

Office of the Defender General
Response to the Judiciary's Pandemic Response and Recovery Plan
April 20, 2021

The Judiciary has submitted its Pandemic Response and Recovery Plan dated March 15, 2021, proposing to extend the resources provided to the Judiciary through the first round of Coronavirus Relief Funds that were made available to the state in FY 2020, and proposing additional resources to deal with recovery from the pandemic into FY 2025.

The Judiciary's proposal will impact other parts of the criminal justice system, specifically, the State's Attorneys and the Office of the Defender General. While we are working to determine exactly where there are criminal and juvenile case backlogs, and how the Judiciary's use of retired judges may impact the processing of criminal and juvenile cases, it is incumbent upon the Office of the Defender General to identify its needs to be able to respond appropriately and continue to serve its clients consistent with its ethical obligations.

The Judiciary has proposed to use retired judges and dedicated docket clerks to help clear case backlogs, to continue to maximize remote technology, and review court processes and develop strategies to resolve cases, among other things.

In summary, the Office of the Defender General can identify the following needs:

Case Backlog and Influx of New Cases

- Public Defense: Continue the existing caseload relief contracts in place throughout the state and add additional caseload relief in Washington and Orleans/Caledonia counties.
- Nights/weekends court time proposal is unknown and the need for resources in ODG is unknown.
- Public defense: Two limited service IT positions to support continued remote technology including creating and staffing a helpdesk, installing additional equipment/software, Odyssey E-File & Serve processing, and providing training for Public Defense and Assigned Counsel conflict contractors.
- Public defense: Five limited service administrative support positions to provide support for anticipated influx of additional caseload, conflict checking, scheduled hearings, and Odyssey E-File & Serve processing; and one limited service administrative services technician to provide support to ODG Central financial management in implementing, managing and reporting use of funds to support this proposal.

Continued Technology Needs

- Assigned counsel contract attorneys: Additional reimbursements to conflict contractors for IT upgrades to support remote technology, including Webex conferencing.
- Public Defense: Additional IT hardware/software to support continued remote technology.
- Public Defense: Workspace/operating needs to support limited service positions.

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	FY 2022	FY 2023	FY 2024	FY 2025 (1/2)	Total Cost
PD caseload relief contractors (7.5 FTE) (includes most current contracts and Washington County and .5 NEK Law)	\$750,000	\$750,000	\$750,000	\$375,000	\$2,625,000
Judiciary's proposed nights/weekends (unknown)					
Limited service IT positions (tech support and training) PG 20 (2)	\$145,500	\$145,500	\$145,500	\$72,750	\$509,250
Limited service Admin Support PD offices PG 17 (5) and Limited service Admin Services Tech Central Office PG 17 (1)	\$387,900	\$387,900	\$387,900	\$193,950	\$1,357,650
Assigned Counsel Contractors reimbursement to upgrade IT for remote technology	\$50,000				\$50,000
Public Defense IT Hardware/Software additional needs for remote connections	\$50,000				\$50,000
Limited Service positions workspace /operating (furniture, tech, etc.)	\$10,000				\$10,000
Totals	\$1,393,400	\$1,283,400	\$1,283,400	\$641,700	\$4,601,900