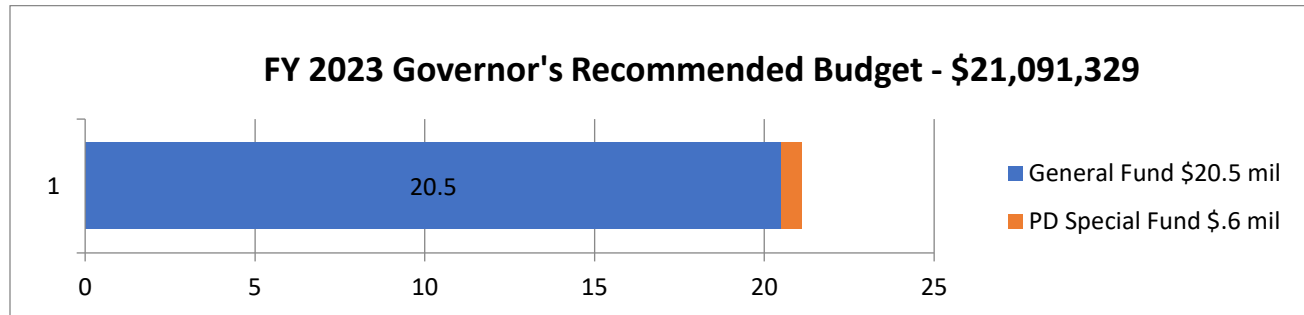


# Office of the Defender General

## FY 2023 Governor's Recommended Budget

**MISSION:** The Office of the Defender General provides constitutionally required representation to indigent persons charged with serious crimes. The Office also provides counsel to children who are the subject of juvenile proceedings as alleged delinquents; to parties in juvenile proceedings including children in need of care and supervision (CHINS); to children in the custody of the Department for Children and Families; to persons in the custody of the Commissioner of Corrections; and, to needy persons in extradition, or probation or parole revocation proceedings.



### WHAT IT PROVIDES:

- General Fund includes an increase of 5.3%;
- Public Defense Special Fund is level funded from FY 2022;
- Continues current service level;
- Provides funds for staff salary and benefit increases;
- Provides increase for already negotiated and approved Public Defense Contracts;
- Provides funding for internal services fund allocations.
- Provides additional funding to continue to further reduce the underfunding of Assigned Counsel Contracts.

### ACCOMPLISHMENTS:

- ODG has remained within budget for 20 consecutive years;
- Fiscal responsibility has been built on legal services provided by conflict contractors saving the state 40% when compared to a staff office;
- Increase in the number of ACCs has kept reliance on ad hoc counsel to a minimum;
- FY16-19: Ad hoc caseload has decreased 39%;
- NOTE: Ad hoc counsel is the most expensive way the ODG provides service.

### CHALLENGES:

- Anticipate surge in caseload in FY 2023 due to COVID-related backlogged cases.
- FY18-19 PD criminal caseload increased (felonies 4% and misdemeanors 11%);
- FY16-19: PD juvenile caseload increased 37%;
- Attorneys are not available for hire in staff or contract systems, particularly outside of Burlington/Montpelier corridor;
- Conflict Contractors are still grossly underpaid;
- Private sector pay for attorneys has far outpaced public sector attorney pay in recent years.