

## DISCUSSION POINT – OFFICE OF THE PUBLIC DEFENDER

38. The 2004 Child Welfare Reform plan included changes to the provision of legal services by the Office of the Public Defender (OPD) to children and indigent parents in child abuse and neglect (Title 9) and termination of parental rights (Title 30) cases. The plan targeted two areas for improvement. First, the plan aimed at accelerating the delivery of legal services to parents at the earliest possible court proceeding to aid family reunification efforts and the processing of adoption cases by enhancing the quality of legal representation to all parties through hiring and training additional personnel in the OPD's Office of Law Guardian (OLG), which represents children in family court matters, and in the OPD's Office of Parental Representation (OPR), which defends indigent parents in these matters. More staff attorneys were necessary to reduce the backlog of cases as well as attorney caseloads, thereby allowing attorneys to spend more time on each case. To date, the OPD has increased its staffing level at the OLG and essential skills training is offered to attorneys and investigators. Additionally, the OPD has shifted from reliance on outside counsel to utilizing staff attorneys at the OPR. Furthermore, OPR and OLG now provide legal representation at the earliest possible phase in these cases.

Second, the plan required efforts to improve legal representation to indigent parents. Prior to Child Welfare Reform, OLG used staff attorneys to represent children in both Title 9 and Title 30 cases. However, the OPR relied almost exclusively on private pool attorneys who were paid on an hourly basis to represent indigent parents in these cases. These outside attorneys had no reliable access to ongoing training, support, and supervision. Moreover, indigent parents frequently found themselves being represented by different attorneys during the course of their cases because of the difficulty in recruiting and retaining pool attorneys for this case type due to the low rate of compensation. To remedy this problem, the Child Welfare Reform Plan called for an increase over a two year time frame in the hourly rate for pool attorneys from \$30 to \$75 and for a new model of parental representation -- the replacement of most

“pool” attorneys with staff lawyers to represent indigent parents. The OPR, however, still relies heavily on pool attorneys as a result of the growth in the number of case assignments, as a means to maintain caseload caps, and to avoid a conflict of interest between parents in multiple defendant cases. With respect to reimbursement, the OPD has thus far only raised the hourly rate for pool attorneys to \$60 for in court time and \$50 for all other work.

Based upon caseload data in the Governor’s Budgets for fiscal years 2007, 2008, and 2009, OLG and OPR are anticipated to close 15,505 cases in FY 2009, which represents an increase of 4,831 cases, or 45 percent, over the 10,674 cases closed in FY 2004. The number of open cases at the end of FY 2009 is anticipated to reach 16,584, which number is 2,213 cases, or 12 percent, below the FY 2004 equivalent of 18,797 cases. Therefore, the FY 2009 number of open cases will exceed the number of closed cases by 1,079, or seven percent, which suggests a backlog of 13 months at FY 2009 staffing levels. In FY 2004, the backlog was approximately 21 months (18,797 open cases multiplied by 12 months divided by 10,674 closed cases).

**Note: The Office of the Public Defender modified the above summary to better clarify the OLS description of the 2004 Child Welfare Reform Plan.**

Questions:

1. Please elaborate on the Office of the Public Defender's (OPD) obligations under the Child Welfare Reform Plan and its progress towards achieving these goals. If the targets have changed over time, how have they evolved and why were they modified?

1. The Child Welfare Reform Plan was established to address the settlement of a lawsuit against the State filed by Children Rights, Inc., on behalf of foster children under the care of the Division of Youth and Family Services (DYFS). With respect to the OPD, the primary goal was to dramatically reduce attorney caseloads, thereby expediting child welfare cases toward permanency for children (including family reunification whenever possible), while holding DYFS more accountable for the provision of necessary services to families, protecting the safety of children and ensuring the rights of all parties involved. While the OPD already had a state-wide system for providing legal representation for children, additional offices and staff were planned to reduce caseloads for law guardians. Concurrently, a separately administered unit within the OPD was to be restructured to create an Office of Parental Representation (OPR) to provide a parallel state-wide system of legal representation for indigent parents. The goal was to achieve statutorily and professionally mandated high quality legal representation for indigent parents (including caseload targets) while also aiming to reduce the backlog of cases and limit the OPR's reliance on pool attorneys to cases involving potential conflicts of interest between parents in multiple defendant cases.

While the attorney caseload targets established under the Reform Plan for both the OLG and the OPR have not changed, the continuing fiscal crisis facing New Jersey has slowed the implementation

process. In addition, other factors have impeded the ability of the OPD to meet reform plan goals. For example, OPR continues to make a majority of assignments to pool attorneys rather than staff attorneys. In addition to the ongoing staffing shortage, this is due, in part, to the unexpected growth in case assignments by the courts (which are responsible for determining indigency and eligibility for OPD representation of parental defendants in child welfare cases) and the expanding scope of OPR's constitutionally and statutorily mandated role to provide legal representation for indigent parents at all critical phases in child welfare cases. In addition to providing legal representation at the initial hearings upon the emergency removal of any child from a parent's custody, case law developments have required expanded duties for OPR lawyers in both Title 9 and Title 30 cases. This includes the handling of claims by clients alleging ineffective assistance of counsel or seeking post-judgment remedies (such as motions to vacate guardianship judgments, visitation and other relief). Recent court decisions have also expanded the requirement to provide legal representation to indigent parents to facilitate resolution of placement or custody disputes between parents or other relatives arising from child welfare cases before a DYFS case may be closed. Staffing has not kept pace with the increasing responsibilities. As a result, OPR has continued to rely on the use of pool attorneys for assignments to meet caseload targets for OPR staff lawyers.

Similarly, law guardians throughout the State are continuing to represent their child clients in proceedings well beyond the court's decision to terminate parental rights. This case type has evolved and was not anticipated when OLG caseload targets were established initially under the Child Welfare Reform Plan. However, it became evident that there were a significant number of cases where children had not been adopted and remained in foster homes long after parental rights were terminated. In many counties, judges are now routinely ordering regular review hearings after a decision to terminate parental rights and OLG continues to represent the children in these cases although additional resources were not provided for this purpose as part of the funding for Child Welfare

Reform. In sum, OLG has not met its caseload target and has been required to rely heavily upon the use of per diem attorneys to help reduce law guardian caseloads.

2. What is the annual caseload target per attorney in the Office of Law Guardian (OLG) and the Office of Parental Representation (OPR), the caseload projected for FY 2009, and the caseload for each fiscal year beginning with the fiscal year prior to Child Welfare Reform?

2. The OLG caseload target established as a Child Welfare Enforceable and vigorously pursued by the OPD has been 88 cases (children) per staff attorney. The OPR target is a maximum of 75 cases (parents) per staff attorney.

With respect to the OLG target, the OPD has achieved a caseload average of 117 cases per attorney in Fiscal Year 2007. The progression of actual caseload in OLG from prior to the Child Welfare Reform program was 177 for Fiscal Year 2003, 173 for Fiscal Year 2004, 146 for Fiscal Year 2005, 133 for Fiscal Year 2006, and 117 for Fiscal year 2007. The projected OLG caseload per attorney for Fiscal Year 2009 is 101 (please refer to **Chart 1** for comparative fiscal year staff attorney caseload numbers noted above). This figure does not include post-termination cases handled by staff attorneys. As indicated above, law guardians around the State continue to provide legal representation to children in post-termination matters in an effort to ensure that their safety and well-being remains a paramount concern until they receive permanent homes. Post-termination representation requires significant resources to conduct ongoing client contact, investigation, court review hearings and to monitor the Division's progress toward permanency. The retention of cases long after termination proceedings have concluded has severely impeded our ability to reduce law guardian attorney caseloads. Therefore, it is important to note that the OLG caseload average per attorney listed

above for each fiscal year does not include any post-termination cases. As of March 30, 2008, the Judiciary reported a total of 2,147 active post-termination cases statewide.

With the introduction of OPR's staff attorney model for parental representation, OPR adopted a caseload target based on an analysis of the scope of work required in Title 9 and Title 30 cases, the ratios between the two case types, and the support staff available to undertake necessary work on behalf of parental clients. Though established in 2004, the target notably is fixed at the midpoint in the professionally recognized caseload range of 50-100 cases that was set in 2006 by the ABA for lawyers representing parents in child welfare cases. The ABA caseload range takes into consideration that higher caseloads above 50 in this range specifically contemplate legal representation based on a multi-disciplinary team concept that involves lawyers, social workers, paralegals and clerical support staff working together to defend and advocate for indigent parents in child welfare cases. While the OPD reform plan for parental representation urged adoption of such a multi-disciplinary model to facilitate a caseload target of 75, the OPR has not had sufficient resources or positions to implement the planned multi-disciplinary practice. Nonetheless, the OPR has adhered to the caseload target of 75 per staff attorney even though it has lacked funding and positions to achieve the type of support ratios recognized by professional standards as necessary for lawyers handling such a caseload of parental clients. As a result, even at a caseload of 75, OPR has greatly stretched its resources and has faced significant challenges in representing clients.

As noted above, the actual caseload for OPR in Fiscal Year 2007 met the target number of 75 cases per staff attorney. However, this caseload target could be met only by engaging pool (private) attorneys. Accordingly, the actual percentage of OPR total cases handled by staff attorneys for Fiscal Year 2003 was 11%; Fiscal Year 2004 at 9%, Fiscal Year 2005 at 35%, Fiscal Year 2006 at 39%, and Fiscal Year 2007 at 37% (please refer to Chart 2 for comparative fiscal year caseload percentages for staff as noted above). Therefore, in

FY2007 alone, 63% of all Title 9 and Title 30 cases were assigned to outside pool attorneys.

3. If caseloads have fallen short of Child Welfare Reform targets, please explain the difficulties that have kept OPD from meeting the targets and what steps OPD intends to pursue to accomplish this objective.

3. The primary impediment to accomplishing the mission set forth in the Child Welfare Plan for OLG has been the ongoing fiscal crisis that precludes additional funding to hire a sufficient number of attorneys in order to meet caseload targets. In fact, the current fiscal crisis has resulted in reducing the number of full-time paid employees budgeted for OLG. That reduction amounted to a loss of 11 attorneys (3 of which are managers) and 18 support staff. OLG requires at least 27 additional full time staff attorneys (3 of which are managers) to meet the 88 cases per attorney target. OLG's expansion was to occur in three phases to gradually increase the number of attorneys, investigators and secretarial staff with funding at each phase. Unfortunately, the third and final projected phase of funding never materialized, and worse, existing available staff funding was reduced, while the scope of responsibility has increased. While the OPD has been able to utilize the services of per diem attorneys as a methodology for reducing attorney caseloads, here too, we face the problem of our inability to attract a sufficient number of qualified private attorneys to engage as long term per diems, and a lack of infrastructure, i.e., physical space and support staff to accomplish the set goals. Moreover, the use of per diems presents the same problems that led to the Reform Plan's recommendation to establish a new model to handle indigent parental representation and to reduce the agency's reliance on outside private counsel. Specifically, per diem attorneys are private contractors, many of whom have private law practices. Therefore, they are not subject to close supervision of agency managers; they are not mandated to attend ongoing regular agency training; and they do not have access to essential investigative and secretarial support provided to staff attorneys. Generally, per diem attorneys work at their private law offices and they do not

benefit from the collective thinking and analysis of legal issues that occurs between colleagues within agency offices on a daily basis. Finally, it has been extremely difficult to recruit and retain per diem attorneys. A significant number of our per diem attorneys have been hired when full-time staff attorney positions have become available or they have left when we have not had full time positions to offer. This level of attrition is inconsistent with OLG's goal to provide vertical representation and our statutory obligation to reduce the number of changes in representation because of the disruption it causes to the children we represent.

With regard to the OPR target impediments, similar issues exist as a result of over-reliance on the use of per diem and pool attorneys. As mentioned above, the 75 case per attorney target is being met only as a result of the use of pool attorneys. For the same reasons as set forth above with regard to OLG, relying on per diem lawyers or pool attorneys is contrary to the goals of the Child Welfare Reform plan and commitments memorialized therein. Furthermore, staff attorneys dedicated to representing parents will be more cost effective and provide the type of professional expertise contemplated by the Child Welfare Reform Plan.

4. What staffing levels (attorneys and other employees) and budgetary outlays would be required for OLG and OPR to meet the caseload targets in FY 2009?

4. The OLG would require a minimum of 27 additional staff attorneys (3 of which are managers) and associated investigative and clerical support staff to meet the target caseload of 88 children per staff attorney in trial level proceedings. Post-termination cases are not included in this estimate, and additional staff (above the 27 attorneys and support staff noted above) would be required to meet OLG's caseload target.

To achieve OPR's 75 caseload target without reliance on pool and per diem attorneys for other than conflict cases involving multiple defendants, the OPR would require the following additional staff:

Trial Offices: not less than 30 attorneys (4 of which are managers), 21 attorney assistants, 10 investigators (4 of which are managers) and 13 clerical support staff; Appellate Office: 16 attorneys, 3 attorney assistants, 3 clerical staff.

5. What is the staffing level assumed in the Governor's Budget for FY 2009, the current staffing level, and that of every fiscal year starting with the fiscal year prior to Child Welfare Reform?

5. Please refer to comparative fiscal year staffing Charts 3 and 4 for paid full time employees as of June of each fiscal year for FY 2003 through FY 2009 for both OLG and OPR, respectively.

6. Please provide the total budgetary outlay for the Office of the Law Guardian and the Office of Parental Representation for each fiscal year from the fiscal year prior to child welfare reform to the proposed FY 2009 Budget.

6. Please refer to comparative fiscal year expenditure Charts 5 and 6 for fiscal years FY 2007, FY2008 and FY 2009 for both OLG and OPR, respectively. Unfortunately, the effort to prepare the total budgetary outlay for FY 2003 to FY 2006 was simply too onerous to produce in the time frame requested, notwithstanding the need to audit all the associated funding sources prior to providing a reliable response in this regard. If this information is still required, we will be happy to provide it in the near future.

7. If staffing levels have fallen short of Child Welfare Reform targets, please explain the difficulties that have kept OPD from meeting the targets and what steps OPD intends to pursue to accomplish this objective.

7. The impediments to meeting targets were explained in question #3 above. The OPD will continually provide the administration with caseload achievements within available resources, while gauging and communicating fiscal and staffing needs to provide the most cost

effective services to the children and their indigent parents with the goal of meeting established targets. Without sufficient staff positions, OLG and OPR will continue to recruit per diem and pool attorneys as needed.

8. Please comment on OLG's and OPR's progress in reducing the number of cases handled by outside attorneys as opposed to staff attorneys.

8. For OLG, the office has increased the number of cases assigned to per diem and pool attorneys from 10% in FY2003 to 14% in FY2007 (please refer to Chart 7). That increase was directly attributed to the budget funding restrictions for additional staffing. On the other hand, OPR has reduced its' reliance on outside pool attorneys during the same time period from 89% to 63% because of the new model of parental representation calling for the replacement of most "pool" attorneys with staff lawyers to represent indigent parents as provided for in the budget (please refer to Chart 2). Again, budget funding restrictions for additional OPR staffing precludes lowering that dependence on outside pool attorneys further.

9. How many hours of services have outside attorneys billed OLG and OPR in each fiscal year since the fiscal year prior to implementing Child Welfare Reform, including the number of hours contained in the FY 2009 Governor's Budget?

9. Please refer to comparative fiscal year billings of both active and closed cases in Chart 8 and 9 for outside pool attorney for fiscal years starting with FY 2003 through FY 2009 for both OLG and OPR. Given the direct relationship of expenditures for pool attorneys to total hours worked and billed provides a more comprehensive picture of the effort in this regard. If we were to simply provide billable hours, the data would only apply to cases closed, and thereby, obscure the total picture.

10. How many cases have occurred in each of the last three fiscal years in which parties represented by OPD were represented by more than one attorney during the course of the legal process?

10. To the extent possible, the OPD maintains a stringent policy of vertical representation, i.e., the assigned attorney represents the individual (child or parent) through the entire legal process. Certainly, cases are reassigned as needed, for example, staff attorneys resign, transfer to other geographical regions or are on approved leaves, etc.

11. If the number of hours billed by outside attorneys exceeds the Child Welfare Reform target, please explain the difficulties that have kept OPD from meeting the target and what steps OPD intends to pursue to accomplish this objective?

11. The Child Welfare Reform plan did not have a target number of hours to be billed by pool or per diem attorneys. With regard to parental representation, the plan did contemplate a reduction in expenditures for outside counsel if sufficient staff positions could achieve caseload targets. The utilization of staff lawyers in only 37% of case assignments in FY2007 and the overall growth in title 9 and title 30 assignments of approximately 38% from FY2003 to FY2007 has left virtually the same number of case assignments being made to pool lawyers as existed previously. The efforts to improve the quality of legal representation through staff lawyers had also increased the time devoted to such cases by pool attorneys. Thus, with a larger than expected number of case assignments made to pool lawyers as a result of the effort to maintain caseload targets for staff lawyers and the model of increased time on a case expended by staff lawyers, the number of hours billed by pool lawyers cannot be reduced without a substantial increase in staff positions.

12. What are the hourly rates for outside attorneys?

12. The hourly rate paid to outside attorneys referred to as "pool attorneys" is paid \$60 per hour in court and \$50 per hour out of court. Per diem attorneys are paid a daily rate of \$252.00 per day. These attorneys are generally not provided office space or investigative or secretarial support.

13. If the recommended rate of \$75 has not been achieved, by which date does OPD anticipate raising the hourly rate to \$75?

13. The \$75 hourly rate was a target negotiated by the state with Children Rights, Inc. as part of the settlement of federal court litigation. It was based on rates then paid in 2004 to attorneys by public agencies for similar case types in comparable jurisdictions. It was to be increased because, in the judgment of the settling parties to the lawsuit, lower rates did not attract sufficiently qualified and experienced attorneys to provide the desired high quality legal representation for indigent parents in child welfare matters. Our present experience has shown that even with the current rate of \$50 out of court and \$60 in court noted above, or the per diem rate of \$252, the OPR has not been able to expand the pool of lawyers from those historically available or add or retain sufficiently experienced lawyers to improve the quality of legal representation provided to clients. The ability to raise the rate to \$75 is directly related to the resources allocated to the OPD.

14. Please comment on the challenges OLG and OPR are encountering in attempting to reduce the backlog of cases.

14. This question is addressed in # 3 and #7 above.

15. What strategy do OLG and OPR pursue to reduce the backlog of cases? What strategy do OLG and OPR pursue to reduce their backlog of cases and which role do outside attorneys play in this process?

15. The OPD continually monitors caseload targets with the ultimate goal of reducing backlog for more speedy attention to these matters

as well as addressing these cases by the most qualified and experienced staff. Increasing staff is the only way to achieve these goals. Of course, the availability of resources will dictate the future efficiencies for these cases.

16. Are OLG and OPR aiming to hire a number of staff attorneys sufficient to handle the number of new cases opened each year and leave excess cases to outside attorneys?

16. The practice of hiring staff and or pool attorneys will primarily depend on available resources and the need to address conflicts as they arise. As noted above, it is our understanding that efficiencies are obtained when the most proficient and experienced attorneys handle the caseload in accordance with recognized professional standards. Numerous studies have demonstrated that the most effective and efficient representation is best achieved by using full time staff employees who receive proper training, supervision and support services to handle these cases on a regular basis and in accordance with caseload limits. With respect to the use of pool lawyers for conflict issues, it is likely that in OPR assignments only one parent can be represented by staff, while any additional parents in a case must be represented by a pool attorney to avoid a conflict. In OLG cases, pool attorneys are and will continue to be used only in cases presenting actual or perceived conflicts and we will continue to recruit per diem attorneys to help reduce caseloads.

17. What safeguards has OPD in place to prevent a conflict of interest in the simultaneous representation of children by its OLG unit and of parents by its OPR unit in child abuse and neglect and termination of parental rights proceedings?

17. The OPD has established and institutionalized measures to avoid any conflict of interest in the agency's representation of indigent parents and children in the same cases. The most obvious assurance

is the separate and distinct physical office space for OLG and OPR. The OPD also has established separate and distinct lines of supervision, including unit managers and Directors. OPR and OLG managers and Directors report to separate Assistant Public Defenders who are responsible to supervise each unit. Additionally, the OPD maintains separate case management systems that can only be accessed by staff within their respective assigned unit. Unit managers and supervisors in each unit develop separately training, administrative policies as well as litigation and appellate strategies. The Public Defender is confident that the existing "firewall" between OLG and OPR adequately addresses and prevents any actual or perceived conflict of interest and that attorneys in each unit effectively and zealously represent their clients consistent with the clients' wishes and interests. There remains, however, the need for the OPD to be funded adequately to insure that resources in terms of staff positions, office space and technology are available equitably to each function within the agency. For this reason, it is important that the budgetary process give equal priority to the needs of both programs to ensure the highest quality legal representation for both children and parents in child welfare cases.

CHART 1

OFFICE OF THE PUBLIC DEFENDER  
 OFFICE OF LAW GUARDIAN  
 TARGETED # OF CHILDREN PER ATTORNEY  
 BASED ON OPEN CASES (CHILDREN) \*1  
 3/28/08

As of Date	# of Title 9 & 30 Open Cases (Children)	# of Staff Attorneys	# of Per Diem Attorneys	Total # of Attorneys	Average # of Children Per Attorney
6/30/2004	10,406	53	7	60	173
6/30/2005	10,096	66	3	69	146
6/30/2006	11,335	65	20	85	133
6/30/2007	10,328	77	11	88	117
1/18/2008	10,197	80	11	91	113
6/30/2008	9,732	80	11	91	107
6/30/2009	9,135	80	11	91	101
TARGET	9,135	104	0	104	88

ACTUAL

ACTUAL

ACTUAL

ACTUAL

ACTUAL - Payroll #02/08

PLANNED

PLANNED

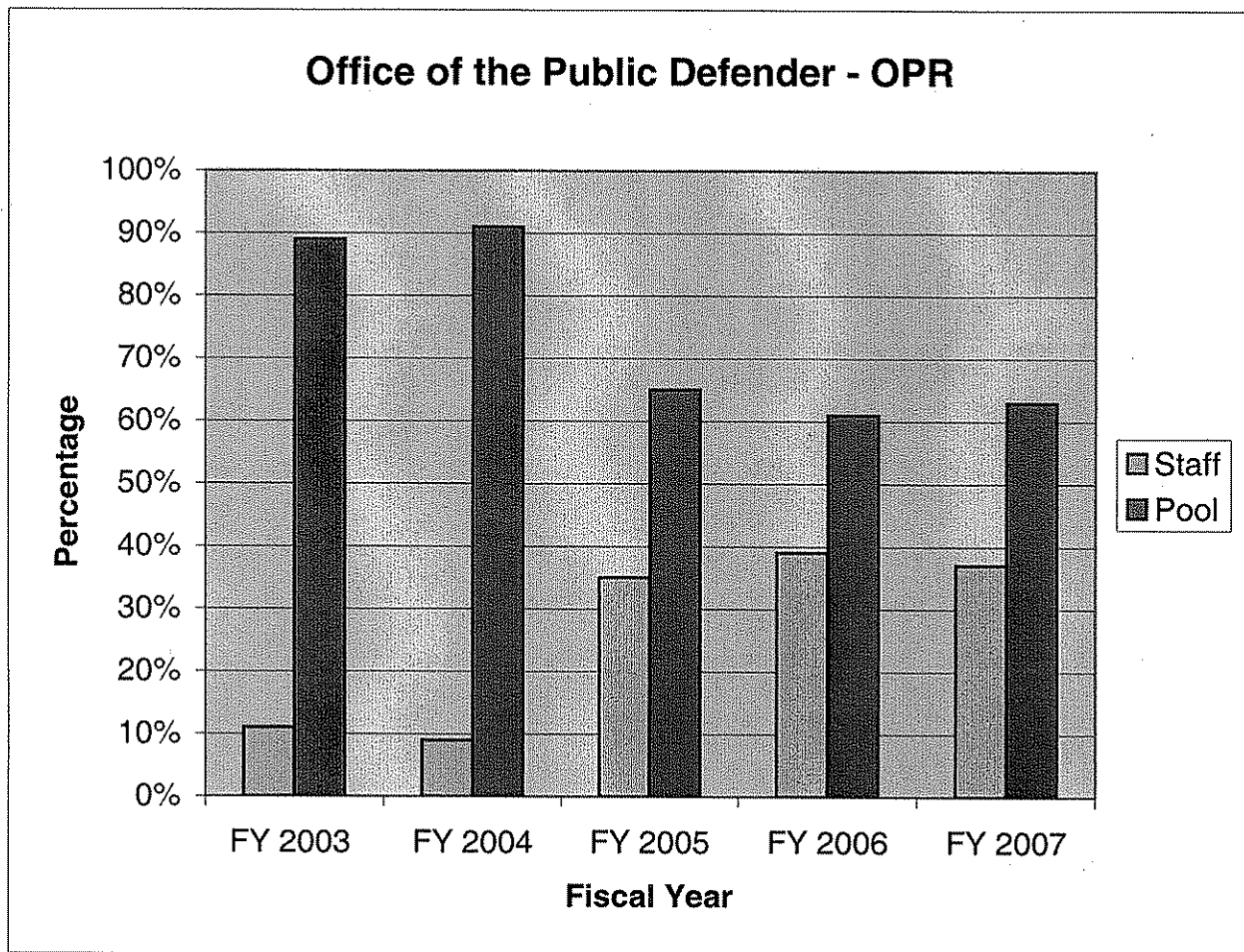
TARGET

\*1 - DOES NOT INCLUDE POST-TERMINATION CASES THAT TOTALED OVER 2,000 CASES STATEWIDE as of 3/30/08

## CHART 2

**Office of the Public Defender  
Office of Parental Representation  
Comparative Fiscal Year  
Title 9 & Title 30 Staff v. Pool  
Case Assignments**

Actual	Staff	Pool	Combined
FY 2003	11%	89%	100%
FY 2004	9%	91%	100%
FY 2005	35%	65%	100%
FY 2006	39%	61%	100%
FY 2007	37%	63%	100%



**CHART 3**

**Office of the Public Defender  
Office of Law Guardian  
Paid Full-Time Staffing Summary  
By Fiscal Year  
4/11/2008**

Payroll #	Managing		Atty's	Managing		Inv's	Clericals		Subtotal	Hourly's		Totals
	Atty's	Inv's		Inv's	Atty's		Totals	Totals				
Payroll #14/2003	6		46	5	39	29		125	1		126	
Payroll #14/2004	6		51	5	42	33		137	13		150	
Payroll #14/2005	8		70	8	54	42		182	12		194	
Payroll #14/2006	8		71	9	62	41		191	6		197	
Payroll #14/2007	6		91	10	80	45		232	1		233	
Payroll #02/2008	9		86	11	82	53		241	2		243	
Payroll #06/2008	9		88	11	82	52		242	2		244	

CHART 4

Office of the Public Defender  
 Office of Parental Representation  
 Paid Full-Time Staffing Summary  
 By Fiscal Year  
 4/11/2008

Payroll #	Managing Atty's		Managing Inv's		Clericals	Subtotal Totals		Hourly's	Totals
	Managing Atty's	Atty's	Managing Inv's	Inv's		Subtotal Totals	Hourly's		
Payroll #14/2003	1	10	1	5	10	27	0	27	
Payroll #14/2004	1	11	1	5	13	31	0	31	
Payroll #14/2005	3	38	0	5	14	60	0	60	
Payroll #14/2006	3	47	1	7	21	79	0	79	
Payroll #14/2007	4	48	1	6	26	85	0	85	
Payroll #02/2008	4	51	1	8	28	92	0	92	
Payroll #06/2008	4	51	1	8	28	92	0	92	

CHART 5

Office of the Public Defender  
 Office of Law Guardian  
 FY2009 Budget Request - Consolidated  
 By Minor Object Detail  
 1/8/08

SW	ORG	FND	PG	RM	C	D	OBJ	DESCRIPTION	FY 2007 EXPENDED	FY 2008 ADJ. APPR.	FY 2009 CURRENT SVCS	
<b>Office of Law Guardian - Consolidated</b>												
82	2021	100	57	036	0	5	0	16	Salaries and Wages	\$12,081	\$15,817	\$15,220
82	2021	100	57	036	0	5	0	21	Printing and Office	\$175	\$178	\$178
82	2021	100	57	036	0	5	0	23	Medical/Education/Rehab	\$35	\$31	\$31
82	2021	100	57	036	0	5	0	24	Household and Clothing	\$4	\$4	\$4
82	2021	100	57	036	0	5	0	26	Other	\$1	\$1	\$1
82	2021	100	57	036	0	5	0	30	Travel	\$67	\$80	\$80
82	2021	100	57	036	0	5	0	31	Telephone	\$120	\$125	\$125
82	2021	100	57	036	0	5	0	32	Postage	\$43	\$45	\$45
82	2021	100	57	036	0	5	0	34	Info Processing External	\$44	\$44	\$44
82	2021	100	57	036	0	5	0	36	Professional Services	\$1,962	\$2,052	\$2,052
82	2021	100	57	036	0	5	0	38	Other	\$21	\$21	\$21
82	2021	100	57	036	0	5	0	40	Maint Bldg and Grounds	\$2	\$2	\$2
82	2021	100	57	036	0	5	0	41	Maint of Equipment	\$2	\$2	\$2
82	2021	100	57	036	0	5	0	44	Rent	\$325	\$325	\$325
82	2021	100	57	036	0	5	0	45	Rent Central Motor Pool	\$163	\$174	\$174
82	2021	100	57	036	0	5	0	47	Rent Other	\$250	\$245	\$245
82	2021	100	57	036	0	5	0	50	Claims	\$2	\$0	\$0
82	2021	100	57	036	0	5	0	74	Vehicular Equipment	\$157	\$0	\$0
82	2021	100	57	036	0	5	0	76	Other Equipment	\$16	\$15	\$15
82	2021	100	57	036	0	5	0	77	Info Processing Equip	\$4	\$4	\$4
82	2021	100	57	036	0	5	9	99	Addit, Improve, & Equip	\$0	\$0	\$0
<b>Office of Law Guardian - Consolidated Totals</b>									<b>\$15,474</b>	<b>\$19,165</b>	<b>\$18,568</b>	

CHART 6											
Office of the Public Defender											
Office of Parental Representation											
FY2009 Budget Request - Consolidated											
By Minor Object Detail											
1/8/08											
SW	ORG	FND	PG	RMCD	OBJ	DESCRIPTION	FY 2007 EXPENDED	FY 2008 ADJ. APPR.	FY 2009 CURRENT SVCS		
<b>Office of Parental Representation - Consolidated</b>											
82	2021	100	57	037	0	51016	Salaries and Wages	\$4,956	\$5,717	\$5,619	
82	2021	100	57	037	0	51021	Printing and Office	\$55	\$57	\$57	
82	2021	100	57	037	0	51023	Medical/Education /Rehab	\$4	\$5	\$5	
82	2021	100	57	037	0	51024	Household and Clothing	\$1	\$1	\$1	
82	2021	100	57	037	0	51030	Travel	\$25	\$26	\$26	
82	2021	100	57	037	0	51031	Telephone	\$32	\$33	\$33	
82	2021	100	57	037	0	51032	Postage	\$14	\$15	\$15	
82	2021	100	57	037	0	51034	Info Processing External	\$0	\$0	\$0	
82	2021	100	57	037	0	51036	Professional Services	\$7,042	\$8,178	\$8,178	
82	2021	100	57	037	0	51038	Other Services	\$0	\$0	\$0	
82	2021	100	57	037	0	51040	Maint Bldg and Grounds	\$1	\$1	\$1	
82	2021	100	57	037	0	51041	Maint of Equipment	\$1	\$1	\$1	
82	2021	100	57	037	0	51044	Rent	\$363	\$363	\$363	
82	2021	100	57	037	0	51045	Rent Central Motor Pool	\$41	\$43	\$43	
82	2021	100	57	037	0	51047	Rent Other	\$166	\$170	\$170	
82	2021	100	57	037	0	51050	Claims	\$1	\$0	\$0	
82	2021	100	57	037	0	51074	Vehicular Equipment	\$0	\$0	\$0	
82	2021	100	57	037	0	51076	Other Equipment	\$1	\$0	\$0	
82	2021	100	57	037	0	51077	Info Processing Equip	\$8	\$8	\$8	
<b>Office of Parental Representation - Consolidated Totals</b>							<b>\$12,711</b>	<b>\$14,618</b>	<b>\$14,520</b>		

### CHART 7

**Office of the Public Defender  
Office of Law Guardian  
Comparative Fiscal Year  
Title 9 & Title 30 Staff v. Pool  
Case Assignments**

Actual	Staff	Per Diem	Pool	Combined
FY 2003	90%	8%	2%	100%
FY 2004	92%	5%	3%	100%
FY 2005	87%	10%	3%	100%
FY 2006	85%	11%	4%	100%
FY 2007	86%	10%	4%	100%

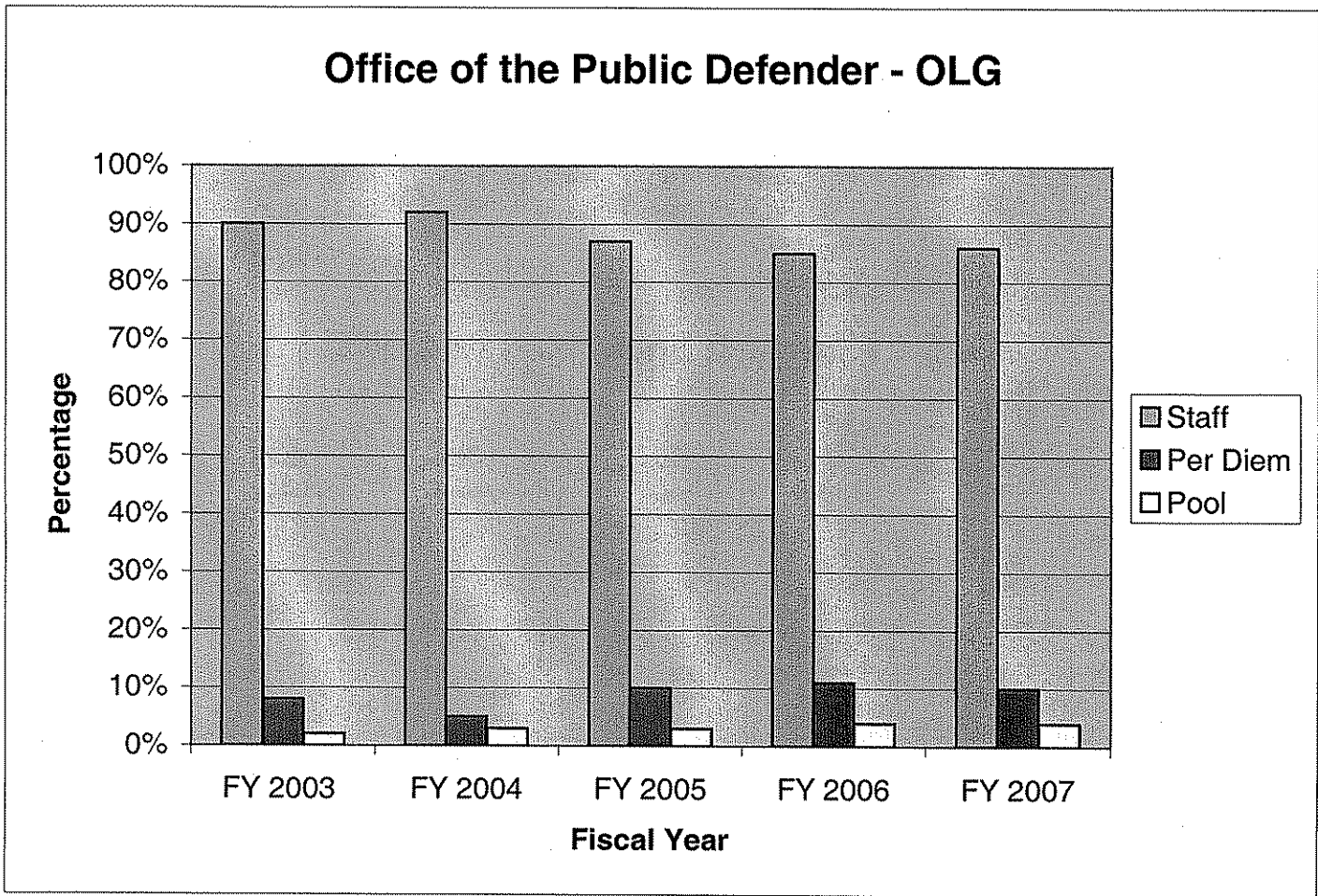


CHART 8

OFFICE OF THE PUBLIC DEFENDER  
 OFFICE OF LAW GUARDIAN  
 COMPARATIVE FISCAL YEAR POOL ATTORNEY COSTS  
 4/8/08

	1	2	3	4	5	6	7
	FY2003 ACTUAL	FY2004 ACTUAL	FY2005 ACTUAL	FY2006 ACTUAL	FY2007 ACTUAL	FY2008 ESTIMATED	FY2009 ESTIMATED
<b>Pool Attorney Costs</b>							
A. Title 9 - Child Abuse & Neglect	\$130,125	\$111,843	\$151,036 *1	\$202,632	\$418,615	\$349,018	\$349,018
Total Title 9 costs	\$130,125	\$111,843	\$151,036	\$202,632	\$418,615	\$349,018	\$349,018
B. Title 30 - Termination of Parental Rights	\$0	\$105,762	\$138,140 *1	\$74,125	\$96,079	\$166,451	\$166,451
Total Title 30 costs	\$0	\$105,762	\$138,140	\$74,125	\$96,079	\$166,451	\$166,451
Total Title 9 & Title 30 costs	\$130,125	\$217,605	\$289,176	\$276,757	\$514,694	\$515,469	\$515,469

\*1- Includes hourly rate increase from \$25/\$30 to \$50/\$60 per hour for out of court and in court time, respectively.

CHART 9

OFFICE OF THE PUBLIC DEFENDER  
 OFFICE OF PARENTAL REPRESENTATION  
 COMPARATIVE FISCAL YEAR POOL ATTORNEY COSTS  
 4/8/08

	1	2	3	4	5	6	7
	FY2003 ACTUAL	FY2004 ACTUAL	FY2005 ACTUAL	FY2006 ACTUAL	FY2007 ACTUAL	FY2008 ESTIMATED	FY2009 ESTIMATED
<b>Pool Attorney Costs</b>							
A. Title 9 - Child Abuse & Neglect	\$1,915,813	\$2,192,025	\$2,885,225 *1	\$3,677,641	\$4,172,908	\$4,824,000	\$4,824,000
Total Title 9 costs	\$1,915,813	\$2,192,025	\$2,885,225	\$3,677,641	\$4,172,908	\$4,824,000	\$4,824,000
B. Title 30 - Termination of Parental Rights	\$1,058,390	\$998,540	\$1,244,665 *1	\$1,674,421	\$1,807,140	\$2,040,000	\$2,040,000
Total Title 30 costs	\$1,058,390	\$998,540	\$1,244,665	\$1,674,421	\$1,807,140	\$2,040,000	\$2,040,000
Total Title 9 & Title 30 costs	\$2,974,203	\$3,190,565	\$4,129,890	\$5,352,062	\$5,980,048	\$6,864,000	\$6,864,000

\*1- Includes hourly rate increase from \$25/\$30 to \$50/\$60 per hour for out of court and in court time, respectively.