

Office of the State Public Defender



Fiscal Year 2021 Performance Report

December 15, 2021

TABLE OF CONTENTS

<i>Section</i>	<i>Page</i>
Introduction	3
Overview	4
Key Results	5
Performance Plan Results	7
Resource Reallocations	9
Agency Contacts	10

INTRODUCTION

This report is provided pursuant to Department of Management procedures and provides an overview of the State Public Defender's FY 2021 operations related to court-appointed counsel, claims processing, and other indigent defense matters. This information, in accordance with the Accountable Government Act, is meant to help improve decision-making and increase accountability to stakeholders and the citizens of Iowa.

Iowa's indigent defense system remains strong. The more than 220 employees of the State Public Defender System have been efficiently providing high quality representation during this difficult time for our state. In FY 2021, public defender offices closed 88,904 charges, at an average cost per charge of \$307.46

Similarly, more than 620 contract attorneys continued to provide high quality representation throughout all 99 of Iowa's counties. In FY 2021, 61,970 claims were paid out of the indigent defense fund for the representation of indigent individuals in criminal, juvenile, and appellate matters at an average cost per claim of \$493.15.

OVERVIEW

Justice for all in Iowa's criminal and juvenile courts is the vision of the State Public Defender. To achieve that vision, the SPD has the mission to ensure that all indigent persons in Iowa are provided high-quality legal representation in criminal, juvenile, and other eligible proceedings in the most efficient and fiscally responsible manner.

The provision of legal services to indigent clients is constitutionally mandated. In Iowa, these services are provided through a combined system of local public defenders and private attorneys. The State Public Defender provides high-quality, cost-efficient legal representation to indigent clients in state criminal court, juvenile court, and other proceedings as required by law in those areas of the state where local public defenders exist. The State Public Defender also has jurisdiction over the Indigent Defense Fund, which provides funds to pay for indigent defense and ancillary services provided by private contract attorneys and miscellaneous vendors, such as expert witnesses and court reporters. Indigent defense services are constitutionally mandated, which requires these services to be paid by the state. The Indigent Defense Fund pays for those indigent services not covered by local public defenders.

The State Public Defender maintains two core functions. The first is high-quality and cost-effective representation by public defenders to indigent clients in State criminal court, juvenile court, and other proceedings as required by law. The SPD operates 18 field offices across the state and employs more than 150 attorneys. These attorneys are appointed to cases with identified indigent clients by the presiding judge based on a matrix of designations developed by the State Public Defender. In the event of conflicts of interest or lack of available local public defender staff the presiding judge may appoint a private attorney who holds a contract with the State Public Defender.

The State Public Defender maintains contracts with over 620 private attorneys across every county in the State to handle cases where no SPD attorney is available due to location or ethical conflict. These attorneys perform their services for fixed hourly fees subject to limits that vary by the nature of the case. Upon the completion of a case, or at contractually defined intervals, the contracted attorneys submit claims for payment for their services. The prompt and fair review, adjudication, and payment of these claims is the second core function of the State Public Defender's office.

KEY RESULTS

Name: Core function— Legal Representation

Description: Prompt and fair review and adjudication of claims for payment of indigent defense fees and costs from indigent defense providers.

Why we are doing this: To meet SPD strategic goal #4, “Compensate attorneys and other indigent defense providers in a timely and accurate manner.”

What we're doing to achieve results: The State Public Defender processes approximately 80,000 claims per year. These claims are reviewed for data entry accuracy, appropriateness of billed services, and adherence to administrative rules.

Performance Measure: Average processing time for an indigent defense claim within an established standard.

Performance Goal/Target: less than 35 days

What was achieved: The average processing time for all indigent defense claims was 13.28 days, more than three weeks faster than the goal.

Data Sources: State Public Defender

Performance Measure: Percentage of Notices of Action on indigent de-fense claims that are upheld upon final judicial review

Performance Goal/Target: 90%

What was achieved: 75% of the Notices of Action issued in FY21 were upheld.

Data Sources: State Public Defender

KEY RESULTS

Name: Core Function - Legal Representation

Description: Provide high-quality and cost-efficient representation by public defenders to indigent clients in State criminal court, juvenile court, and other proceedings as required by law.

Why we are doing this: The State of Iowa has a constitutional duty to ensure effective legal representation to all individuals before our courts. In the event an individual is unable to afford the cost of his/her representation the State provides assistance.

What we're doing to achieve results: The Office of State Public Defender continues to hire the best available attorneys, investigators, and staff to provide the high quality, cost effective legal defense that is expected by the citizens of Iowa.

Performance Measure: Percentage of public defender cases where there have been no final findings of ineffective assistance of counsel, either on direct appeal of convictions, after post-conviction relief actions, or (for civil commitments) habeas corpus actions.

Performance Goal/Target: 99%

What was achieved: 99.996% of public defender cases were completed with no finding of ineffective counsel.

Data Sources: State Public Defender

AGENCY PERFORMANCE REPORT FY 2021

Name of Agency: State Public Defender					
Agency Mission: "To ensure that all indigent persons in Iowa are provided high-quality legal representation in criminal, juvenile, and other eligible proceedings in the most efficient and fiscally responsible manner."					
Core Function	Performance Measure (Outcome)	Performance Target	Prior Year Actual	Agency Strategic Plan goals (SP) or Governor's Priorities (GP) linked to measure	
CF: Legal Representation				SPD Goal #1 – Provide high quality representation to clients of public defender offices. SPD Goal #2 – Ensure that clients of private court-appointed attorneys are provided high quality representation. SPD Goal #3 – Improve the cost-effectiveness and efficiency of Iowa's indigent defense expenditures. SPD Goal #4 - Compensate attorneys and other indigent defense providers in a timely and accurate manner SPD Goal #5 – Promote strong and healthy families through the implementation of Juvenile Pilot Projects throughout Iowa. SPD Goal #6 – Empowering rural Iowa by locating State Public Defender employees in rural underserved counties.	
Desired Outcome(s): Provide high-quality and cost-efficient representation by public defenders to indigent clients in State criminal court, juvenile court, and other proceedings as required by law.	Percentage of public defender cases where there have been no final findings of ineffective assistance of counsel on appeal	99%	99%		

<p>Prompt and fair review and adjudication of claims for payment of indigent defense fees and costs from indigent defense providers.</p>	<p>Percentage of Notices of Action on indigent defense claims that are upheld upon final judicial review</p>	<p>90%</p>	<p>75%</p>	
	<p>Average processing time for an indigent defense claim within an established standard.</p>	<p>35 days</p>	<p>13.28 days</p>	
<p>Services, Products, Activities</p> <p>1. Public Defender Legal Services Unit # 9710, 9715, 9717, 9720, 9723, 9725, 9726, 9730, 9735, 9740, 9750, 9752, 9755, 9760, 9761, 9770, 9780, 9785, 9810, 9811, 9820, 9825, 9790</p>	<p>Performance Measures</p> <p>Number of cases completed by the State Public Defender (SPD) system.</p>	<p>Performance Target</p> <p>80,000</p>	<p>Prior Year Actual</p> <p>88,878</p>	<p>Strategies/Recommended Actions</p> <p>Engage with judges and public defender field offices to ensure that public defender field offices are receiving appointments in all cases for which they are designated.</p> <p>Enhance the case management system to develop automated processes.</p> <p>Promote the use of video conferencing technology to efficiently resolve preliminary legal matters.</p> <p>Review the designations to ensure they efficiently use existing resources and enhance the availability of attorneys in the geographical area.</p>
<p>2. 2. Assigned Counsel Legal Services Unit # 9601, 9610, 9680</p>				<p>Acquire and administer appropriate data automation systems to manage the indigent defense claim process, including enhancement of the web-based claims submission and further enhance the contracting process.</p>

3. Adult Claims	Percentage of adult indigent defense claims reviewed and acted upon (approved or disapproved) within 35 days of receipt	90%	99.95%	
4. Juvenile Claims	Percentage of juvenile indigent defense claims reviewed and acted upon (approved or disapproved) within 35 days of receipt.	90%	86.08%	
5. Appellate Claims	Percentage of appellate indigent defense claims reviewed and acted upon (approved or disapproved) within 35 days of receipt.	90%	99.38%	
6. Miscellaneous Claims	Percentage of miscellaneous indigent defense claims reviewed and acted upon (approved or disapproved) within 35 days of receipt.	90%	92.72%	

OFFICE INITIATIVES

The Office engaged in a technology update that brought our employees current devices that allows them to meet the expectations of clients, courts, and jurors in their management of a case and trial. The technology update provided the flexibility for our employees to seamlessly manage an office and their cases during the COVID-19 pandemic.

The Office is continuing to improve the level of technology available to employees into the next fiscal year by incorporating text messaging reminders into the case management system and by providing expert level access to cell phone data analysis. These efforts have been made possible by the receipt of several federal grants.

The Office is embarking on an upgrade of the case management system used by our field offices. This effort will focus on obtaining better and more consistent data and providing more robust reporting capabilities, allowing SPD to better determine appropriate designations and staffing assignment to provide cost savings to the state. The system will also allow the users to automate and streamline processes thereby increasing the effectiveness of representation and

The Office is working closely with the Court, DHS, and other interested parties to launch juvenile pilot project in six counties throughout Iowa. This effort will provide various forms of legal assistance to families in order to help them stay out of the juvenile court system. This intent is to help keep families intact and remove the potential of trauma for a child to be removed from a parent or custodians care.

The Office brought miscellaneous claims processing online through the OLS claim submission website. This process should help to improve miscellaneous claim processing efficiency. Once the state has upgraded the payroll and human resources systems all claimants will be able to submit their claims online.

AGENCY CONTACTS

Copies of the State Public Defender Agency Performance Report are available on the Results Iowa web site (www.resultsiowa.org) and the SPD website (<https://spd.iowa.gov/>). Copies of the report can also be obtained by contacting Jacob Mason at 515-281-5577 or via e-mail at jmason@spd.state.ia.us.

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