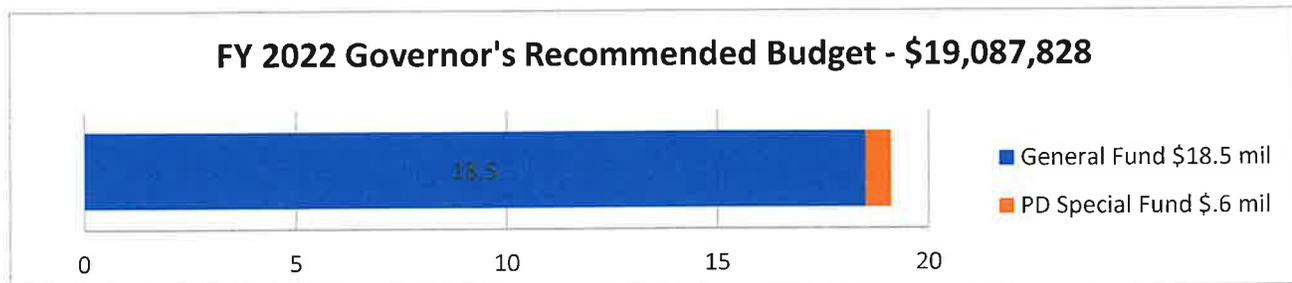# Office of the Defender General
FY 2022 Governor's Recommended Budget

MISSION: The Office of the Defender General provides constitutionally required representation to indigent persons charged with serious crimes. The Office also provides counsel to children who are the subject of juvenile proceedings as alleged delinquents; to parties in juvenile proceedings including children in need of care and supervision (CHINS); to children in the custody of the Department for Children and Families; to persons in the custody of the Commissioner of Corrections; and, to needy persons in extradition, or probation or parole revocation proceedings.

FY 2022 Governor's Recommended Budget - $19,087,828

Bar chart showing: 18.5 (General Fund $18.5 mil, blue) and PD Special Fund $.6 mil (orange). X-axis scale: 0, 5, 10, 15, 20.

WHAT IT PROVIDES:
- General Fund and Public Defense Special Fund are level funded from FY 2021 restatement;
- Continues current service level; no attorney step increases; no contract increases;
- Provides funding for internal services fund allocations.

ACCOMPLISHMENTS:
- ODG has remained within budget for 19 consecutive years;
- Fiscal responsibility has been built on legal services provided by conflict contractors saving the state 40% when compared to a staff office;
- Increase in the number of ACCs has kept reliance on ad hoc counsel to a minimum;
- FY16-19: Ad hoc caseload has decreased 39%;
- NOTE: Ad hoc counsel is the most expensive way the ODG provides service – it's 90% more expensive than staff.

CHALLENGES:
- Public Defense contracts to be renegotiated for four years with no additional funds including NEK which has had caseload increases of 66% last 5 years;
- Anticipate surge in caseload in FY 2022 due to COVID-related backlogged cases.
- FY18-19 PD criminal caseload increased (felonies 4% and misdemeanors 11%);
- FY16-19: PD juvenile caseload increased 37%;
- Attorneys are not available for hire in staff or contract systems, particularly outside of Burlington/Montpelier corridor;
- Conflict Contractors are grossly underpaid, and remain level funded;
- Private sector pay for attorneys has far outpaced public sector attorney pay in recent years.