

RETURN TO	NORC 1525 East 55 th Street Chicago, Illinois 60615	FORM NSIDS - 2 (7-15-99)	1999 National Survey of Indigent Defense Systems	NATIONAL OPINION RESEARCH CENTER ACTING AS COLLECTING AGENT FOR BUREAU OF JUSTICE STATISTICS U.S. DEPARTMENT OF JUSTICE

In correspondence pertaining to this survey, please refer to the number at the top left of the address label (Please correct any error in name, mailing address, and ZIP Code)

INFORMATION SUPPLIED BY					
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FROM THE DIRECTOR, BUREAU OF JUSTICE STATISTICS

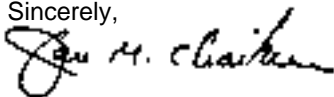
The Bureau of Justice Statistics (BJS) is conducting a sample survey of indigent defense programs in the United States to obtain much needed information on how States and localities provide legal services for indigent criminal defendants. Basic data on indigent defense systems in each of the 50 States have not been collected since 1986. This survey responds to the many requests for data from national defender organizations and indigent defense providers across the Nation. Funding for this project was provided by the Bureau of Justice Assistance (BJA).

Your program has been selected to participate in the survey. Please find a copy of the survey attached. The National Legal Aid and Defender Association, the National Association of Criminal Defense Lawyers, and the American Bar Association's Standing Committee on Legal Aid and Indigent Defendants have expressed their support for this survey. The critical information that your program provides will be used to document the way criminal indigent defense services are currently being delivered in the United States. Findings from this survey will be sent to all respondents and will be available from the BJS website at www.ojp.usdoj.gov/bjs. The latest selected findings report published by BJS on indigent defense is enclosed.

Public reporting burden for this collection is estimated to average 2 hours per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate, or any other aspects of this collection of information, including suggestions for reducing this burden, to the Director, Bureau of Justice Statistics, 810 Seventh Street, N.W., Washington, D.C. 20531.

The Omnibus Crime Control and Safe Streets Act of 1968, as amended (42 U.S.C. 3732), authorizes this information collection. The request for information is in accordance with the clearance requirement of the Paperwork Reduction Act of 1980, as amended (44 U.S.C. 3507). Although this survey is voluntary, we urgently need and appreciate your cooperation to make the results comprehensive, accurate and timely. Please complete the survey within 14 days and return it in the enclosed envelope. Thank you for your cooperation in this important data collection effort.

Sincerely,



Jan M. Chaiken, Ph.D.
Director, Bureau of Justice Statistics

Enclosure

Instructions for Completing Program Questionnaire

1. The label on the front cover contains the name and county of your criminal indigent defense program. We have identified your program as serving this county, or other geographic jurisdiction that includes this county. Unless otherwise specified, answer all questions for the jurisdiction served by the program. **If your program does not provide criminal indigent defense services, or does not serve some or all of the county, please e-mail NORC at 4911nsids@norcmail.uchicago.edu for instructions or call NORC at 1-800-577-1486.**
2. The reference period for the survey is fiscal year (FY) 1999, July 1, 1998 to June 30, 1999. If you can only respond for a different 12 month period, please indicate the dates in Question A4, and use that 12 month period to respond to all questions asking about FY1999.
3. Please answer each question in sequence by marking the appropriate box and/or by printing the requested information in the space provided. In some cases you will be requested to skip certain questions based on your response. For some questions you will be asked to mark all responses that apply. In some sections you will need to answer only the first question. While the actual time to complete this questionnaire will vary according to individual circumstances, **most respondents will only need to answer two sections.**
4. If you need to give an explanation for an answer, please use the space provided.
5. Please mail the completed questionnaire within 14 days in the pre-addressed, pre-paid envelope provided. You may wish to retain a photocopy of your completed questionnaire. While you are not required to respond, your participation is needed for the success of this survey.

PART A

General Information

A1. What is the geographic jurisdiction served by this program? (Mark (X) only one)

- 1 Part of the county (e.g., a city or town)
- 2 Entire county
- 3 Multiple counties
- 4 Judicial district/judicial circuit
- 5 Entire state
- 6 Other (Describe) _____

A2. If this program serves multiple counties, please list the names of the counties served.

- a. _____
- b. _____
- c. _____
- d. _____
- e. _____

Indigent Defense Expenditures

A3. The reference period for the survey is fiscal year (FY) 1999, July 1, 1998 to June 30, 1999. Can you provide expenditure information for your program for this reporting period?

- 1 Yes → Skip to A5
- 2 No

A4. If you can only provide expenditure information for a different 12 month period, please indicate the dates below.

			to			
Month	Day	Year		Month	Day	Year

USE THIS REFERENCE PERIOD FOR QUESTIONS THAT ASK ABOUT FY 1999.

A5. In FY 1999, how much money did your program expend (total operating expenditures) to provide criminal defense services to indigent defendants? (If you are unable to provide the actual amount, please provide your best estimate.)

TOTAL OPERATING EXPENDITURES:

\$ _____ .00

A6. Do the total operating expenditures entered at A5 include funding for any of the following?

(Mark (X) yes or no for each type of service)

Yes No Type of Service

- 1 2 a. Expert services
- 1 2 b. Investigator services
- 1 2 c. Interpreter services
- 1 2 d. Transcript services
- 1 2 e. Social services

A7. What percentage of the total operating expenditures entered at A5 came directly from each of the following sources? (If you are unable to provide the actual percentage, please provide your best estimate. If none, enter "0".)

Percentage Source

- a. _____ % State
- b. _____ % County
- c. _____ % City or town
- d. _____ % Federal government (including Byrne Grants)
- e. _____ % Other (Describe) _____

100 % Total

A8. What amount out of the total operating expenditures entered at A5 was spent to provide different types of criminal defense services? (If you are unable to provide the actual amount, please provide your best estimate. If none, enter "0".)

- a. \$ _____ .00 **Public Defender:** Under this system, a salaried staff of full-time or part-time attorneys render criminal indigent defense services through a public or private non-profit organization, or as direct government-paid employees (this includes public defender programs primarily funded by an awarded contract).
- b. \$ _____ .00 **Assigned Counsel (includes coordinated assigned counsel):** This system is characterized by appointment from a list of private bar members who accept cases on a judge-by-judge, court-by-court basis, or case-by-case basis. This may include an administrative component and a set of rules and guidelines governing the appointment and processing of cases handled by private bar members.
- c. \$ _____ .00 **Contract Program:** A system under which non-salaried individual private attorneys, bar associations, law firms, consortiums or groups of attorneys, or non-profit corporations contract with the funding source to provide court-appointed representation in the jurisdiction (this does not include public defenders primarily funded by an awarded contract).

Indigency Determination

A9. In your jurisdiction, is screening conducted to determine whether an applicant for appointed counsel is indigent?

1 Yes 2 No → Skip to A11

A10. Who is responsible for this screening?

(Mark (X) all that apply)

- a. Public defender or other indigent defense provider
- b. Judge
- c. Court personnel
- d. Pretrial services or probation officers
- e. Other (Describe) _____

A11. In your jurisdiction, are formal or written criteria used in the indigency determination process?

1 Yes 2 No → Skip to A13

A12. What are these criteria?

(Mark (X) all that apply)

- a. Sworn application or statement from the defendant
- b. Testimony before the judge by defendant
- c. Unsworn application or statement from defendant
- d. Other (Describe) _____

Cost Recovery/Recoupment

A13. In your court system, which criminal indigent defendants are required to pay any expenses or fees? (Mark (X) only one for each type of cost)

Type of Cost	All criminal defendants who receive appointed counsel	Only criminal defendants convicted of at least one charge	No criminal defendants are required to pay
a. Application or administrative fee	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>
b. Attorney fees	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>
c. Court related expenses	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>
d. Other costs (Describe)	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>

Right To Counsel in Your Jurisdiction

A14. In your jurisdiction, does your program have the responsibility for handling the following types of cases for indigent defendants? (Mark (X) one for each type of case)

- | Yes | No | Criminal Cases |
|-------------------------------|----------------------------|--|
| 1 <input type="checkbox"/> | 2 <input type="checkbox"/> | a. Felony capital (death penalty) |
| 1 <input type="checkbox"/> | 2 <input type="checkbox"/> | b. Felony non-capital |
| 1 <input type="checkbox"/> | 2 <input type="checkbox"/> | c. Misdemeanors that carry a jail sentence |
| 1 <input type="checkbox"/> | 2 <input type="checkbox"/> | d. Ordinance infraction |
| 1 <input type="checkbox"/> | 2 <input type="checkbox"/> | e. Appeal |
| 1 <input type="checkbox"/> | 2 <input type="checkbox"/> | f. Probation revocation |
| 1 <input type="checkbox"/> | 2 <input type="checkbox"/> | g. Parole revocation |
| Juvenile Related Cases | | |
| 1 <input type="checkbox"/> | 2 <input type="checkbox"/> | h. Juvenile delinquency |
| 1 <input type="checkbox"/> | 2 <input type="checkbox"/> | i. Delinquency appeals |
| 1 <input type="checkbox"/> | 2 <input type="checkbox"/> | j. Juvenile proceeded against in adult criminal court |
| 1 <input type="checkbox"/> | 2 <input type="checkbox"/> | k. Juvenile status offense (e.g. underage liquor law violation, truancy, etc.) |
| 1 <input type="checkbox"/> | 2 <input type="checkbox"/> | l. Juvenile transfer/waiver hearings |
| Civil Cases | | |
| 1 <input type="checkbox"/> | 2 <input type="checkbox"/> | m. Mental commitment |
| 1 <input type="checkbox"/> | 2 <input type="checkbox"/> | n. State post-conviction/habeas corpus |
| 1 <input type="checkbox"/> | 2 <input type="checkbox"/> | o. Federal habeas corpus |

Standards and Guidelines

A15. Does your program have any written standards or written guidelines pertaining to indigent defense representation in any of the following areas?
(Mark (X) all that apply)

- a. Personnel policies and procedures
- b. Attorney qualifications
- c. Caseload/workload
- d. Conflict of interest
- e. Training
- f. Attorney performance
- g. Indigency screening
- h. Cost recovery/recoupment
- i. Compensation for court-appointed counsel
- j. Administration of indigent defense services
- k. Compensation/procedures for non-attorney services
- l. No written standards or guidelines → Skip to A20

A16. What is the source(s) of these standards or guidelines?
(Mark (X) all that apply)

- a. County
- b. State supreme court
- c. Statute
- d. Commission
- e. State or local bar association
- f. Your program
- g. Contract awarded by funding agency
- h. Other (Describe) _____

A17. Is compliance with these standards voluntary or mandatory? (Mark (X) only one)

- 1 Voluntary → Skip to A20
- 2 Mandatory

A18. Who is responsible for monitoring compliance with these standards?

(Mark (X) all that apply)

- a. State supreme court
- b. Indigent defense commission
- c. Your program
- d. State or local bar association
- e. Other (Describe) _____

A19. Is compliance with these standards tied to funding?

- 1 Yes
- 2 No

Training

A20. Does your State or State bar mandate training for all new attorneys?

- 1 Yes
- 2 No

A21. Does your State or State bar mandate ongoing training for attorneys?

- 1 Yes
- 2 No

A22. Apart from any State mandates, does your program require training for all new attorneys?

- 1 Yes
- 2 No

A23. Apart from any State mandates, does your program require ongoing training for attorneys?

- 1 Yes
- 2 No

A24. Mark (X) each type of case where your program provides specialized training for attorneys. (Then answer A25 for each type of case you marked)

Type of Case	In-house	Outside	Both
a. <input type="checkbox"/> Death penalty trial defense	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>
b. <input type="checkbox"/> Death penalty appeal	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>
c. <input type="checkbox"/> Non-capital felony	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>
d. <input type="checkbox"/> Misdemeanor	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>
e. <input type="checkbox"/> Juvenile delinquency	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>
f. <input type="checkbox"/> Juveniles proceeded against in adult criminal court	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>
g. <input type="checkbox"/> Appellate cases	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>
h. <input type="checkbox"/> Other cases (Describe)	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>

Computer Resources

A26. Does your program have any of the following resources?

(Mark (X) all that apply)

- a. Intra-office e-mail
- b. Access to the Internet
- c. Internet e-mail
- d. Internet web site
- e. Electronic research capabilities (Lexis-Nexis, Westlaw)
- f. Access to the National Crime Information Center (NCIC)
- g. Access to criminal history databases
- h. Automated case tracking system
- i. None of the above

A27. Is your program part of an integrated computerized system with other criminal justice agencies?

1 Yes 2 No → Skip to A29

A25. Is this training conducted in-house, outside of your program, or both? (Mark (X) one for each type of case)

A28. With which agencies?

(Mark (X) yes or no for each type of agency)

- | Yes | No | Type of Agency |
|----------------------------|----------------------------|-----------------------------|
| 1 <input type="checkbox"/> | 2 <input type="checkbox"/> | a. Law enforcement |
| 1 <input type="checkbox"/> | 2 <input type="checkbox"/> | b. Courts |
| 1 <input type="checkbox"/> | 2 <input type="checkbox"/> | c. Pretrial services agency |
| 1 <input type="checkbox"/> | 2 <input type="checkbox"/> | d. Prosecutor's office |
| 1 <input type="checkbox"/> | 2 <input type="checkbox"/> | e. Corrections |
| 1 <input type="checkbox"/> | 2 <input type="checkbox"/> | f. Other (Describe) |

Juvenile Court Representation

A29. In FY 1999, did your program handle juvenile court proceedings?

1 Yes 2 No → Skip to A35 on page 7

A30. Mark (X) each type of social service in your program that is available to attorneys who handle juvenile court proceedings.

(Then answer A31 for each service you marked)

Type of Service	In-house	Outside	Both
a. <input type="checkbox"/> Drug/Alcohol Counselors	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>
b. <input type="checkbox"/> Psychiatrists	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>
c. <input type="checkbox"/> Psychologists	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>
d. <input type="checkbox"/> Social workers	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>
e. <input type="checkbox"/> Other services (Describe)	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>

A31. Is this service provided in-house, through outside experts, or both? (Mark (X) one for each type of service)

A32. What is the average level of experience for attorneys in your program when they first are assigned to juvenile court proceedings?

(Mark (X) only one)

- 1 Less than one year providing indigent defense representation
- 2 One year providing indigent defense representation
- 3 Two years providing indigent defense representation
- 4 Three years providing indigent defense representation
- 5 Four years providing indigent defense representation
- 6 Five or more years providing indigent defense representation

Juvenile Delinquency Cases

A33. In FY 1999, did your program handle juvenile delinquency cases?

- 1 Yes 2 No → *Skip to A35*

A34. In juvenile delinquency cases, at what point does a representative from your program (attorney, investigator, paralegal, etc.) routinely first contact the client? (Mark (X) only one)

- 1 Prior to the first court appearance or detention hearing
 2 At first court appearance or detention hearing
 3 After first court appearance but prior to adjudication
 4 At adjudication
 5 Other (Describe) _____

Non-capital Felony Trial Level Representation

A35. In FY 1999, did your program handle non-capital felony trial level cases?

- 1 Yes 2 No → *Skip to A43 on page 8*

A36. How is a non-capital felony case handled by your program? (Mark (X) only one)

- 1 Assigned to an attorney who handles the case through trial (vertical representation)
 2 Handled by one attorney at arraignment, then assigned to another attorney for the duration of the case
 3 Assigned to different attorneys at various stages of the case (horizontal representation)
 4 Other (Describe) _____

A37. Is your program permitted to provide indigent defense representation prior to appointment by the court?

- 1 Yes
 2 No

A38. In non-capital felony trial level cases, when is indigent defense counsel from your program routinely appointed? (Mark (X) only one)

- 1 Immediately after arrest
 2 At first court appearance
 3 Prior to arraignment
 4 At arraignment
 5 Prior to preliminary hearing
 6 At preliminary hearing
 7 After preliminary hearing
 8 Other (Describe) _____

A39. In non-capital felony trial level cases, at what point does a representative from your program (attorney, investigator, paralegal, etc.) routinely first contact the client? (Mark (X) only one)

- 1 Prior to arraignment
 2 At arraignment
 3 Prior to the preliminary hearing
 4 At the preliminary hearing
 5 At pre-trial conference
 6 At trial
 7 Other (Describe) _____

A40. Mark (X) each type of support service available to attorneys who handle non-capital felony cases for your program. (Then answer A41 for each service you marked)

A41. Is this service obtained in-house, through an outside source, or both? (Mark (X) one for each type of service)

Type of Service	In-house	Outside	Both
a. <input type="checkbox"/> Expert services	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>
b. <input type="checkbox"/> Investigator services	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>
c. <input type="checkbox"/> Interpreter services	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>
d. <input type="checkbox"/> Transcript services	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>
e. <input type="checkbox"/> Social services	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>

A42. Does your program have a specialized unit or designated attorney(s) who handle juveniles proceeded against in adult criminal court?

- 1 Yes
 2 No

Death Penalty Representation

A43. In FY 1999, did your program handle death penalty cases?

1 Yes 2 No → Skip to A54 on page 9

A44. In FY 1999, how many indigent defendants did your program represent in which the prosecutor filed for the death penalty? (Write in number, or "0" if none.)

A45. In FY 1999, how many death penalty trials for indigent defendants did your program handle in which a jury was empaneled? (Write in number, or "0" if none.)

A46. In your jurisdiction, when does the prosecutor have to announce the decision to prosecute the case as a death penalty case?

(Mark (X) only one)

1 No notice required

2 At original filing

3 At arraignment

4 Days from arraignment

a. _____ Write in number of days

5 Days before trial

b. _____ Write in number of days

6 At jury determination of guilt

7 Other (Describe) _____

A47. Mark (X) each type of death penalty case where your program provides representation to indigent defendants. (Then answer A48, A49, A50, and A51 for each type you marked)

A48. Does your program have a specialized death penalty unit for this type of case? (Mark (X) one for each type of case)

A49. Does your program routinely appoint two or more attorneys for each stage of representation? (Mark (X) one for each stage)

A50. What are the caseload limits in death penalty cases for your program? (Fill in all number(s) that apply. Write in "0" if none.)

A51. What are the caseload limits in death penalty cases for attorneys in your program? (Fill in all number(s) that apply. Write in "0" if none.)

Type of Case

Yes No

Yes No

a. Trial level

1 2

1 2

b. Direct appeal

1 2

1 2

c. State post-conviction

1 2

1 2

d. Federal habeas corpus

1 2

1 2

Caseload Limits

For Program

For Attorneys

a. _____

a. _____

b. _____

b. _____

c. _____

c. _____

d. _____

d. _____

WRITE IN NUMBERS
OR "0" IF NONE

A52. Mark (X) each type of support service available to attorneys who handle death penalty cases for your program. (Then answer A53 for each service you marked)

Type of Service	In-house	Outside	Both
a. <input type="checkbox"/> Expert services	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>
b. <input type="checkbox"/> Investigator services	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>
c. <input type="checkbox"/> Interpreter services	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>
d. <input type="checkbox"/> Transcript services	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>
e. <input type="checkbox"/> Social services	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>

A53. Is this service provided in-house, outside of your program or both? (Mark (X) one for each type of service)

Appeals Cases

A54. In FY 1999, did your program provide appellate representation?

1 Yes 2 No → Skip to Part B

A55. In FY 1999, did your program provide indigent defense counsel in any of the following types of appeal cases? (Mark (X) yes or no for each type of case)

Yes	No	Type of Case
1 <input type="checkbox"/>	2 <input type="checkbox"/>	a. Death penalty direct appeals
1 <input type="checkbox"/>	2 <input type="checkbox"/>	b. Felony direct appeals
1 <input type="checkbox"/>	2 <input type="checkbox"/>	c. Misdemeanor direct appeals
1 <input type="checkbox"/>	2 <input type="checkbox"/>	d. State post-conviction
1 <input type="checkbox"/>	2 <input type="checkbox"/>	e. Federal habeas corpus
1 <input type="checkbox"/>	2 <input type="checkbox"/>	f. Juvenile direct appeals
1 <input type="checkbox"/>	2 <input type="checkbox"/>	g. Other (Describe) _____

A56. In direct appeals indigent cases handled by your program, does an attorney routinely interview each client in person?

1 Yes
2 No

A57. Are your program's attorneys assigned to State post-conviction proceedings responsible for both investigation of and representation of clients?

1 Yes, both
2 No, representation only

A58. Do direct appeals for indigent defendants generally involve proceedings in more than one appellate court level?

1 Yes
2 No

PART B

Public Defender Programs

B1. Is your program a public defender program? (Please mark "yes" if you are a public defender program primarily funded by an awarded contract.)

Public Defender Program: Under this system, a salaried staff of full-time or part-time attorneys render indigent defense services through a public or private non-profit organization, or as direct government-paid employees.

1 Yes 2 No → Skip to Part C on page 13

B2. Is the primary funding source for your public defender program an awarded contract?

1 Yes
2 No

B3. In your jurisdiction, how would you classify your public defender program? (Mark (X) all that apply)

- a. **Primary Program:** The largest program in your jurisdiction that provides representation in adult criminal and juvenile delinquency cases or other court-appointed cases.
- b. **Alternate Program:** A program with a smaller staff and budget than the primary program which provides representation in court-appointed cases in your jurisdiction.
- c. **Conflict Program:** A program that provides representation only in cases for which the public defender has a conflict of interest, an overload situation, or in which the public defender, or other primary program, is otherwise unable to handle a case.
- d. **Specialty Program:** A program that provides representation to indigent defendants on a limited basis or only in specialty cases, e.g., death penalty cases, juvenile cases, mental health, abuse and neglect, etc.

If you are unsure how to answer this question, please e-mail NORC at 4911nsids@norcmail.uchicago.edu or call 1-800-577-1486

General Program Information

Staffing

B4. Which of the following best describes your public defender program? (Mark (X) only one)

- 1 Part of the judicial branch
- 2 Part of the judicial branch for budget only
- 3 Part of the state or county executive branch
- 4 An independent agency of the state or county government
- 5 An independent nonprofit organization
- 6 Other (Describe) _____

B5. Does your program have a policy-making or advisory board?

- 1 Yes 2 No → Skip to B8

B6. Who appoints the policy-making or advisory board? (Mark (X) only one)

- 1 Governor
- 2 State Legislature
- 3 Supreme Court
- 4 County Commission
- 5 Other (Describe) _____

B7. Does this board have any of the following types of authority? (Mark (X) yes or no for each type)

Yes	No	Type of Authority
1 <input type="checkbox"/>	2 <input type="checkbox"/>	a. Rule-making authority
1 <input type="checkbox"/>	2 <input type="checkbox"/>	b. Budgetary authority
1 <input type="checkbox"/>	2 <input type="checkbox"/>	c. Authority to hire/remove chief public defender
1 <input type="checkbox"/>	2 <input type="checkbox"/>	d. Other (Describe) _____

B8-B9. How many of the following types of staff members were employed in your public defender program as of June 30, 1999? Part-time refers to any employee who works fewer hours than the program's standard work week. (If you are unable to provide the actual number, please provide your best estimate. If none, enter "0".)

Primary Responsibility	B8. Number Full-Time	B9. Number Part-Time
Chief Public Defender	a. _____	_____
Total Assistant Public Defenders: Any employee of the public defender program licensed to practice law or who has applied for admission to the bar, and who primarily litigates cases. <u>Exclude attorneys in non-litigating positions</u>	b. _____	_____
Supervisory Attorneys: Attorneys in managerial positions <u>who litigate</u> cases	c. _____	_____
Managers: Attorneys <u>or</u> non-attorneys in primarily managerial positions who <u>do not litigate</u> cases	d. _____	_____
Investigators (include those on contract)	e. _____	_____
Social workers	f. _____	_____
Paralegals	g. _____	_____
Indigency screeners	h. _____	_____
Support staff: Administrative staff, clerical staff, computer personnel, fiscal officers, and training directors	i. _____	_____
Other (Describe) _____	j. _____	_____

B10-B11. Please enter your program's salary schedule for the following full-time positions at the end of FY 1999.

Position	Base Annual Salary (FY 1999)	
	B10. Minimum	B11. Maximum
a. Assistant Public Defender, entry-level	\$ _____ .00	\$ _____ .00
b. Assistant Public Defender with 5 years experience	\$ _____ .00	\$ _____ .00
c. Supervisory Attorney	\$ _____ .00	\$ _____ .00

B12. What is the average length of service for assistant public defenders in your program?

(Write in number)

_____ years

B13. Does the chief public defender in your program have a term of office?

1 Yes → *Specify term:*

a. _____ years

2 No specified term

3 No chief public defender → *Skip to B19*

B14. As of June 30, 1999 how long had the chief public defender served in that capacity?

(Write in years and months)

a. _____ years

b. _____ months

B15. Is the chief public defender in your program elected by the people or appointed?

1 Elected → *Skip to B17*

2 Appointed

B16. Who appoints the person serving as chief public defender? *(Mark (X) only one)*

1 Governor

2 Judge(s)

3 County executive

4 County administrator

5 County board

6 Program advisory board

7 Independent board or commission

8 Other *(Describe)* _____

B17. Does the chief public defender in your program carry a caseload?

1 Yes → a. _____ Average number of cases that the chief public defender was assigned in FY 1999 *(If you are unable to provide the actual number, please provide your best estimate.)*

2 No

B18. What was the annual salary of the chief public defender in your program in FY 1999?

\$ _____ .00

Caseload

B19. Which of the following best describes how your program defines a criminal case?

(Mark (X) only one)

1 One single charge against one or more defendants

2 One or more charges, allegations, or proceedings that normally would be handled at a single trial or hearing

3 All the charges involved in a single incident made against a single defendant

4 One or more charges, allegations, or proceedings within a specific case category (felony, juvenile, appeal, misdemeanor, etc.), arising out of one event or a group of related contemporaneous events, brought contemporaneously against one client

5 As immediately above, but a misdemeanor that is charged along with a related felony is considered part of the felony case

6 One or more charges, allegations, or proceedings that have the same court docket number

7 One or more charges, allegations, or proceedings with the same prosecutor case number

8 Any project, activity, or record that requires the creation of a new file jacket

9 Other *(Describe)* _____

B20-B24. How many of each of the following types of cases involving indigent defendants did your program receive in FY 1999? (If you are unable to provide the actual number, please provide your best estimate. If none, enter "0".)

Type of Case	Number of Cases Received by your Program in FY 1999
TOTAL - CRIMINAL	B20a. _____
Felony capital (death penalty)	b. _____
Felony non-capital	c. _____
Misdemeanors that carry a jail sentence	d. _____
Ordinance infraction	e. _____
Appeal	f. _____
Probation revocation	g. _____
Parole revocation	h. _____
TOTAL - JUVENILE RELATED	B21a. _____
Juvenile delinquency	b. _____
Delinquency appeals	c. _____
Juvenile proceeded against in adult criminal court	d. _____
Juvenile status offense (e.g. underage liquor law violation, truancy, etc.)	e. _____
Juvenile transfer/waiver hearings	f. _____
TOTAL - CIVIL	B22a. _____
Mental commitment	b. _____
State post-conviction/habeas corpus	c. _____
Federal habeas corpus	d. _____
TOTAL - OTHER	B23. _____
(Describe) _____	

TOTAL ALL CASES	B24. _____

B25. Are any of the following provisions available when your program has exceeded its caseload capacity? (Mark (X) all that apply)

- a. Motion to withdraw
- b. Motion to suspend appointments
- c. Re-open contract
- d. Automatically assigned to private bar/other program
- e. Other (Describe) _____

Conflicts

B26. In felony cases involving more than one indigent defendant, is the second defendant also represented by your program?

- 1 Yes 2 No → Skip to Part C on page 13

B27. In felony cases involving more than one indigent defendant, when are separate counsel appointed for each defendant? (Mark (X) all that apply)

- a. In every instance of co-defendant, at all proceedings
- b. In every instance of co-defendant, at all proceedings except for first appearance
- c. When the initially appointed attorney requests separation of defendants
- d. When requested by defendants
- e. At the direction of the court
- f. Other (Describe) _____

PART C

ASSIGNED COUNSEL PROGRAMS

- C1. Is your program an assigned counsel program? (This includes coordinated assigned counsel programs.)

Assigned Counsel: This system is characterized by appointment from a list of private bar members who accept cases on a judge-by-judge, court-by-court basis, or case-by-case basis

Coordinated Assigned Counsel: This system is similar to the assigned counsel program except that it has an administrative component and a set of rules and guidelines governing the appointment and processing of cases handled by private bar members.

1 Yes 2 No → Skip to Part D on page 17

- C2. In your jurisdiction, how is this assigned counsel program classified? (Mark (X) all that apply)

- a. **Primary Program:** The largest in your jurisdiction that provides representation in adult criminal and juvenile delinquency cases or other court appointed cases.
- b. **Alternate Program:** A program with a smaller staff and budget than the primary program which provides representation in court appointed cases in your jurisdiction.
- c. **Conflict Program:** A program that provides representation only in cases for which the public defender has a conflict of interest, an overload situation, or in which the public defender, or other primary program, is otherwise unable to handle a case.
- d. **Specialty Program:** A program that provides representation to indigent defendants on a limited basis or only in specialty cases, e.g., death penalty cases, juvenile cases, mental health, abuse and neglect, etc.

If you are unsure how to answer this question,
please e-mail NORC at
4911nsids@norcmail.uchicago.edu
or call 1-800-577-1486

Program Administration

- C3. In this assigned counsel program, what office appoints private attorneys to provide criminal indigent defense services? (Mark (X) all that apply)

- a. Court (judges)
b. Court clerk's office
c. Court administrator's office
d. Public defender
e. Your program
f. Other (Describe) _____

- C4. Does your program maintain a roster of attorneys available to be assigned criminal indigent defendants?

1 Yes 2 No → Skip to C10 on page 14

- C5. How does an attorney become included on this roster? (Mark (X) all that apply)

- a. All attorneys in local bar are included
b. All criminal attorneys in local bar are included
c. Appeared in the courtroom
d. Volunteered
e. Volunteered and determined as qualified by administering personnel
f. Volunteered and participated in continuing legal education or seminars each year
g. Volunteered and participated in training prior to representing clients
h. Other (Describe) _____

- C6. Are there formal procedures for removing attorneys from this roster?

1 Yes
2 No

C7. Do any of the following have authority to remove attorneys from this roster?

(Mark (X) yes or no for each type of authority)

- | Yes | No | Type of Authority |
|----------------------------|----------------------------|---|
| 1 <input type="checkbox"/> | 2 <input type="checkbox"/> | a. Judge |
| 1 <input type="checkbox"/> | 2 <input type="checkbox"/> | b. Clerk or other administrative personnel of the court |
| 1 <input type="checkbox"/> | 2 <input type="checkbox"/> | c. Administrator responsible for assigning private attorneys to indigent defendants |
| 1 <input type="checkbox"/> | 2 <input type="checkbox"/> | d. Indigent defense commission |
| 1 <input type="checkbox"/> | 2 <input type="checkbox"/> | e. Public defender |
| 1 <input type="checkbox"/> | 2 <input type="checkbox"/> | f. Bar association |
| 1 <input type="checkbox"/> | 2 <input type="checkbox"/> | g. Attorney himself/herself |
| 1 <input type="checkbox"/> | 2 <input type="checkbox"/> | h. Other (Describe) _____ |

C8. Does your program maintain a roster of attorneys by any of the following areas of specialization?

(Mark (X) yes or no for each area)

- | Yes | No | Area of Specialization |
|----------------------------|----------------------------|---|
| 1 <input type="checkbox"/> | 2 <input type="checkbox"/> | a. Death penalty |
| 1 <input type="checkbox"/> | 2 <input type="checkbox"/> | b. Murder |
| 1 <input type="checkbox"/> | 2 <input type="checkbox"/> | c. Felony |
| 1 <input type="checkbox"/> | 2 <input type="checkbox"/> | d. Misdemeanor |
| 1 <input type="checkbox"/> | 2 <input type="checkbox"/> | e. Appeals |
| 1 <input type="checkbox"/> | 2 <input type="checkbox"/> | f. State post-conviction/habeas corpus |
| 1 <input type="checkbox"/> | 2 <input type="checkbox"/> | g. Mental health |
| 1 <input type="checkbox"/> | 2 <input type="checkbox"/> | h. Juvenile delinquency |
| 1 <input type="checkbox"/> | 2 <input type="checkbox"/> | i. Other juvenile (i.e., abuse and neglect, status offense, termination of parental rights, etc.) |
| 1 <input type="checkbox"/> | 2 <input type="checkbox"/> | j. Other (Describe) _____ |

C9. Does your program have a roster of attorneys organized by the degree of difficulty of the case or seriousness of the offense?

- 1 Yes
2 No

C10. How are attorneys appointed in your program?

(Mark (X) all that apply)

- a. On a rotating basis
b. At the appointing authority's discretion
c. By area of specialization
d. By degree of difficulty of case or seriousness of offense
e. Other (Describe) _____

C11. In FY 1999, how many attorneys in your program received appointments to represent indigent defendants?

(If you are unable to provide an actual number, please provide your best estimate. If none, enter "0".)

Caseload

C12. Which of the following best describes how your program defines a criminal case?

(Mark (X) only one)

- 1 One single charge against one or more defendants
2 One or more charges, allegations, or proceedings that normally would be handled at a single trial or hearing
3 All the charges involved in a single incident made against a single defendant
4 One or more charges, allegations, or proceedings within a specific case category (felony, juvenile, appeal, misdemeanor, etc.), arising out of one event or a group of related contemporaneous events, brought contemporaneously against one client
5 As immediately above, but a misdemeanor that is charged along with a related felony is considered part of the felony case
6 One or more charges, allegations, or proceedings that have the same court docket number
7 One or more charges, allegations, or proceedings with the same prosecutor case number
8 Any project, activity, or record that requires the creation of a new file jacket
9 Other (Describe) _____

C13-C17. How many of each of the following types of cases involving indigent defendants did your program receive in FY 1999? (If you are unable to provide an actual number, please provide your best estimate. If none, enter "0".)

Type of Case	Number of Cases Received by your Program in FY 1999
TOTAL - CRIMINAL	C13a. _____
Felony capital (death penalty)	b. _____
Felony non-capital	c. _____
Misdemeanors that carry a jail sentence	d. _____
Ordinance infraction	e. _____
Appeal	f. _____
Probation revocation	g. _____
Parole revocation	h. _____
TOTAL - JUVENILE RELATED	C14a. _____
Juvenile delinquency	b. _____
Delinquency appeals	c. _____
Juvenile proceeded against in adult criminal court	d. _____
Juvenile status offense (e.g. underage liquor law violation, truancy, etc.)	e. _____
Juvenile transfer/waiver hearings	f. _____
TOTAL - CIVIL	C15a. _____
Mental commitment	b. _____
State post-conviction/habeas corpus	c. _____
Federal habeas corpus	d. _____
TOTAL - OTHER	C16. _____
(Describe) _____	

TOTAL ALL CASES	C17. _____

C18. Are any of the following provisions available when your program has exceeded its caseload capacity? (Mark (X) all that apply)

- a. Motion to withdraw
- b. Motion to suspend appointments
- c. Re-open contract
- d. Automatically assigned to private bar/other program
- e. Other (Describe) _____

Assigned Counsel Compensation

C19. Does your program's fee structure provide a separate hourly overhead rate for private attorneys? (Hourly overhead rate includes the cost of running an office, rent, utilities, insurance, support staff, etc.)

- 1 Yes → a. Average hourly overhead rate allowed in FY 1999: \$ _____ .00
- 2 No

C20. Are your program's attorneys required to represent indigent defendants without compensation in any of the following types of cases? (Mark (X) all that apply)

- a. Felony trial level
- b. Misdemeanor trial level
- c. Felony or misdemeanor appeal
- d. Juvenile trial level
- e. Death penalty trial level
- f. Death penalty appeal
- g. Death penalty state post-conviction
- h. Death penalty federal habeas corpus
- i. Attorneys are not required to represent indigent defendants without compensation

Misdemeanor Trial Level Cases

C21. Does your program handle misdemeanor trial cases?

1 Yes 2 No → *Skip to C23*

C22. How are attorneys compensated who are assigned to represent indigent defendants in misdemeanor trial level cases?

(Mark (X) one; then fill in the amounts)

1 Hourly rate

- a. \$_____.00 to b. \$_____.00 per hour in court
- c. \$_____.00 to d. \$_____.00 per hour out of court
- e. \$_____.00 maximum per case

(Write in "0" if no maximum)

2 Daily rate

- f. \$_____.00 to g. \$_____.00 per day
- h. \$_____.00 maximum per case

(Write in "0" if no maximum)

3 Flat fee per case

- i. \$_____.00 to j. \$_____.00 per case

4 Flat fee per type of appearance

- k. \$_____.00 to l. \$_____.00 per arraignment
- m. \$_____.00 to n. \$_____.00 per plea
- o. \$_____.00 to p. \$_____.00 per motion hearing
- q. \$_____.00 to r. \$_____.00 per trial

5 Other *(Describe)* _____

Non-capital Felony Trial Level Cases

C23. Does your program handle non-capital felony trial cases?

1 Yes 2 No → *Skip to C25 on page 17*

C24. How are attorneys compensated who are assigned to represent indigent defendants in non-capital felony trial cases?

(Mark (X) one; then fill in the amounts)

1 Hourly rate

- a. \$_____.00 to b. \$_____.00 per hour in court
- c. \$_____.00 to d. \$_____.00 per hour out of court
- e. \$_____.00 maximum per case

(Write in "0" if no maximum)

2 Daily rate

- f. \$_____.00 to g. \$_____.00 per day
- h. \$_____.00 maximum per case

(Write in "0" if no maximum)

3 Flat fee per case

- i. \$_____.00 to j. \$_____.00 per case

4 Flat fee per type of appearance

- k. \$_____.00 to l. \$_____.00 per arraignment
- m. \$_____.00 to n. \$_____.00 per plea
- o. \$_____.00 to p. \$_____.00 per motion hearing
- q. \$_____.00 to r. \$_____.00 per trial

5 Other *(Describe)* _____

Death Penalty Cases

C25. Does your program handle death penalty trial level cases?

1 Yes 2 No → *Skip to Part D*

C26. How are attorneys compensated who are assigned to represent indigent defendants in death penalty trial level cases?

(Mark (X) one; then fill in the amounts)

1 Hourly rate

- a. \$_____.00 to b. \$_____.00 per hour in court
c. \$_____.00 to d. \$_____.00 per hour out of court
e. \$_____.00 maximum per case

(Write in "0" if no maximum)

2 Daily rate

- f. \$_____.00 to g. \$_____.00 per day
h. \$_____.00 maximum per case

(Write in "0" if no maximum)

3 Flat fee per case

- i. \$_____.00 to j. \$_____.00 per case

4 Flat fee per type of appearance

- k. \$_____.00 to l. \$_____.00 per arraignment
m. \$_____.00 to n. \$_____.00 per plea
o. \$_____.00 to p. \$_____.00 per motion hearing
q. \$_____.00 to r. \$_____.00 per trial

5 Other (Describe) _____

PART D

CONTRACT ATTORNEY PROGRAMS

This section should be filled out by the administrator of a contract indigent defense program in your jurisdiction. A contract program is a system under which non-salaried individual private attorneys, bar associations, law firms, consortiums or groups of attorneys, or non-profit corporations contract with the funding source to provide court-appointed representation in the jurisdiction.

Contract Administration

D1. In FY 1999, did your agency administer contracts for criminal indigent defense services in your jurisdiction?

1 Yes 2 No → *Skip to Part E on page 22*

D2. In FY 1999, what was the total number of contracts administered by your agency, for criminal indigent defense services in your jurisdiction?

(Write in number. If none, enter "0".)

D3. Did your agency administer contracts awarded to public defenders (attorneys or programs) for criminal indigent defense services?

1 Yes 2 No

D4. In FY 1999, in order to provide court-appointed criminal indigent defense, did your agency administer contracts for any of the following?

(Mark (X) yes or no for each category)

Yes No Contracts Administered For

1 2 a. Individual solo practitioners

1 2 b. A law firm which handled both indigent cases and private cases

1 2 c. A law firm or a group of private attorneys or law firms joined solely to provide indigent representation under the contract

1 2 d. Bar association

1 2 e. Non-profit organization

1 2 f. Other (Describe) _____

Contract Awards and Monitoring

D5. Who is primarily responsible for awarding contracts to provide criminal indigent defense in your jurisdiction? (Mark (X) only one)

- 1 Your agency
- 2 State public defender
- 3 Judge
- 4 County
- 5 City or town
- 6 County public defender
- 7 Bar association
- 8 State commission
- 9 Other (Describe) _____

D6. In FY 1999, under what circumstances were contracts awarded in your jurisdiction? (Mark (X) all that apply)

- a. To handle all or the majority of criminal indigent cases (in lieu of a public defender or assigned counsel program)
- b. To handle public defender conflicts, including case overload
- c. To handle types of cases not handled by the public defender or assigned counsel
- d. Other (Describe) _____

D7. Does your jurisdiction competitively bid for criminal indigent defense services?

- 1 Yes
- 2 No

D8. Who is primarily responsible for monitoring contract compliance for criminal indigent defense in your jurisdiction? (Mark (X) only one)

- 1 Your agency
- 2 State public defender
- 3 Judge
- 4 County
- 5 City or town
- 6 County public defender
- 7 Bar association
- 8 State commission
- 9 Other (Describe) _____

D9. For which of the following functions is the monitor of the contract responsible?

(Mark (X) all that apply)

- a. Quality of representation
- b. Review of budgets
- c. Use of experts, investigators and other support services
- d. Unanticipated rise or fall in case loads
- e. Required training
- f. Approval of vouchers
- g. Client satisfaction

Caseload

D10. In FY1999 did your agency administer contracts for any of the following types of cases? (Mark (X) yes or no for each type of case)

Yes No Criminal Cases

- 1 2 a. Felony capital (death penalty)
- 1 2 b. Felony non-capital
- 1 2 c. Misdemeanors that carry a jail sentence
- 1 2 d. Ordinance infraction
- 1 2 e. Appeal
- 1 2 f. Probation revocation
- 1 2 g. Parole revocation

Juvenile Related Cases

- 1 2 h. Juvenile delinquency
- 1 2 i. Delinquency appeals
- 1 2 j. Juvenile proceeded against in adult criminal court
- 1 2 k. Juvenile status offense (e.g. underage liquor law violation, truancy, etc.)
- 1 2 l. Juvenile transfer/waiver hearings

Civil Cases

- 1 2 m. Mental commitment
- 1 2 n. State post-conviction/habeas corpus
- 1 2 o. Federal habeas corpus

Other Cases

- 1 2 p. (Describe) _____

D11. Which of the following best describes how your agency defines a criminal case?

(Mark (X) only one)

- 1 One single charge against one or more defendants
- 2 One or more charges, allegations, or proceedings that normally would be handled at a single trial or hearing
- 3 All the charges involved in a single incident made against a single defendant
- 4 One or more charges, allegations, or proceedings within a specific case category (felony, juvenile, appeal, misdemeanor, etc.), arising out of one event or a group of related contemporaneous events, brought contemporaneously against one client
- 5 As immediately above, but a misdemeanor that is charged along with a related felony is considered part of the felony case
- 6 One or more charges, allegations, or proceedings that have the same court docket number
- 7 One or more charges, allegations, or proceedings with the same prosecutor case number
- 8 Any project, activity, or record that requires the creation of a new file jacket
- 9 Other (Describe) _____

D12-D16. How many of each of the following types of cases involving indigent defendants did contract attorneys receive in FY 1999? (If you are unable to provide an actual number, please provide your best estimate. If none, enter "0".)

Type of Case	Number of Cases Received by Contract Attorneys in FY 1999
TOTAL - CRIMINAL	D12a. _____
Felony capital (death penalty)	b. _____
Felony non-capital	c. _____
Misdemeanors that carry a jail sentence	d. _____
Ordinance infraction	e. _____
Appeal	f. _____
Probation revocation	g. _____
Parole revocation	h. _____
TOTAL - JUVENILE RELATED	D13a. _____
Juvenile delinquency	b. _____
Delinquency appeals	c. _____
Juvenile proceeded against in adult criminal court	d. _____
Juvenile status offense (e.g. underage liquor law violation, truancy, etc.)	e. _____
Juvenile transfer/waiver hearings	f. _____
TOTAL - CIVIL	D14a. _____
Mental commitment	b. _____
State post-conviction/habeas corpus	c. _____
Federal habeas corpus	d. _____
TOTAL - OTHER	D15. _____
(Describe) _____ _____	
TOTAL ALL CASES	D16. _____

Contract Attorney Compensation

Misdemeanor Cases

D17. In FY 1999, did you administer one or more contracts for providing indigent defense services in misdemeanor cases?

1 Yes 2 No → *Skip to D19*

D18. What kind of contract(s) did you administer for misdemeanor cases?

(Mark (X) one; then fill in numbers and amounts)

1 Fixed price representation

a. Number of cases _____ for

b. \$ _____ .00 to c. \$ _____ .00 per year

2 Fixed fee per case representation

d. Number of cases _____ for

e. \$ _____ .00 to f. \$ _____ .00 per case

3 Block grant representation for all cases, for

g. \$ _____ .00 fixed fee

4 Based upon hourly rates

h. \$ _____ .00 to i. \$ _____ .00 per hour in court

j. \$ _____ .00 to k. \$ _____ .00 per hour out of court

l. \$ _____ .00 maximum per case

(Write in "0" if no maximum)

5 Other *(Describe)* _____

Juvenile Delinquency Cases

D19. In FY 1999, did you administer one or more contracts for providing indigent defense services in juvenile delinquency cases?

1 Yes 2 No → *Skip to D21 on the next page*

D20. What kind of contract(s) did you administer in juvenile delinquency cases?

(Mark (X) one; then fill in numbers and amounts)

1 Fixed price representation

a. Number of cases _____ for

b. \$ _____ .00 to c. \$ _____ .00 per year

2 Fixed fee per case representation

d. Number of cases _____ for

e. \$ _____ .00 to f. \$ _____ .00 per case

3 Block grant representation for all cases, for

g. \$ _____ .00 fixed fee

4 Based upon hourly rates

h. \$ _____ .00 to i. \$ _____ .00 per hour in court

j. \$ _____ .00 to k. \$ _____ .00 per hour out of court

l. \$ _____ .00 maximum per case

(Write in "0" if no maximum)

5 Other *(Describe)* _____

Non-Capital Felony Cases

D21. In FY 1999, did you administer one or more contracts for providing indigent defense services in non-capital felony cases?

1 Yes 2 No → *Skip to D23*

D22. What kind of contract(s) did you administer for non-capital felony cases?

(Mark (X) one; then fill in numbers and amounts)

1 Fixed price representation

a. Number of cases _____ for

b. \$ _____ .00 to c. \$ _____ .00 per year

2 Fixed fee per case representation

d. Number of cases _____ for

e. \$ _____ .00 to f. \$ _____ .00 per case

3 Block grant representation for all cases, for

g. \$ _____ .00 fixed fee

4 Based upon hourly rates

h. \$ _____ .00 to i. \$ _____ .00 per hour in court

j. \$ _____ .00 to k. \$ _____ .00 per hour out of court

l. \$ _____ .00 maximum per case

(Write in "0" if no maximum)

5 Other *(Describe)* _____

Death Penalty Cases

D23. In FY 1999, did you administer one or more contracts for providing indigent defense services in death penalty cases?

1 Yes 2 No → *Skip to D25*

D24. What kind of contract(s) did you administer for death penalty cases?

(Mark (X) one; then fill in numbers and amounts)

1 Fixed price representation

a. Number of cases _____ for

b. \$ _____ .00 to c. \$ _____ .00 per year

2 Fixed fee per case representation

d. Number of cases _____ for

e. \$ _____ .00 to f. \$ _____ .00 per case

3 Block grant representation for all cases, for

g. \$ _____ .00 fixed fee

4 Based upon hourly rates

h. \$ _____ .00 to i. \$ _____ .00 per hour in court

j. \$ _____ .00 to k. \$ _____ .00 per hour out of court

l. \$ _____ .00 maximum per case

(Write in "0" if no maximum)

5 Other *(Describe)* _____

D25. Are contract attorneys required to represent indigent defendants without compensation in any of the following types of cases? *(Mark (X) all that apply)*

a. Felony trial level

b. Misdemeanor trial level

c. Felony or misdemeanor appeal

d. Juvenile trial level

e. Death penalty trial level

f. Death penalty appeal

g. Death penalty state post-conviction

h. Death penalty federal habeas corpus

i. Contract attorneys are not required to represent indigent defendants without compensation

PART E

Additional Programs

E1. In FY 1999, were there any criminal indigent defense programs, other than your program, that served your jurisdiction?

1 Yes 2 No → Skip to the last box on the next page

E2-E5. For each additional program, please indicate the name and address of the program, the name of the contact person or the person in charge, and mark (X) the type(s) of program it is. For contract programs, provide this information for the office or agency that administers the contract programs.

E2. First additional public defender or assigned counsel program, or administrative agency for contract program

 a. Program/Agency name

 b. Contact person

 c. Street/P.O. Box

 d. Street/P.O. Box

 e. City

 f. State

()

 g. Zip Code

 h. Area code + Phone number

i. What kind of program is this?

(Mark (X) one)

- 1 Public defender (this includes public defender programs primarily funded by an awarded contract)
- 2 Assigned Counsel (includes coordinated assigned counsel)
- 3 Other/contract administrator

j. If this program is a public defender or assigned counsel program, how is it classified?

(Mark (X) all that apply)

- a. Primary program
- b. Alternate program
- c. Conflict program
- d. Specialty program

E3. Second additional public defender or assigned counsel program, or administrative agency for contract program

 a. Program/Agency name

 b. Contact person

 c. Street/P.O. Box

 d. Street/P.O. Box

 e. City

 f. State

()

 g. Zip Code

 h. Area code + Phone number

i. What kind of program is this?

(Mark (X) one)

- 1 Public defender (this includes public defender programs primarily funded by an awarded contract)
- 2 Assigned Counsel (includes coordinated assigned counsel)
- 3 Other/contract administrator

j. If this program is a public defender or assigned counsel program, how is it classified?

(Mark (X) all that apply)

- a. Primary program
- b. Alternate program
- c. Conflict program
- d. Specialty program

E4. Third additional public defender or assigned counsel program, or administrative agency for contract program

a. Program/Agency name

b. Contact person

c. Street/P.O. Box

d. Street/P.O. Box

e. City

f. State

g. Zip Code

()

h. Area code + Phone number

i. What kind of program is this?

(Mark (X) one)

- 1 Public defender (this includes public defender programs primarily funded by an awarded contract)
- 2 Assigned Counsel (includes coordinated assigned counsel)
- 3 Other/contract administrator

j. If this program is a public defender or assigned counsel program, how is it classified?

(Mark (X) all that apply)

- a. Primary program
- b. Alternate program
- c. Conflict program
- d. Specialty program

E5. Fourth additional public defender or assigned counsel program, or administrative agency for contract program

a. Program/Agency name

b. Contact person

c. Street/P.O. Box

d. Street/P.O. Box

e. City

f. State

g. Zip Code

()

h. Area code + Phone number

i. What kind of program is this?

(Mark (X) one)

- 1 Public defender (this includes public defender programs primarily funded by an awarded contract)
- 2 Assigned Counsel (includes coordinated assigned counsel)
- 3 Other/contract administrator

j. If this program is a public defender or assigned counsel program, how is it classified?

(Mark (X) all that apply)

- a. Primary program
- b. Alternate program
- c. Conflict program
- d. Specialty program

If there were more than four other criminal indigent defense programs in the county, e-mail NORC at 4911nsids@norcmail.uchicago.edu or call 1-800-577-1486

**Thank you for your participation.
Please return your completed questionnaire to:**

National Opinion Research Center
1525 East 55th Street
Chicago, Illinois 60615