



OFFICE OF THE FULTON COUNTY PUBLIC DEFENDER
ATLANTA JUDICIAL CIRCUIT

2024 OPERATIONAL ASSESSMENT

ABA REQUIREMENT & STANDARDS



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**FULTON COUNTY
CIRCUIT PUBLIC DEFENDER**



Historically, the County has worked to ensure office resources are consistent with national caseload standards for public defenders promulgated by the National Advisory Committee and the American Bar Association.

Previous budget requests were submitted in accordance with caseload standards from 1973. As of September 2023, a new set of guidelines were established. These new guidelines align with how cases are currently prosecuted and how we must respond.



OFFICE OF THE PUBLIC DEFENDER

CASELOAD OVERVIEW

- Over 20,000 cases across Superior, Juvenile, State, and Magistrate Courts

MISSION COMMITMENT

- Dedicated to providing zealous, adequate, and effective legal representation
- Consistent with the constitutions and mandates of the Georgia Indigent Defense Act of 2003

HOLISTIC DEFENSE EFFORTS

- Trained social workers support attorneys beyond the courtroom
- Advocating for clients' release and community reintegration

CHALLENGES FACED

OVERVIEW

CASELOAD STANDARDS

- Negative media focus on untimely deaths in Fulton County jails
- Struggles in maintaining effective services despite recent strides
- No specific numerical caseload standards endorsed
- Factors influencing workload include case complexity, support services, attorney experience, and nonrepresentational duties

DISCREPANCY WITH GUIDELINES

- Attorneys representing far more clients than recommended by Guidelines

CHALLENGES FACED

OVERVIEW

CASELOAD STATISTICS

- PINC division of Superior Court: Over **12,450 cases**, exceeding recommended caseload
- Complex Trial division: Approximately **3,859 cases**, exceeding guidelines
- State Court: Approximately **3,750 cases**, expected to exceed annual ABA Guidelines
- Juvenile Court: Approximately **830 cases**, likely to exceed Guidelines when closed cases are counted
- Challenges in handling specialized cases without specialized units

PERSONNEL NEEDS

- Need for additional attorneys to address increasing caseloads and specialized cases
- Focus on hiring experienced attorneys with trial expertise
- Impending reduction of 19 Orca-funded attorneys

PREVIOUS ABA GUIDELINES OVERVIEW

1973 NATIONAL ADVISORY COMMISSION STANDARDS

Felony Cases: 150 cases per year

Misdemeanor Cases: 400 cases per year

Mental Health Cases: 200 cases per year

Juvenile Cases: 200 cases per year

Appeal Cases: 25 cases per year

CLOSING THE GAP

Bridging a 50-Year Divide with Adequate Funding for Public Defenders

20K

THE FULTON COUNTY PUBLIC DEFENDERS OFFICE HAS AN EXCESS OF 20,000 CASES ACROSS SUPERIOR, JUVENILE, STATE, AND MAGISTRATE COURTS



50 YEARS

THE FULTON COUNTY PUBLIC DEFENDERS OFFICE IS CURRENTLY FUNDED BELOW THE 1973 RECOMMENDED ABA STANDARDS

CURRENTLY EACH ATTORNEY IN THE PINC UNIT OF THE FULTON COUNTY PUBLIC DEFENDERS OFFICE HAS APPROXIMATELY 515 CASES ASSIGNED SIGNIFICANTLY HIGHER THAN THE 150 CASES RECOMMENDED BY THE ABA

515



CURRENT ABA GUIDELINES OVERVIEW

- National Public Defense Workload Study conducted by RAND, National Center for State Courts (NCSC), and American Bar Association (ABA) Standing Committee on Legal Aid and Indigent Defense entails a rigorous study from 2005 to 2022 and produced revised guidelines.
- The group looked at 17 State-level Public Defender Offices' workload studies. It employed the Delphi Method to develop a consensus among experts to determine the average time for an attorney to complete a specific case.

CURRENT ABA GUIDELINES OVERVIEW

2023 RAND/ABA STANDARDS

Felony-High-LWOP:	7 cases per year
Felony-High-Murder:	8 cases per year
Felony-High-Sex:	12 cases per year
Felony-High-Other:	21 cases per year
Felony-Mid:	36 cases per year
Felony-Low:	59 cases per year
DUI-High	63 cases per year
DUI-Low	109 cases per year
Misdemeanor-High:	93 cases per year
Misdemeanor-Low:	150 cases per year
Probation/Parole Violation:	154 cases per year

FORENSIC SCIENCE



The new standards reflect the expansion of **RICO cases and Forensic Science**, i.e., **blood spatter, DNA, digital discovery, bodycams, cell phone data, social media data, geofencing, and other scientific techniques**; And the addition of researching collateral consequences of a conviction.

PERSONNEL BUDGET OVERVIEW

POSITIONS

- 163 full-time general fund positions
- Filled rate: 100%

RECRUITMENT AND RETENTION STRATEGY

- Successful approach over the last two years
- Demonstrated by the high level of filled positions

VACANCY MANAGEMENT

- Reduced overall vacancies from 33 (October 2021) to zero presently

STAFF COMPOSITION

- 106 attorneys and 57 support staff

HUMAN RESOURCES INITIATIVES

- Proactive efforts to maintain a candidate pool
- Streamlined interview process for prompt hiring

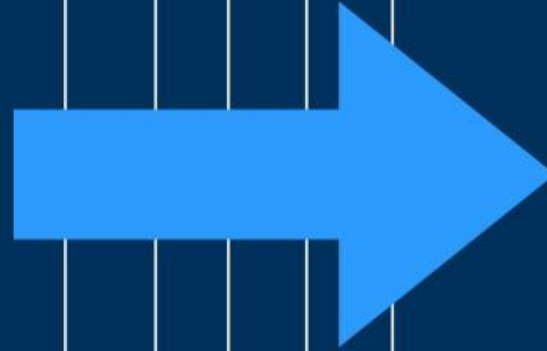
ATTRITION SUCCESS

- Operating well below the standard 10% attrition rate
- The current attrition rate is notably low

2021
STAFFING LEVELS

33

VACANT POSITIONS



CURRENT
STAFFING LEVELS

0

VACANT POSITIONS

WORKSPACE CAPACITY OVERVIEW

CURRENT WORKSPACE STATUS

- Near capacity in available workspaces

OPERATIONAL FUNDING ALLOCATION

- Identified operational funds in the FY2023 budget to increase workspaces

EXPANSION INITIATIVE

- Purchase of 11 cubicles to maximize available space

IMPACT ON WORKFORCE

- Facilitated accommodation for new staff hires

LIMITATIONS AND FUTURE NEEDS

- Insufficient for 100% personnel capacity and additional positions

Bringing the Fulton County Public Defender Office Forward

*****Positions & Resources Required to Maintain Existing Services Within Fulton's Expanding Criminal Justice System.*****

PERSONNEL - 21 Attorney Positions & 12 Support Staff: \$4,676,724

CLASSIFICATION	NUMBER OF POSITIONS	ESTIMATED COST
Assistant Public Defender I	4	\$608,824
Assistant Public Defender II	8	\$1,351,237
Assistant Public Defender III	4	\$750,426
Assistant Public Defender IV	3	\$625,661
Supervising Attorney	2	\$464,026
	21	\$3,800,174

CLASSIFICATION	NUMBER OF POSITIONS	ESTIMATED COST
Legal Secretary	4	\$243,737
Legal Specialist	1	\$91,606
Records and Documents Coor	2	\$121,868
Social Work Coor II	2	\$182,270
Community Res Prgm Spec	1	\$73,473
Sr Investigator	2	\$163,596
	12	\$876,550

OPERATIONS - Office Space & Essential Work Resources: \$479,574

TOTAL REQUEST: \$5,156,298

WHAT THIS ACCOMPLISHES

ENHANCED LEGAL REPRESENTATION:

Additional funding enables hiring more skilled attorneys, reducing caseloads, and allowing for a more thorough and effective legal defense.

SPECIALIZED EXPERTISE:

Increased resources allow for hiring specialized legal experts, ensuring a higher level of proficiency in handling complex cases, such as those involving mental health, juveniles, or serious felonies.

HOLISTIC DEFENSE SERVICES:

Funding can support expanding holistic defense efforts, including social workers and support services beyond the courtroom, addressing clients' broader needs for better outcomes.

WHAT THIS ACCOMPLISHES

TIMELY CASE RESOLUTION:

Additional resources enable the timely handling of cases, reducing backlog and ensuring a more efficient judicial system.

COMMUNITY IMPACT:

A well-funded public defender's office contributes to community reintegration efforts, reducing the impact of lengthy pre-trial detentions and fostering positive outcomes for individuals involved in the legal system.

REDUCED CASELOADS:

Adequate funding facilitates a manageable caseload for attorneys, improving the quality of representation and preventing overburdening, ultimately leading to more just and fair legal processes; moving Fulton in the direction of national standards