designed to have people begin the program as soon as they are employed. There are thirteen (13) specific training events in this curriculum, including a weeklong trial school. We had an average of 14 new attorneys attend these sessions. Many of the sessions are populated with other division attorneys and Assigned Counsel.



Stand Down for Veterans 2013:

Pictured from top to bottom: Cathy Belanger working registration;

Jenna Marshall having an attorney/client conversation;

Participants in Stand Down;

Attorneys Brian Walsh and Doug Ovian waiting for cases to be called.

New Lawyer Training:

Pictured above: Dave Warner (New Lawyer Training graduate), mentoring at New Lawyer Training

To the left: New Lawyer Training Above left: Russ Williams (graduate) mentoring at New Lawyer Training



Trial School:

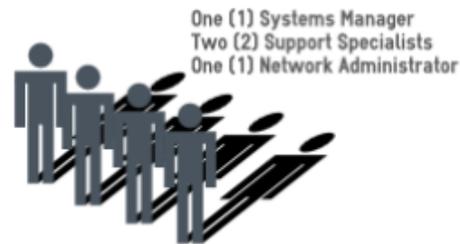
Top row: Ed Kennedy, Brian Walsh, Tyler Edwards, Joanna Carloni, Laura Bryll, Assigned Counsel Stephanie O’Neil, Assigned Counsel Grayson Colt Holmes.

Front Row: Meredith Olan, Toni Esposito, Danae Dwyer, Karen Hardy-Massaró, Paul Shea, Michael Pedevillano and Kelly Berwick.

Systems Department (IT)

Staffing

The Systems Department is currently staffed by:



Main Software Used

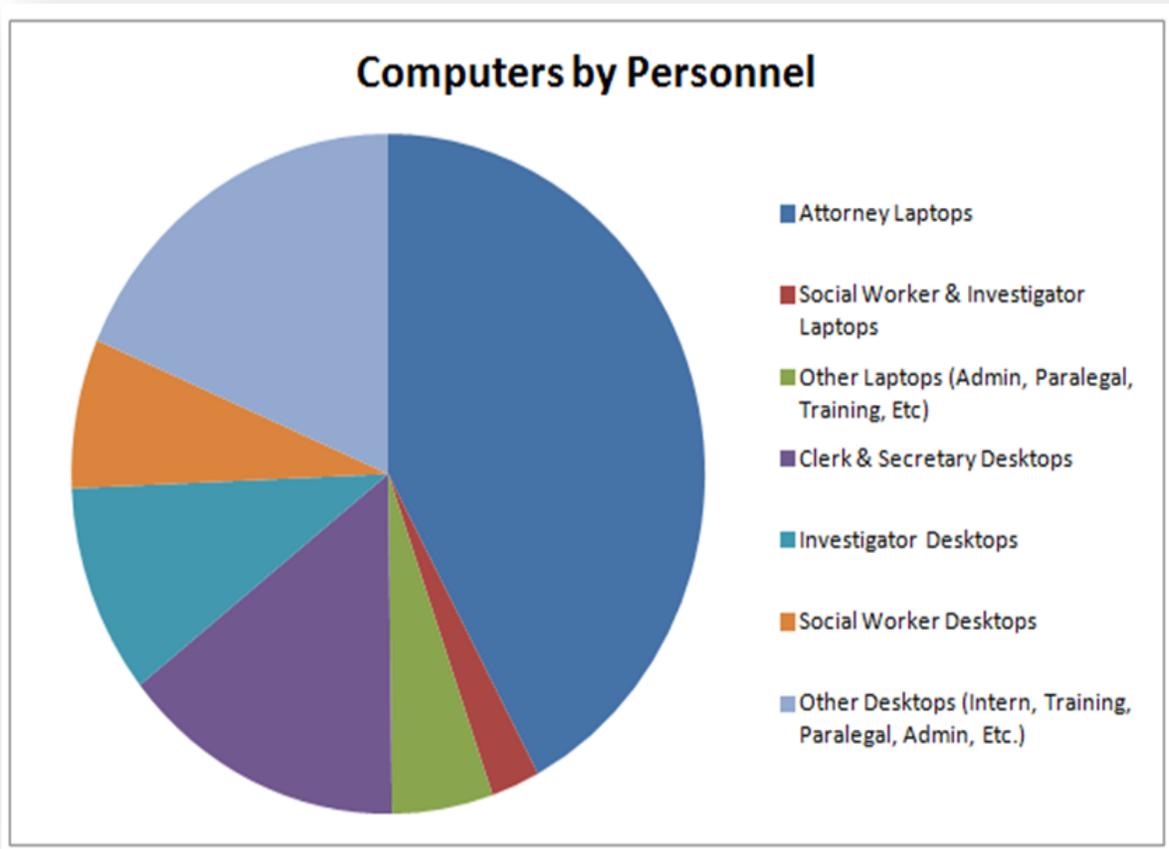
- Microsoft Office Suite 2007
- VIPRE Enterprise Antivirus/s Antispyware
- ZenWorks systems management software
- NetManage (Terminal Emulation for Criminal/Motor Vehicle System and Department of Correction System)
- Internet Explorer (Case Tracking, Lexis/Nexis)

Projects

During FY 2012/13, 247 laptops and 13 desktop computers were purchased and distributed. Of the five hundred twenty two (522) computers supported by the Division, two hundred twenty (220) laptop computers are currently being utilized by attorneys. Each laptop was purchased with a docking station that allows personnel to retain their monitor and utilize dual screens, a regular size keyboard and mouse. The data on each laptop is protected by hard drive encryption.

In 2013, the systems department configured the Division’s fifty-four (54) copiers with the capability to scan documents in PDF format.

With the assistance of the Judicial Branch’s Information Technology Division, the case tracking system used by all the adult courts has been upgraded to support a daily docket feed from judicial court services to minimize data entry and data entry errors. In addition, the systems department continues to support multiple Microsoft Access databases throughout the division.



Connecticut Information Sharing System (CISS) and Division of Public Defender Services (DPDS) Strategic IT Plan

Background

Since 2011, Connecticut has been working on a criminal justice information system called CISS (Connecticut Information Sharing System). The goal was to have all criminal justice information electronically accessible. The need for the state to create an electronic, modern system such as this became the centerpiece of the criminal justice reform package approved by the General Assembly in 2008. A contract with a vendor was signed in 2011 and work began shortly thereafter.

DPDS has been actively involved with the CISS effort since its inception. During this process, it became clear that to fully realize the benefits of CISS, DPDS would have to examine its own internal technologies and processes and make improvements where necessary. In an effort to develop a strategy for DPDS's technology, the Division acquired the services of MTG Management Consultants and worked with them to create a strategic IT plan. MTG was the consulting firm hired by the State to produce a plan for CISS, so they were in a perfect position to analyze the needs of the Division as it pertained to its CISS readiness.

MTG identified many issues that DPDS currently faces, and recommended strategic initiatives and projects to overcome those issues. These initiatives represent areas in which the Division should focus its efforts to create a functional technological infrastructure.

DPDS Strategic IT Plan

The Division's Strategic IT Plan is a five year program that strives to create a "best in class", client centered work environment that will increase the overall capabilities of the Division and give employees access to the information they need to do their jobs. Major accomplishments will include:

- (1) integrated access to CISS;
- (2) mobile and office technology that will provide access to a wide array of information;
- (3) a comprehensive Case Management System
- (4) a Brief and Motion Library.

Business Benefits to this plan include:

- Creation of a dedicated Case Management System that meets the needs of adult and juvenile clients
- Creation of standardized attorney and staff processes

- Wireless connectivity to the enhanced DPDS technology tools
- Creation of integrated information architecture
- Reduction in the use of paper files
- Human resource efficiencies that would allow for staff reductions, principally through attrition

Progress

As of Fall 2013, a great deal of work has been done in the program. Accomplishments have been made in the following areas:

Program Establishment

The structure, responsibilities, sponsor, project manager, and stakeholders have all been identified for the program. DPDS has assigned responsibilities and project charters that outline scope, objectives, outcomes, as well as the management model for the program.

Program Communication

DPDS has identified and conducted outreach and ongoing communication with stakeholders and users that will be impacted by the Strategic IT Plan. A coalition team was formed with members covering all job functions, spanning across multiple adult and juvenile offices. Organized meetings with Supervisors have also been conducted in order to prepare them for the implementation of the project.

Procurement of Funds

DPDS has been actively involved in acquiring funding for the program. The Division was awarded grant money to assist with the juvenile portion of the program. Also, bond funding was acquired for this first fiscal year in order to purchase the necessary equipment for the initial projects. As DPDS funding requests are prepared and budget decisions are made, the approved budgets may require revisions to the plan, schedule, and staffing levels for the program.

Case Management System

Replacing DPDS's current Case Tracking system with a new Case Management solution is vital to the business needs of the Division. To that end, DPDS has gathered feedback from stakeholders, identified technical standards, and developed detailed requirements for the system. Once that phase was completed, DPDS integrated the detailed requirements into a standard Request for Proposals (RFP) format and worked with the Department of Administrative Services to develop an evaluation methodology and released the RFP. DPDS is currently evaluating proposals and is on schedule to sign a Service Level Agreement with a vendor before the end of calendar year 2013.

Laptop Deployment

Deploying laptops with wireless adapters provides attorneys, investigators, and social workers a mobile platform to access important information, thereby increasing staff efficiency. As of Fall 2013, a new laptop has been deployed to all of the Division's full-time attorneys, as well as a small percentage of social workers and investigators. Once the Case Management System is implemented and CISS is fully functional, DPDS staff will have access to nearly all the information they need, wherever they are.

Conclusion

The implementation of the Strategic IT Plan is central to the overall efforts to improve DPDS operations. Technology is critical for the communication, professionalism, and performance of the Division. Ultimately, this plan will align DPDS's technology environment with the business needs of the Division, thereby providing personnel with tools to assist in the effective representation of clients.

Information Services and Research Department

Staffing and Responsibilities

The department is staffed by one (1) manager and one (1) part-time secretary.

The Information Services and Research Department continues to:

- Monitor data collection of adult and juvenile offices
- Generate monthly, quarterly and annual statistical reports for the Division
- Provide oversight of file archiving and retrieval
- Provide responsibility for grant writing and management
- Provide oversight of various research initiatives
- Provide specialized units with monthly statistical information necessary for evaluating unit needs

Litigation

Public Defender juvenile unit staff litigated appeals Nyasia H., Dominico M., Sacario R. and filed amicus briefs in the Connecticut Supreme and Appellate Courts in In Re: Azereon. The new Juvenile Appellate attorney has also conduct appellate review in many child welfare cases. Both the Director of Delinquency Defense and the APD for Juvenile Appellate Matters regularly provide guidance and advice to Assigned Counsel on matters being litigated in the local courts.

Trends

DCF continues to file fewer petitions in the child protection courts. Hopefully this trend will continue and will free up resources to provide additional services to the clients. In 2014, we hope to launch a pilot program that will provide enhanced representation to young people who are set to age out of DCF care without a permanent family resource.

Family Staffing

The Division of Public Defender Services is responsible for providing counsel for indigent parties in certain Family Matters. When a court determines that a child is in need of an attorney or guardian ad litem (GAL) in a custody proceeding and the parents are unable to pay, a state rate attorney or GAL can be appointed from a list of public defender Assigned Counsel. The court makes the appointment in these cases and OCPD pays for the service. All Assigned Counsel handling family matters GAL cases are required to complete thirty (30) hours of training, required by the Connecticut Practice Book Section 25-62 and 25-62A. The Juvenile/Child Protection Unit provides administrative support for this training. This consists of managing the registration, posting class materials on the OCPD website for registered participants and issuing completion certificates. OCPD staff has not been actively involved in setting the curriculum or engaging faculty for this training.

Representation for paternity determinations and indigent contemnors in Family Support Magistrate matters are handled by twelve (12) contracted Assigned Counsel. A Deputy Assistant Public Defender has been hired to handle paternity and contempt cases in the Hartford Family Magistrate court. This will begin in January, 2014. Efforts will be made to provide the DAPD with social work and investigation support from other local offices. It is expected that this addition will improve outcomes for clients and enhance the efficiency of operations. We also maintain a list of contractors who handle Family Matters contempt proceedings for indigent litigants. They are paid per case at an hourly rate.

Please refer to Chapter 3 *Caseload* and Chapter 6 *Cost* for more detailed information on the cost of Child Protection and caseload figures.

Chapter Six

COST¹



2012/13 FISCAL YEAR

Expenditures FY 2012/13

The Public Defender Services Commissions' Actual Expenditures for FY 2013 totaled \$60,591,673. Below is a break-out of the actual expenditures for the agency:

Account	FY 2013
Personal Services	\$ 37,448,455
Other (Operating) Expenses	\$ 1,496,198
Assigned Counsel - Criminal	\$ 10,712,245
Expert Witnesses	\$ 1,924,998
Training and Education	\$ 80,172
Assigned Counsel - Child Protection	\$ 7,238,018
Contracted Attorneys Related Expenses	\$ 71,182
Family Contracted Attorneys/AMC	\$ 608,149
Equipment	\$ 261,370
Federal Funds	\$ 750,887
Total FY 13 Actual Expenditures	\$ 60,591,673

Inside Chapter 6

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The Commission's FY 2013 expenditures of \$60.5 million supported a permanent staff of 401 full-time and nine (9) part-time employees, 212 of who were attorneys. Other staff consisted of administrative, social work, investigative, secretarial and clerical personnel.

Appropriated Budget 2013/14

In FY 2014, the Commission's total available appropriation, as adjusted for savings under Public Act 13-184, is \$61,590,474² to support a staff of 447 full time positions (the agency authorized position count), nine (9) part-time positions and four (4) federal grant positions. Below is a break-out of the FY 2014 General Fund appropriations and available Federal funds.

Account	FY 2014
Personal Services	\$ 39,978,350
Other (Operating) Expenses	\$ 1,487,146
Assigned Counsel - Criminal	\$ 9,111,900
Expert Witnesses	\$ 2,082,252
Training and Education	\$ 130,000
Assigned Counsel - Child Protection	\$ 7,436,000
Contracted Attorneys Related Expenses	\$ 125,000
Family Contracted Attorneys/AMC	\$ 575,000
Equipment	\$ -
Federal Funds	\$ 664,826
Total FY 14 Available Appropriations	\$ 61,590,474

¹This chapter was contributed by Stephen Hunt, Financial Director.

²The Commission's original FY 2014 General Fund appropriation of \$61,146,673 was reduced by \$221,025 as a result of programmed lapse savings.



Office of the Chief Public Defender
30 Trinity Street,, Hartford CT

Public Act 32-184 brought about a few changes to the FY 2014 budget for the Public Services Commission. First, the agency’s overall budget was reduced a total of \$550,000 to reflect a cost savings budget cut enacted by the Legislature. In addition, the Commission received funding for two (2) domestic violence social worker positions.

COST PER CASE TYPE

In FY 2013, a caseload of approximately 99,354 was handled by the Commission’s staff and contracted attorneys funded out of the General Fund, at a cost per case of \$550, an amount indicative of the cost-effectiveness of maintaining a statewide public defender system for the representation of indigent accused. This is also a decrease of \$81 per case compared to FY 2012, which is reflective of the steps this Agency has made in recent years to reduce costs and increase efficiencies in representation. Below is an analysis of the cost per case type, which illustrates the high level of expenditures necessary for capital and appellate cases.

Type of Case	Number of Cases	FY 13 Expenditures	Cost per Case
Capital	9	\$ 2,802,730	\$ 311,414
Appellate	266	\$ 1,799,104	\$ 6,764
Habeas	492	\$ 1,599,019	\$ 3,250
JD	3,175	\$ 9,612,581	\$ 3,028
Assigned Counsel	19,140	\$ 17,390,898	\$ 909
Juvenile	6,910	\$ 4,461,661	\$ 646
GA	69,362	\$ 17,060,942	\$ 246

FEDERAL GRANTS

FY 2013 Grant Funding Expenditures: \$750,887

Post-Conviction DNA Testing Assistance Program

In FY2013, \$272,956.15 was spent on a federal grant funded by the Office of Justice Programs under the Post-Conviction DNA Testing Assistance Program in the amount of \$772,568. This funding is for a collaborative effort by the Division Public Defender Services, Division of Criminal Justice and the Department of Emergency Services and Public Protection (Connecticut Forensic Sciences Laboratory) to identify cases of forcible rape, murder and non-negligent homicide in which incarcerated individuals were wrongfully convicted and are innocent. This grant will provide our agency with funding for two (2) attorneys and one (1) investigator and one (1) project assistant for a period of two (2) years.



Connecticut State Capitol
Building

The Post-Conviction DNA Testing Assistance Program grant was continued into FY2014 with the remaining balance of \$499,611.85 to fund two (2) attorneys and one (1) investigator and one (1) project assistant for the remaining period of the grant.

In addition, in FY 2013 there was transferred grant funds of \$29,328.40 issued to the agency from the Department of Emergency Services and Public Protection (Connecticut Forensic Sciences Laboratory) and there was transferred grant funds of \$15,000 issued to Division of Criminal Justice from agency. These transfers of funds reduced and increased agency expenditures. The remaining available funds \$12,254.67 was spent.

Innovating Public Defender Juvenile Representation: Development of a Juvenile Case Management Database

In FY2013, \$134,787.45 was spent on a federal grant pass through Office of Policy and Management under JAG grant program titled, Innovating Public Defender Juvenile Representation: Development of a Juvenile Case Management Database, in the amount of \$300,000. This funding is to develop a case management system for the juvenile public defender offices. This system will enhance juvenile public defender offices in their ability to provide better services to clients and criminal justice partners within the State and the community. This would be accomplished by improving service delivery, administration of the offices and foster better realization of criminal justice objectives. These improvements are in the areas of treatment and litigation decisions, staffing and resource allocation, caseload limits, statistical analysis and increasing the knowledge base of technology in the juvenile justice field. This grant will provide our agency with funding for a period of two (2) years.

The Innovating Public Defender Juvenile Representation: Development of a Juvenile Case Management Database, grant was continued into FY2014 with the remaining balance of \$165,212.55.

Public Defender Social Workers and Connecticut Domestic Violence Dockets: Managing Collateral Consequences

In FY2013, \$82,331.25 was spent on a federal grant pass through Office of Policy and Management under JAG grant program titled, Public Defender Social Workers and Connecticut Domestic Violence Dockets: Managing Collateral Consequences. This funding is to develop a link of the Connecticut Public Defender Social Workers with domestic violence defendants on the domestic violence dockets of two urban Geographical Area Courts in Connecticut in order to coordinate individualized case management and monitoring plans that will enhance the defendant's ability to successfully participate and complete the court-ordered domestic violence programming. This grant will provide our agency with funding for two (2) contractual social workers for a period of two (2) years and eight (8) months. The grant ended 06/30/2013.

Post-Conviction Non-DNA Wrongful Conviction Review Program

In FY 2013, \$158,558.91 was spent on a federal grant funded by the Office of Justice Programs titled Post-Conviction Non-DNA Wrongful Conviction Review Program. This funding is to identify cases of forcible rape, murder and non-negligent homicide in which incarcerated individuals were wrongfully convicted and are innocent. This grant will provide our agency with funding for one (1) attorney, one (1) investigator and one (1) project assistant for a period of one (1) year and eight (8) months. The grant ended 06/30/2013.

Court Improvement Program (CIP) Training Grant

In FY2013, \$89,998.53 was spent a federal grant pass through Judicial titled, Court Improvement Program (CIP) Training Grant in the amount of \$90,000. This funding is 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 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 was continued into FY2014 with the remaining balance of \$1.47.

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.

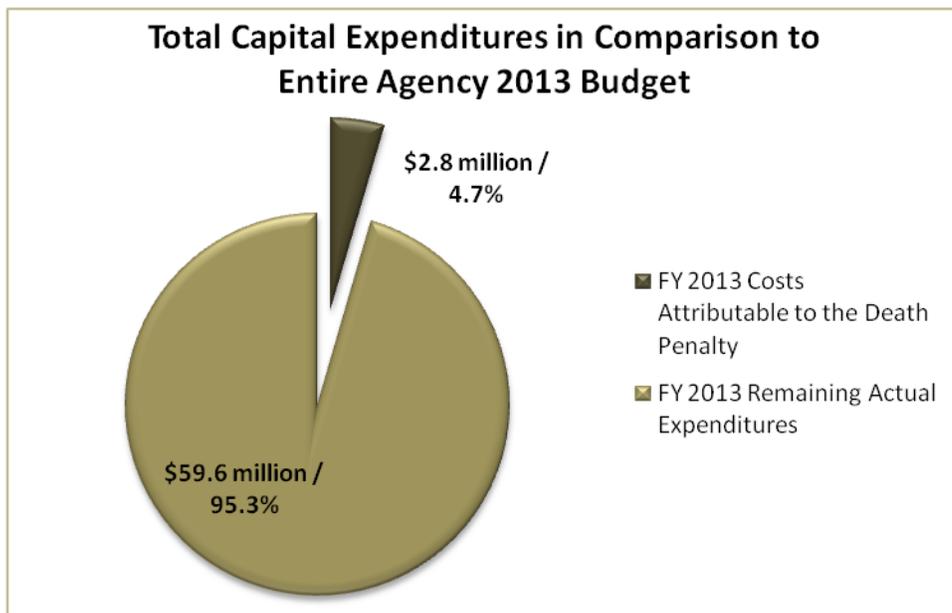
A total of \$121,060 was collected in FY 2013. Over the past ten (10) years of full implementation, the average collected has been \$122,315. Collections have increased in recent years, which is a result of greater emphasis at the G.A. offices to collect these client reimbursement payments. While some public defender clients are able 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.

COST ATTRIBUTABLE TO THE DEATH PENALTY

In FY 2013, the Division spent a total of \$2,802,730 on capital defense. It is important to note that while the total number of capital cases (9) handled by the Division represented 0.009% of the total caseload, resources needed for the trial and appeal of capital cases represented 4.7% of the entire Public Defender General Fund budget. This is a disproportionate relationship that has been growing in recent years. Below is a break-out of the actual capital defense expenditures for the agency:

FY 2013 - Costs Attributable to Death Penalty

Personal Services (Salaries)	\$	1,419,111
Expert Witnesses	\$	126,792
Assigned Counsel	\$	1,238,695
Transcripts	\$	18,131
Trainings	\$	-
Total	\$	2,802,730



⇒ **Public Act No. 13-214** AN ACT CONCERNING DOMESTIC VIOLENCE AND SEXUAL ASSAULT

This public act makes various substantive and technical changes to the domestic violence and sexual assault statutes. The act extends to sexual assault victims the right to terminate a rental agreement without penalty, enables the provision of a secure room for family violence crime victims and their advocates, requires that a plan be developed to make temporary financial support part of the relief available to a person who applies for a restraining order, establishes a task force to study the feasibility of amending the statutes to allow a person other than a family or household member to apply for a restraining order.

⇒ **Public Act No. 13-75** AN ACT CONCERNING TRAFFIC STOP INFORMATION

The act expands which entities are subject to the statutory requirements to conduct a traffic stop and provides definitions of those entities. New language is added to exempt from recording traffic stop information to circumstances when a police officer is required to leave the scene to respond to an emergency or because of exigent circumstances and clarifies the type of information required to be collected. It also requires that the report contain whether a search occurred, the authority for and result of the search, and if a violation of a statute or regulation occurred, to articulate such.

⇒ **Public Act No. 13-28** AN ACT CONCERNING THE RECOMMENDATIONS OF THE CONNECTICUT SENTENCING COMMISSION WITH RESPECT TO SEXUAL ASSAULT IN THE FOURTH DEGREE AND KIDNAPPING IN THE FIRST DEGREE WITH A FIREARM

The act makes technical amendment to the sexual assault in the fourth degree and kidnapping in the 1st degree with a firearm statutes.

⇒ **Public Act No. 13-144** AN ACT CONCERNING THE RECOMMENDATIONS OF THE CONNECTICUT SENTENCING COMMISSION REGARDING FALSE STATEMENT

The act creates two classifications of false statement.

⇒ **Public Act No. 13-258**

**AN ACT CONCERNING THE RECOMMENDATIONS OF
THE CONNECTICUT SENTENCING COMMISSION
REGARDING UNCLASSIFIED FELONIES**

The act creates a new class E felony for which the maximum term of imprisonment is in excess of 1 year but not more than 3 years and makes various changes to certain felony classifications for consistency.

Proposals for the Legislative Session 2014

The Office of Chief Public Defender has submitted a Children's proposal for consideration by the General Assembly for the 2014 legislative session which would:

(1) require that the court consider the least restrictive alternative consistent with the safety of the child when approving a permanency plan for a child committed to the Department of Children and Families and to require that the court find that no less restrictive alternative capable of securing the best interest and safety of a child exists prior to the termination of prior parental rights; (2) give courts the discretion to determine the length of a commitment to the Department of Children and Families as a delinquent and to further specify the circumstances under which the Department of Children and Families can extend the delinquency commitment of a juvenile; (3) provide time credit for a child who is arrested and held in certain facilities prior to the disposition of the juvenile matter who is subsequently convicted as a delinquent and committed to the Department of Children and Families to mirror the adult system; (4) provide that any statement made by a child is admissible in a delinquency proceeding or criminal prosecution as long as the parents of the child are present when it was made; and, (5) ensure fair proceedings in child welfare actions by requiring the Department of Children and Families to include exculpatory or favorable information regarding parents or guardians in their court submissions, social studies and assessments.

Judicial and Legislative Commissions and Task Forces

Through the years, the legislature has enacted Commissions and Task Forces charged with examining and reviewing the general statutes and legislative trends and making recommendations for legislative change. The Chief Public Defender or her designee is a statutory member. The following is a list of the Commissions and Task Forces and the agency representative that participates on such:

- ⇒ *Access to Facilities Implementation Committee* Jen Loo
 - ⇒ *Access to Justice Commission* Susan O. Storey
 - ⇒ *Alcohol and Drug Policy Council* Susan Brown
 - ⇒ *Commission on Racial and Ethnic Disparity in the Criminal Justice System* Ernest Green
 - ⇒ *Connecticut Domestic Violence Fatality Review Committee* Michael Alevy
 - ⇒ *Connecticut Juvenile Training School (CJTS) Advisory Board* Christine Rapillo
James Connolly
 - ⇒ *Connecticut Sentencing Commission* Susan O. Storey*
Legislative Sub-Committee Deborah Del Prete Sullivan
Classification Working Group Deborah Del Prete Sullivan
Drug Free School Zones Working Group Deborah Del Prete Sullivan
Juvenile Sentence Modification Working Group Deborah Del Prete Sullivan
Research Committee co-chair Thomas Ullmann
Steering Committee Thomas Ullmann
- *Public Defender Thomas Ullmann participates on the CT Sentencing Commission as the designee representing the Connecticut Criminal Defense Lawyers Association (CCDLA)*
- ⇒ *Crime Lab Working Group* Darcy McGraw
 - ⇒ *Criminal Justice Information System Governing Board* Brian Carlow
Criminal Information Sharing Systems Project Brian Carlow
 - ⇒ *Criminal Justice Policy Advisory Commission (CJPAC)* Susan O. Storey
CJPAC Batterer Intervention Programming and Standards Subcommittee Catherine Heffernan
CJPAC Behavioral Health Subcommittee Monte Radler
Substance Abuse Treatment (pre/post release Workgroup) Monte Radler
CJPAC Research Workgroup Jennie Albert
 - ⇒ *Department of Children and Families (DCF)/Court Support Services Division (CSSD) Executive Implementation Team* Christine Rapillo
 - ⇒ *DNA Databank Oversight Committee* Darcy McGraw
 - ⇒ *DUI Advisory Committee* Susan Brown
 - ⇒ *Eyewitness Identification Task Force* Deborah Del Prete Sullivan (OCPD)
Darcy McGraw (CT Innocence Project)
 - ⇒ *Budget Deliverables Oversight Committee of the*

<i>Eyewitness Identification Task Force</i>	<i>Deborah Del Prete Sullivan</i>
⇒ <i>Family Violence Model Policy Governing Council</i>	<i>Michael Alevy</i>
⇒ <i>Federal Advisory Committee on Juvenile Justice</i>	<i>Christine Rapillo</i>
⇒ <i>Governor's Task Force on Justice for Abused Children</i>	<i>Christine Rapillo</i>
⇒ <i>Grand Jury Working Group</i>	<i>Brian Carlow</i>
⇒ <i>Interstate Commission for Adult Offender Supervision- Connecticut State Council</i>	<i>Susan O. Storey</i>
⇒ <i>Judicial Branch Court Security Committee</i>	<i>Susan Brown</i>
⇒ <i>Judicial Task Force Work Group to revise C.G.S. 54-56d (m)</i>	<i>Monte Radler</i>
⇒ <i>Justice Education Center- Board of Directors</i>	<i>Susan O. Storey</i>
⇒ <i>Juvenile Justice Advisory Committee</i>	<i>Christine Rapillo</i>
⇒ <i>Juvenile Rules Task Force</i>	<i>Christine Rapillo</i>
⇒ <i>Racial Profiling Prohibition Project Data, Methodology and Analysis Work Group</i>	<i>Deborah Del Prete Sullivan Deborah Del Prete Sullivan</i>
⇒ <i>Trafficking in Persons Council</i>	<i>Deborah Del Prete Sullivan</i>
⇒ <i>Task Force on Victim Privacy and the Public's Right to Know</i>	<i>Susan O. Storey</i>

Appendix

2012/13 FISCAL YEAR

The following tables show the movement, activity and caseload goals of cases in each public defender office during 2012/13. In addition, there are tables ranking the offices by number of “New Cases Assigned” in 2012/13, Caseload Goals and the number of Cases Pending on July 1, 2013.



In the merged offices of Ansonia-Milford JD/GA 22, Danbury JD/GA3, Middlesex JD/GA 9, Tolland JD/GA 19 and Windham JD/GA 11, staff attorneys are shown as working in either the JD or GA, although they may handle both types of cases. Although a departure from earlier years, this change is necessary to calculate “New Cases Assigned Per Attorney” and assess Caseload Goals. During the 2012/13 fiscal year, the number of attorneys was based upon the average number of attorneys in a particular office for each quarter.

The Annual Report 2013 of the Chief Public Defender was produced by Jennie J. Albert with *Microsoft Office Publisher* software. The Appendix tables were created by Marlene K. Levine, Public Defender Secretary, using *Microsoft Access* and *Excel*. The Connecticut Division of Public Defender Services Charter Oak Logo was created by Frank DiMatteo, Manager of Legal Technology Planning and Staff Development.

NOTES

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.

“NEW CASES ASSIGNED” Judicial District offices calculate “new cases assigned” by weighting murder and non death penalty capital cases as 2 cases, (by adding one additional case) and capital felony cases in which the State seeks the death penalty as 10 cases (by adding nine additional cases). 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. A percentage of minor felonies, misdemeanors, motor vehicle and other cases is applied to “transfers” to avoid double subtraction.

Geographical Area offices calculate “new cases assigned” by excluding cases that are nolleed or dismissed on the date of appointment and bail only appointments. Cases transferred are also excluded. Practically speaking, until an automated case tracking system is in place statewide, it will be difficult to track the cases that are nolleed/dismissed on the date of appointment.

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.

For purposes of this report, the following inactive cases are included in this category: a) a commitment under 54-56d incompetency, b) suspended prosecution or c) rearrest has been ordered. Please note that the total for this category is omitted to avoid confusion.

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 attorneys are shown as working in either the JD or GA, although they may handle both types of cases. Although a departure from years prior to 1999, this change is necessary to calculate “New Cases Assigned Per Attorney” and assess *Caseload Goals*.

TRIALS concluded are reported at the stage the trial is concluded. JURY TRIALS are concluded at one of three stages: a) Jury selection commenced b) Jury trial begun (jury sworn after voir dire) or c) Jury trial to verdict. Similarly COURT TRIALS are concluded at one of two stages: a) Court trial begun (first witness sworn) or b) Court trial to judgment.

**Judicial Districts Movement of Cases
Division of Public Defender Services
July 1, 2012- June 30, 2013**

Office	FY12-13 Attorneys	Cases Appointed	Non-Death Capital/Murder Cases Appt.	Death - Capital Cases Appt.	Other Major Felonies Appt.	VOP Appt.	Minor Felonies, Misdemeanors, MV & Other Appointed	Cases Transferred	Divers. Trans. To Inactive	Disposed	New Cases Assigned (weighted)	New Cases Assigned Per Attorney
Ansonia-Milford	1	136	4	0	77	34	19	49	0	57	74	74
Danbury	2	357	0	0	153	62	142	105	38	260	152	80
Fairfield	5	334	15	0	191	88	40	91	0	182	219	46
Hartford	8	538	12	0	313	193	17	248	0	288	287	37
Litchfield	2	194	0	0	62	64	68	73	1	146	79	40
Middlesex	1	53	0	0	20	26	7	16	0	40	32	32
New Britain	3	159	3	0	93	47	13	60	0	93	93	36
New Haven	6.5	396	19	0	169	125	66	171	1	289	191	32
New London	3	230	5	0	100	72	53	95	0	95	103	31
Stamford-Norwalk	1.4	117	4	0	52	34	27	51	0	70	51	28
Tolland	1	59	0	0	44	8	6	33	0	31	23	21
Waterbury	4	296	5	0	145	67	68	95	0	172	157	44
Windham	1	83	1	0	57	21	4	30	0	59	50	31
Total	38.4	2952	68	0	1476	841	530	1117	40	1782	1512	39

"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).

Judicial Districts Caseload Activity
Division of Public Defender Services
July 1, 2012 - June 30, 2013

Office	Stage Jury Trial Concluded				Court Trial Concluded		VOP Hearings	Evidentiary Hearings	Jail Sentences to Serve	Nolled/Dismiss All Charges	Appeals Filed	Other Sent. Rev. PSRB, Habeas
	Average Attorneys FY 12-13	Jury Selection Commenced	Jury Trials Begun	Jury Trials to Verdict	Court Trials Begun	Court Trials to Judgment						
Ansonia-Milford	1	0	0	0	0	0	0	0	45	3	0	0
Danbury	1.9	0	1	1	0	0	14	5	145	74	0	4
Fairfield	4.8	0	3	4	0	1	1	0	137	11	0	4
Hartford	7.7	2	2	4	0	4	3	2	209	19	0	16
Litchfield	2	0	0	1	0	0	0	1	102	21	0	1
Middlesex	1	0	0	0	0	0	0	0	27	1	0	0
New Britain	2.6	0	0	1	0	0	0	0	72	4	0	0
New Haven	6	1	0	1	0	2	0	0	172	48	0	0
New London	3.3	0	0	0	0	0	0	0	56	11	0	0
Stamford-Norwalk	1.8	1	0	0	0	3	1	0	50	1	0	0
Tolland	1.1	0	0	0	0	0	0	5	24	0	0	0
Waterbury	3.5	0	1	3	0	1	0	0	110	33	0	0
Windham	1.6	0	0	0	0	0	0	0	51	4	0	1
Total	38.4	4	7	15	0	11	19	13	1200	230	0	26

Judicial Districts Caseload Goals Analysis
Division of Public Defender Services
July 1, 2012 - June 30, 2013

Office	Average FY 12-13 Attorneys	Cases Appointed	Cases Transferred	New Cases Assigned	New Cases Assigned Per Attorney
Ansonia-Milford	1	136	49	74	74
Danbury	1.9	357	105	152	80
Fairfield	4.8	334	91	219	46
Hartford	7.7	538	248	287	37
Litchfield	2	194	73	79	40
Middlesex	1	53	16	32	32
New Britain	2.6	159	60	93	36
New Haven	6	396	171	191	32
New London	3.3	230	95	103	31
Stamford-Norwalk	1.8	117	51	51	28
Tolland	1.1	59	33	23	21
Waterbury	3.6	296	95	157	44
Windham	1.6	83	30	50	31
Total	38.4	2952	1117	1512	39

"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 2012-13 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 Defender Services
July 1, 2012- June 30, 2013**

	Average FY 12-13 Attorneys	Cases Appointed	Major Felonies	VOP	Minor Felonies, Misdemeanors, MV & Other	Cases Transferred	Divers. Trans. To Inactive	Dispositions	New Cases Assigned	New Cases Assigned Per Attorney
GA 1 Stamford	5.2	2145	312	179	1653	548	390	1601	1597	307
GA 2 Bridgeport	14.6	7064	1053	898	5106	1433	665	5298	5631	386
GA 3 Danbury	2.3	1272	6	146	1119	266	162	1051	1006	437
GA 4 Waterbury	8.1	4383	533	343	3506	1014	206	3462	3369	416
GA 5 Derby	3	1866	235	195	1427	345	189	1285	1521	507
GA 7 Meriden	5	3410	487	547	2373	1066	188	2595	2344	469
GA 9 Middletown	3.6	2465	226	310	1928	709	163	1957	1756	488
GA 10 New London	5.5	3154	287	380	2468	782	189	1864	2372	431
GA 11 Danielson	3.6	2087	242	320	1520	248	186	1600	1839	511
GA 12 Manchester	4.3	2958	357	244	2354	1014	253	2077	1944	452
GA 13 Enfield	3	1202	151	185	845	452	71	855	750	250
GA 14 Hartford	16	6632	1006	984	4642	1076	339	5602	5556	347
GA 15 New Britain	6.8	3947	574	657	2716	1086	413	2719	2861	421
GA 17 Bristol	2.8	1833	206	233	1394	378	221	1475	1455	520
GA 18 Bantam	3.6	2263	188	255	1818	670	174	1529	1593	443
GA 19 Rockville	3	1604	92	254	1189	352	229	1160	1252	417
GA 20 Norwalk	3.5	1671	180	156	1335	479	26	980	1192	341
GA 21 Norwich	4	2407	315	427	1659	861	146	1829	1546	387
GA 22 Milford	2.8	1503	215	237	1050	629	45	897	874	312
GA 23 New Haven	16.1	8662	1264	843	6272	1477	784	7600	7185	446
Total	116.5	62528	7929	7793	46374	14885	5039	47436	47643	409

An additional attorney from GA 14 handled 882 appointed cases at the Community Court on a full-time basis.

During the 2012-13 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 Caseload Activity
Division of Public Defender Services
July 1, 2012 - June 30, 2013

Office	Stage Jury Trial Concluded				Court Trial Concluded		VOP Hearings	Evidentiary Hearings	Jail Sentences to Serve	Nolled/ Dismiss All Charges	Appeals Filed	Other Sent. Rev. PSRB, Habeas
	Average Attorneys FY 12-13	Jury Selection Commenced	Jury Trials Begun	Jury Trials to Verdict	Court Trials Begun	Court Trials to Judgment						
GA1 Stamford	5.2	0	0	0	0	0	3	11	364	614	0	0
GA2 Bridgeport	14.6	0	0	1	0	0	1	0	1138	1745	0	0
GA3 Danbury	2.3	0	0	2	0	0	30	12	414	294	2	1
GA 4 Waterbury*	8.1	0	0	0	0	0	0	10	714	1450	0	1
GA5 Derby	3	0	0	0	0	0	0	8	264	321	0	0
GA7 Meriden	5	0	0	0	0	0	0	1	707	664	0	0
GA9 Middletown	3.6	0	0	0	0	0	0	1	327	807	0	0
GA10 New London	5.5	0	0	1	0	0	0	0	433	694	0	0
GA11 Danielson	3.6	0	0	0	0	0	1	0	451	541	0	0
GA12 Manchester	4.3	0	0	0	0	0	3	0	614	818	0	0
GA13 Enfield	3	0	0	0	0	0	0	0	181	326	0	0
GA14 Hartford*	16	1	0	0	0	1	0	5	1042	3232	0	0
GA15 New Britain	6.8	1	0	2	0	0	1	3	934	1053	0	0
GA17 Bristol	2.8	0	0	1	0	0	0	24	498	468	1	0
GA18 Bantam	3.6	0	0	0	0	0	2	9	333	792	0	2
GA19 Rockville	3	0	0	2	0	0	1	19	378	363	0	0
GA20 Norwalk	3.5	0	0	1	0	0	0	0	260	307	0	0
GA21 Norwich	4	1	1	2	0	0	6	4	455	624	0	0
GA22 Milford	2.8	0	0	0	0	0	0	0	269	264	0	0
GA23 New Haven	16.1	0	1	4	0	1	1	5	943	3442	0	0
Totals	116.5	3	2	16	0	2	49	112	10719	18819	3	4

*Waterbury GA 4 and Hartford GA 14 figures include Community Courts

Geographical Areas Caseload Goals Analysis
Division of Public Defender Services
July 1, 2012 - June 30, 2013

		Average FY 12-13 Attorneys	Cases Appointed	Cases Transferred	New Cases Assigned	New Cases Assigned Per Attorney
GA 1	Stamford	5.2	2145	548	1597	307
GA 2	Bridgeport	14.6	7064	1433	5631	386
GA 3	Danbury	2.3	1272	266	1006	437
GA 4	Waterbury	8.1	4383	1014	3369	416
GA 5	Derby	3	1866	345	1521	507
GA 7	Meriden	5	3410	1066	2344	469
GA 9	Middletown	3.6	2465	709	1756	488
GA 10	New London	5.5	3154	782	2372	431
GA 11	Danielson	3.6	2087	248	1839	511
GA 12	Manchester	4.3	2958	1014	1944	452
GA 13	Enfield	3	1202	452	750	250
GA 14	Hartford	16	6632	1076	5556	347
GA 15	New Britain	6.8	3947	1086	2861	421
GA 17	Bristol	2.8	1833	378	1455	520
GA 18	Bantam	3.6	2263	670	1593	443
GA 19	Rockville	3	1604	352	1252	417
GA 20	Norwalk	3.5	1671	479	1192	341
GA 21	Norwich	4	2407	861	1546	387
GA 22	Milford	2.8	1503	629	874	312
GA 23	New Haven	16.1	8662	1477	7185	446
Total		116.5	62528	14885	47643	409

An additional attorney from GA14 handled 882 appointed cases on a full-time basis at the Community Court.

During the 2012-13 fiscal year, the number of "new cases assigned per attorney" is based upon an average of the number of attorneys in each quarter.

**Juvenile Matters Movement of Cases
Division of Public Defender Services
July 1, 2012 - June 30, 2013**

Office	Average FY 12-13 Attorneys	Cases Appointed	Serious Juv. Offenses	Other Felony	Misd. & Other	Cases Transferred	Dispositions	Cases Transferred to Adult Court	New Cases Assigned	New Cases Assigned Per Attorney
Bridgeport	2.6	873	183	129	543	286	236	39	587	226
Danbury*	0.8	143	6	52	81	13	87	4	130	163
Hartford	2.9	1122	139	169	796	418	621	21	704	243
Middletown	1	373	40	45	279	138	220	3	235	235
New Britain	1.9	529	48	104	348	58	416	24	471	248
New Haven	3.6	1194	169	128	878	233	856	14	961	267
Rockville	1	357	55	74	215	120	189	6	237	237
Stamford	0.6	201	45	30	122	79	73	1	122	203
Waterbury/Torrington**	3.1	1039	62	168	789	166	893	20	873	282
Waterford/Willimantic**	2	598	74	94	417	113	393	10	485	243
Total	19.4	6429	821	993	4468	1624	3984	142	4805	248

*In Danbury, the caseload was handled by an attorney from the Public Defender's office who handles adult criminal matters.

**The caseload for the Waterford and Willimantic, Waterbury and Torrington offices was handled by the same attorneys.

Juvenile Matters Caseload Activity
Division of Public Defender Services
July 1, 2012 - June 30, 2013

Office	Attorneys Avg. FY 12-13	Detention Hearings	Court	Court	VOP Hearings	Evidentiary Hearings	Criminal Sentence	Nolle/ Dismissed	Clients Confined	Clients to		
			Trials Begun	Trials to Judgment						Residential Placement	Appeals Filed	Collateral Matters
Bridgeport	2.6	612	0	1	0	1	0	320	12	5	0	29
Danbury	0.8	77	0	0	0	2	0	37	0	2	0	0
Hartford	2.9	373	0	0	1	1	0	264	1	24	0	0
Middletown	1	151	0	0	13	8	0	149	0	4	0	28
New Britain	1.9	533	0	0	0	6	0	197	9	6	0	50
New Haven	3.6	684	1	1	0	3	0	303	19	9	0	0
Rockville	1	351	0	0	0	0	0	125	1	3	0	6
Stamford	0.6	92	0	0	0	1	0	29	0	4	0	0
Torrington	0.6	159	0	0	0	0	0	59	0	2	0	0
Waterbury	2.5	1074	0	0	1	8	0	613	9	20	0	0
Waterford	1.2	150	0	0	0	4	0	86	5	0	0	1
Willimantic	0.8	142	0	0	0	3	0	101	7	0	0	0
Totals	19.4	4398	1	2	15	37	0	2283	63	79	0	114

Juvenile Matters Caseload Goals Analysis
Division of Public Defender Services
July 1, 2012 - June 30, 2013

	Average FY 12-13 Attorneys	Cases Appointed	Cases Transferred	New Cases Assigned	New Cases Assigned Per Attorney
Bridgeport	2.6	873	286	587	226
Danbury*	0.8	143	13	130	163
Hartford	2.9	1122	418	704	243
Middletown	1	373	138	235	235
New Britain	1.9	529	58	471	248
New Haven	3.6	1194	233	961	267
Rockville	1	357	120	237	237
Stamford	0.6	201	79	122	203
Waterbury/Torrington**	3.1	1039	166	873	282
Waterford/Willimantic**	2	598	113	485	243
Total	19.4	6429	1624	4805	248

*In Danbury, the caseload was handled by an attorney from the Public Defender's office who handles adult criminal matters.

**The caseloads for the Waterford and Willimantic, Waterbury and Torrington offices were handled by the same attorneys.

During the 2012-13 fiscal year, the number of "new cases assigned per attorney" is based upon an average of the number of attorneys in each quarter.

**New Cases Assigned
(in rank order)
Public Defender Offices
Judicial Districts
2012-2013**

Location	Total New Cases Assigned	Location	Average of Attorneys	New Cases Assigned Per Attorney
Hartford	287	Danbury	1.9	80
Fairfield	219	Ansonia-Milford	1	74
New Haven	191	Fairfield	4.8	46
Waterbury	157	Waterbury	3.6	44
Danbury	152	Litchfield	2	40
New London	103	Hartford	7.7	37
New Britain	93	New Britain	2.6	36
Litchfield	79	Middlesex	1	32
Ansonia-Milford	74	New Haven	6	32
Stamford-Norwalk	51	New London	3.3	31
Windham	50	Windham	1.6	31
Middlesex	32	Stamford-Norwalk	1.8	28
Tolland	23	Tolland	1.1	21
Total	1512		38.4	39

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 departure from previous years, this change is necessary to calculate New Cases Assigned Per Attorney and assess Caseload Goals.

During the 2012-13 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
2012-2013**

FY 12-13			FY 13-14		
Location	Average of Attorneys	Active Cases Pending July 1, 2012	Location	Average of Attorneys	Active Cases Pending July 1, 2013
Hartford	7	279	Hartford	7.7	328
New Haven	6	226	New Haven	6	204
Danbury	1	136	Fairfield	4.8	169
Fairfield	5	126	Waterbury	3.6	144
Waterbury	4	107	Danbury	1.9	137
Litchfield	2	105	Stamford-Norwalk	1.8	97
Stamford-Norwalk	1.6	103	New Britain	2.6	94
New Britain	2.7	82	New London	3.3	92
New London	3	56	Litchfield	2	80
Windham	1	46	Ansonia-Milford	1	66
Ansonia-Milford	1	35	Windham	1.6	54
Middlesex	1	30	Middlesex	1	26
Tolland	1.5	18	Tolland	1.1	25
	36.8	1349		38.4	1516

**New Cases Assigned
(in rank order)
Public Defender Offices
Geographical Areas
2012-2013**

Location		Total New Cases Assigned	Location		FY 2012-13 Average Attorneys	New Cases Assigned Per Attorney
GA 23	New Haven	7185	GA 17	Bristol	2.8	520
GA 2	Bridgeport	5631	GA 11	Danielson	3.6	511
GA 14	Hartford	5556	GA 5	Derby	3	507
GA 4	Waterbury	3369	GA 9	Middletown	3.6	488
GA 15	New Britain	2861	GA 7	Meriden	5	469
GA 10	New London	2372	GA 12	Manchester	4.3	452
GA 7	Meriden	2344	GA 23	New Haven	16.1	446
GA 12	Manchester	1944	GA 18	Bantam	3.6	443
GA 11	Danielson	1839	GA 3	Danbury	2.3	437
GA 9	Middletown	1756	GA 10	New London	5.5	431
GA 1	Stamford	1597	GA 15	New Britain	6.8	421
GA 18	Bantam	1593	GA 19	Rockville	3	417
GA 21	Norwich	1546	GA 4	Waterbury	8.1	416
GA 5	Derby	1521	GA 21	Norwich	4	387
GA 17	Bristol	1455	GA 2	Bridgeport	14.6	386
GA 19	Rockville	1252	GA 14	Hartford	16	347
GA 20	Norwalk	1192	GA 20	Norwalk	3.5	341
GA 3	Danbury	1006	GA 22	Milford	2.8	312
GA 22	Milford	874	GA 1	Stamford	5.2	307
GA 13	Enfield	750	GA 13	Enfield	3	250
Total		47643			116.5	409

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 J.D. or G.A. 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 2012-13 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
Geographical Areas**

		FY 12-13		FY 13-14			
Location		Average of Attorneys	Active Cases Pending July 1, 2012	Location			
				Average of Attorneys	Active Cases Pending July 1, 2013		
GA14	Hartford	15	3278	GA14	Hartford	16	2602
GA23	New Haven	15.3	2953	GA23	New Haven	16.1	2442
GA2	Bridgeport	15	2117	GA2	Bridgeport	14.6	2356
GA15	New Britain	7	1226	GA11	Danielson	3.6	1359
GA4	Waterbury	8	1165	GA20	Norwalk	3.5	1332
GA12	Manchester	4	1164	GA15	New Britain	6.8	1281
GA20	Norwalk	3	1153	GA4	Waterbury	8.1	1166
GA11	Danielson	3.6	1120	GA10	New London	5.5	1071
GA9	Middletown	2.8	991	GA12	Manchester	4.3	1055
GA1	Stamford	5.4	895	GA1	Stamford	5.2	975
GA21	Norwich	4	893	GA5	Derby	3	855
GA7	Meriden	5	744	GA9	Middletown	3.6	808
GA18	Bantam	4	726	GA18	Bantam	3.6	790
GA10	New London	6	665	GA19	Rockville	3	631
GA5	Derby	3	656	GA7	Meriden	5	553
GA19	Rockville	2.5	560	GA21	Norwich	4	509
GA3	Danbury	3.25	412	GA3	Danbury	2.3	416
GA22	Milford	2.5	393	GA22	Milford	2.8	342
GA17	Bristol	2	341	GA17	Bristol	2.8	272
GA13	Enfield	3	267	GA13	Enfield	3	180
		114.35	21719			116.5	20995

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 J.D. or G.A. 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.

**New Cases Assigned
(in rank order)
Public Defender Offices
Juvenile Matters
2012-2013**

Location	Total New Cases Assigned	Location	Average of Attorneys	New Cases Assigned Per Attorney
New Haven	961	Waterbury/Torrington	3.1	282
Waterbury/Torrington	873	New Haven	3.6	267
Hartford	704	New Britain	1.9	248
Bridgeport	587	Hartford	2.9	243
Waterford/Willimantic	485	Waterford/Willimantic	2	243
New Britain	471	Rockville	1	237
Rockville	237	Middletown	1	235
Middletown	235	Bridgeport	2.6	226
Danbury	130	Stamford	0.6	203
Stamford	122	Danbury	0.8	163
Total	4805		19.4	248

**Active Cases Pending
(in rank order)
Public Defenders Offices
Juvenile Matters
2012-2013**

FY 12-13			FY 13-14		
Location	Average of Attorneys	Active Cases Pending July 1, 2012	Location	Average of Attorneys	Active Cases Pending July 1, 2013
Hartford	2	478	Hartford	2.9	421
Waterbury/Torrington	3	313	New Haven	3.6	339
New Haven	2.5	292	Waterbury/Torrington	3.1	294
Bridgeport	2.6	275	Waterford/Willimantic	2	245
Waterford/Willimantic	2	249	New Britain	1.9	151
New Britain	2	198	Bridgeport	2.6	130
Stamford	0.6	100	Stamford	0.6	116
Middletown	1	82	Middletown	1	89
Rockville	1	74	Danbury	0.8	76
Danbury	0.75	44	Rockville	1	58
Total	17.45	2105	Total	19.4	1919

*Active Cases Pending July 1, 2013 is determined based on the July 1, 2013 Physical Count Inventory