

Indigent Defense Services

**FY02 North Carolina
Public Defender and
Private Assigned Counsel
Cost Analysis**



May 2002

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FY02 North Carolina Public Defender & Private Assigned Counsel Cost Analysis

Purpose

Analyze the relative cost-effectiveness and efficiency of Public Defender Offices (PDs) and Private Assigned Counsel (PACs) who are providing indigent legal services in fiscal year 2002.

Key Findings

1. PD offices comprise 19.7% of the budget in FY02—approximately \$14 million dollars—and are handling 26.4% of all indigent cases.
2. Nine of the eleven PD offices were found to be cost-effective: Pitt, Durham, Chatham/Orange, Hoke/Scotland, Guilford, Mecklenburg, Gaston, Robeson, and Buncombe. (See Attachment A)
3. Two of the PD offices were found not to be cost-effective: Carteret and Cumberland.
4. All together, the eleven PD offices saved over \$3 million dollars in FY02 from what it is estimated it would have cost if PACs had handled their cases.
5. All PD offices except Carteret have attorney hourly rates lower than the new statewide standard hourly rate of \$65/hour. They range from \$44/hour to \$58/hour. Carteret attorney hourly rates are \$72/hour. This rate includes all support staff, supplies, travel, overhead and other PD/AOC office budget expenditures.
6. Eight of the eleven PD offices are believed to be approximately as efficient or more efficient than PACs. To compare efficiency, capital, felony, juvenile, involuntary commitments, and other types of cases were weighted and then converted into misdemeanor units using ABA caseload guidelines.

PD and PAC Efficiency Based on Misdemeanor Units

- PAC avg. 609
- Gaston 754
- Mecklenburg 707
- Durham 624
- Guilford 623
- Buncombe 600
- Robeson 573
- Chatham/Orange 572
- Hoke/Scotland 561

Limitations

Due to current data limitations, this study does not include any assessment about the relative quality of representation being provided by either PD offices or PACs.

Not all costs associated with PACs could be quantified at this time. Research confirms that there are additional costs to the State, although not directly to the IDS office, associated with PAC representation that have yet to be quantified. These include, for example, the court administrative costs to maintain PAC rosters, notify attorneys of cases, notify clients of attorneys, and process and review fee applications for submission to the AOC. IDS hopes to identify these State costs in the future.

Not all costs associated with PD offices could be quantified at this time either. Research also confirms that there are additional PD costs to host counties, although not directly to the IDS office, that have yet to be quantified. These include what it costs counties to provide office space to PD offices, as they are required to do by state statute. IDS hopes to quantify these County costs in the future.

Scope of Study

The study examined both the relative costs and efficiency of PD offices and PAC representation.

PAC costs, as illustrated below, include paying an attorney an hourly rate times the number of hours worked plus private investigator or mitigation expenses, plus the administrative costs of paying private assigned counsel, plus the court administrative costs associated with PACs, such as, maintaining PAC rosters, notifying PACs of case assignments, notifying indigent clients of their assigned PAC, and processing PAC fee applications, etc. As noted above, one of this study's limitations is that data is not available on PAC-related court administrative costs.

$$\text{PAC Costs} = \text{No. of Cases} \times \text{PAC Hourly Rate} \times \text{No. of Hours Worked on Cases} + \text{Private Investigator \& Mitigation Expenses} + \text{Administrative Costs of Paying PACs} + \text{Court Administrative Costs of Processing Cases}$$

PD office costs, as illustrated below, include annual PD office expenditures (including benefits, support staff, travel, supplies, overhead, and other office expenses) plus the cost to the county for providing office space. Also as noted above, this study was unable to quantify county PD office expenses at this time.

$$\text{PD Office Costs} = \text{PD Office Annual Expenditures} + \text{County Office Space Costs}$$

Indigent defense costs that are the same to both PD offices and PACs, such as court reporter costs or non-investigator or mitigation expert witness expenses, were not included in the study.

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Part I: Methodology to Compare PD and PAC Relative Costs

To compare the relative cost of PD offices to PAC representation, the study estimated what it would have cost if PACs had disposed of the cases handled by the PD offices in FY02 and compared this total cost to total FY02 PD office expenditures (see Attachment A for an example of how these calculations were made). The resulting difference between total PAC costs and PD office expenditures represented PD office savings or losses (see Attachment B for summary of all PD office savings or losses).

$$\text{PD Annual Expenditures vs. PAC Costs} = \left(\begin{array}{l} \text{No. of Cases} \\ \times \\ \text{PAC Standard Hourly Rate} \\ \times \\ \text{No. of Hours Worked on Cases} \\ + \\ \text{Private Investigator \& Mitigation Expenses} \\ + \\ \text{Administrative Costs of Paying PACs} \end{array} \right)$$

The following paragraphs detail how each of the components used in the above formula for calculating the PAC costs of handling a PD office's caseload was developed.

No. of Cases in FY02

PD offices report the number of dispositions by type of highest charge on a weekly basis to the AOC. Year-to-date number of cases as of March 1, 2002 were obtained and then annualized assuming that PD offices disposed of cases at the same rate (see Attachment C).

PAC Hourly Rate

Effective April 1, 2002, IDS pays a standard rate of \$85/hour to all private assigned attorneys working on capital cases and \$65/hour to attorneys working on non-capital cases, unless an exception has been pre-authorized by the IDS Director. Since IDS was interested in comparing current and future PD and PAC costs rather than past costs, the study calculated PAC costs using these standard hourly rates.

PAC Hours on Cases

Different types of cases require different amounts of work. For example, a murder case will require many more hours of labor from the defense attorney than a misdemeanor case. The average number of hours PACs spent on different types of cases came from two IDS studies on PAC fees and hours conducted earlier this year. The first, a FY02 Superior Court fee application study analyzed all fee applications from the first quarter of FY02—6,695 fee applications—and found the average amount of hours PACs spent on different types of Superior Court cases (see Attachment D). The second study was a FY02 District Court fee application study that analyzed a sample of 2,262 fee applications from 3 counties—Wake, Iredell, and Columbus—and found the average hours PACs spent on different types of District Court cases (see Attachment D). No data was available on the average number of hours PACs spend on capital cases for FY02, so the study estimated the average hours based on American Bar Association caseload guidelines. The guidelines stipulate that an attorney working full-time on only murder cases could handle a maximum of 10 cases per year. This works out to 192 hours per murder case per year.

Private Investigator & Mitigation Expenses

PD office private investigator and mitigation costs are included in PD office expenditures, most commonly as personnel costs because PD offices have private investigators as part of their permanent office staff. PACs submit private investigator and mitigation expenses separately from their attorney fees to either the AOC or the IDS office, which are then paid by the indigent defense fund. Using data from the first quarter of FY02, a cost per fee application (or average) was calculated for PAC investigator and mitigation expenses by Superior (capital and non-capital) and District Courts and then added to attorney fees (see Attachment E).

Administrative Costs of Paying the AOC

PD office payment processing costs are included in their office expenditures. PAC payment processing costs are part of the AOC's budget expenditures. AOC costs accrue from having to process PAC fee applications, mail out checks, and scan and store every PAC fee application to meet State and Federal auditing requirements. The personnel costs of three data entry personnel, 20% of one warehouse clerk position, and 20% of one administrative position to scan in all fee applications, plus envelopes and postage for ≈150,000 fee awards, were included in calculating a per fee application payment processing cost (see Attachment F). Please note that the administrative costs of paying PACs, while a cost to the State, is not a direct cost to the indigent fund. The savings and losses summarized in Attachment B do not include these costs. Including the administrative cost of processing PAC fees—\$1.18 per fee application in FY02—generates an additional \$58,121 in total PD office savings.

PD Office Expenditures

FY02 year-to-date (as of March 31, 2002) PD office expenditure data was collected and annualized assuming the same rate of expenditure. PD office expenditures included all expenditures paid by the AOC on behalf of PD offices, such as personnel, benefits, travel, supplies, equipment purchases, overhead, etc. PD expenditures do not include the cost to counties of providing office space. Court Reporter expenditures were subtracted out for the reasons stipulated above.

Part II: Methodology to Compare PD and PAC Efficiency

The second part of the study examined the relative efficiency of PD offices and PACs.

The study was not able to compare PD to PAC efficiency by comparing the average number of hours per case by type of case because, while data on the average number of hours it takes PACs to dispose of indigent cases was available, similar data on the average number of hours it takes PDs to dispose of indigent cases was not available.

To compare rates of efficiency, the study analyzed PD attorney caseloads and compared them to how many cases on average PACs could dispose of if they worked full-time on indigent cases. The following paragraphs describe how this analysis was performed.

Step 1: Measuring PD Office Caseload

Both PDs and PACS handle different types of cases—from the very serious charge of murder to the relatively simple charge of misdemeanor. Different types of cases require different amounts of work to complete. In order to compare caseloads, different types of cases were translated into uniform work units, which could then be added together to calculate the total number of work units performed.



For example, if it takes an attorney 3 hours to complete a misdemeanor case and 12 hours to complete a felony case, then that felony case is worth four times the misdemeanor case. If you make misdemeanors the uniform work unit, then misdemeanors are worth 1 work unit and a felony is worth 4 work units. In this manner, different caseloads can then be compared as illustrated in the example below.

Attorney 1 (total cases = 5)

3 Misdemeanors	3 x 1 = 3 work units
2 Felonies	2 x 4 = 8 work units
Total Work Units	3 + 8 = 11 work units

Attorney 2 (total cases = 6)

5 Misdemeanors	5 x 1 = 5 work units
1 Felonies	1 x 4 = 4 work units
Total Work Units	5 + 4 = 9 work units

In our example, Attorney 1 is the more efficient attorney because he/she was able to complete 11 work units in the time it took attorney 2 to complete 9 work units.

As we had no data on the average hours it takes PDs to complete cases, the study used the American Bar Association PD office caseload guidelines to weight types of cases, with the exception of juvenile and commitment case weights.

	A	B	C	D
5	Case Weighting System ABA Caseload Guidelines			
6	Highest Charge	ABA Maximum No. Cases per Year <small>(cannot be combined)</small>	Avg. Hrs per Case (48 weeks/yr)	Case Weight Index <small>(Misdemeanor = 1)</small>
7	Capital	10	192	40.0
8	Felony	150	12.8	2.7
9	Misdemeanor	400	4.8	1.0
10	Juvenile	400	4.8	1.0
11	Commitment	1,200	1.6	0.3
12	Appeals	25	76.8	16.0
13	Withdrawals			0.8
15				
16	<i>Commitment PAC avg. hrs/fee app refers to involuntary commitment cases.</i>			
17	<i>Withdrawal weight is based on average hrs per type of case from the FY02 Q1 District & Superior Court Fee App Studies.</i>			
18	<i>PAC Misdemeanor hrs/per fee app is a weighted average of both Superior &</i>			
19	<i>District Court.</i>			
20				

The exceptions were made because, although the ABA recommends that attorneys handle a maximum of 200 juvenile cases per year—an average of 9.6 hours per juvenile case—North Carolina PAC spend an average 3.0 hours on juvenile cases, which suggests that making a juvenile case weigh twice that of a misdemeanor case would significantly overestimate the PD labor units required for juvenile cases. A similar situation was found regarding commitment cases. While ABA guidelines recommend a maximum of 200 commitment cases per year—

9.6 hours per commitment case—N.C. special counsel, who handle only commitment cases, dispose of 2,500 cases a year per attorney or .76 hours per commitment case and PACs spent an average of .9 hours per commitment case, both of which suggested the ABA guidelines needed to be adjusted.

Step 2: Work Units per Attorney per PD Office

Using the case weighting system presented above, FY02 PD office dispositions were converted into misdemeanor work units and then totaled. In turn, total misdemeanor units were then divided by the number of attorneys in each PD office to calculate misdemeanor units per attorney per PD office (see Attachment B).

Step 3: Comparing PD and PAC Work Units

In FY02, PACs handled Superior Court misdemeanor cases in an average of 5.1 hours per case and District Court misdemeanors in an average of 3.0 hours per case. Using a weighted average, PACs handled misdemeanors in an average of 3.15 hours per case. An attorney working a 48 weeks a year has 1,920 hours available to work on cases. Dividing 1,920 by 3.15 show that, on average, PACs work 609 misdemeanor units per year (see Attachment B).

Conclusion

When PD offices are managed effectively and handle a large enough caseload to create efficiencies of scale, PD offices are approximately as efficient or more efficient than PAC representation and they generate significant savings to the indigent fund. In FY02, the eleven PD offices saved the indigent fund over \$3 million dollars.

Based on these findings, the IDS Office explored additional potential cost savings that could be generated by either expanding current PD office caseloads or establishing additional PD offices around the State.

If you are interested in obtaining the cost-calculations regarding the various PD office options IDS investigated, please call or write Margaret Gressens at the address below. We will be glad to provide you with the information for the county or counties in which you are interested. You may also go to the IDS website (www.aoc.state.nc.us/www/ids) and click on the Reports & Data page and download the cost-calculations as well as this report off the Internet.

Margaret Gressens
IDS Office
Research Analyst
123 West Main Street, Suite 700
919-560-3380
Margaret.a.Gressens@aoc.state.nc.us
www.aoc.state.nc.us/www/ids

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Attachment A:
Estimating the Cost of PD
Caseload's Using PAC
Representation

FY02 3A Pitt County PD Office Costs Costed Out as PAC Cases

	No. of Cases	PAC Costs to IDS					PAC Costs to State				
		FY02 Projected Dispositions	Std. Hourly Rate	Avg Hrs per Fee App	PI & Mitigator Costs per Fee App	Cost Per Fee App Cost to IDS	FY02 Total Cost to IDS	Payment Processing Cost per Fee App	Court Processing Cost per Fee App	Cost per Fee App to State	FY02 Total Cost to State
District Court											
Felony	147	\$65	3.5	\$0.21	\$227.71	\$33,473.37	\$1.18	unknown	\$228.89	\$33,646.83	
Misdemeanors	926	\$65	3.0	\$0.21	\$195.21	\$180,666.86	\$1.18	unknown	\$196.39	\$181,758.95	
Juvenile	0	\$65	3.0	\$0.21	\$195.21	\$0.00	\$1.18	unknown	\$196.39	\$0.00	
Commitment	0	\$65	0.9	\$0.21	\$58.71	\$0.00	\$1.18	unknown	\$59.89	\$0.00	
Withdrawals	15	\$65	2.3	\$0.21	\$149.71	\$2,245.65	\$1.18	unknown	\$150.89	\$2,263.35	
Superior Court											
Capital (1 attny)	12	\$85	192.0	\$978.29	\$17,298.29	\$207,579.48	\$1.18	unknown	\$17,299.47	\$207,593.64	
Capital MARs	0	\$85			\$0.00	\$0.00	\$1.18	unknown	\$1.18	\$0.00	
Non-Capital First Degree											
Murder	2	\$85	42.4	\$12.53	\$3,616.53	\$5,424.80	\$1.18	unknown	\$3,617.71	\$5,426.57	
Felony	426	\$65	9.0	\$12.53	\$597.53	\$254,547.78	\$1.18	unknown	\$598.71	\$255,050.46	
Misdemeanors	236	\$65	5.1	\$12.53	\$344.03	\$81,019.07	\$1.18	unknown	\$345.21	\$81,296.96	
Withdrawals	18	\$65	7.4	\$12.53	\$493.53	\$8,883.54	\$1.18	unknown	\$494.71	\$8,904.78	
Appeals											
Appeals	0	\$65			\$0.00	\$0.00	\$1.18	unknown	\$1.18	\$0.00	
Total	1,781					\$ 773,841				\$ 775,942	
PD Office FY02 Expenditures Adjusted						\$ 760,897				\$ 760,897	
PD Cost Savings/Loss						\$ 12,944				\$ 15,045	
No. Attorneys in PD Office	9										
Unweighted Dispositions per attny	197.8										
<p><i>Source: AOC, Court Service Division, 4/2/02. Public Defender YTD Report as of 3/01/02. Capital Dispositions include pending cases. Greensboro Capital dispositions provided in special correction report on 4/5/02 by the Greensboro PD office.</i></p> <p><i>Capital avg. hrs per fee app calculated by ABA caseload guidelines, 10 cases per year maximum which equals 192 hours per case.</i></p>											

FY02 3B Carteret County PD Office Costs Costed Out as PAC Cases

	No. of Cases	PAC Costs to IDS					PAC Costs to State				
		FY02 Projected Dispositions	Std. Hourly Rate	Avg Hrs per Fee App	PI & Mitigator Costs per Fee App	Cost Per Fee App Cost to IDS	FY02 Total Cost to IDS	Payment Processing Cost per Fee App	Court Processing Cost per Fee App	Cost per Fee App to State	FY02 Total Cost to State
District Court											
Felony	92	\$65	3.5	\$0.21	\$227.71	\$20,835.47	\$1.18	unknown	\$228.89	\$20,943.44	
Misdemeanors	230	\$65	3.0	\$0.21	\$195.21	\$44,800.70	\$1.18	unknown	\$196.39	\$45,071.51	
Juvenile	87	\$65	3.0	\$0.21	\$195.21	\$16,983.27	\$1.18	unknown	\$196.39	\$17,085.93	
Commitment	0	\$65	0.9	\$0.21	\$58.71	\$0.00	\$1.18	unknown	\$59.89	\$0.00	
Withdrawals	30	\$65	2.3	\$0.21	\$149.71	\$4,491.30	\$1.18	unknown	\$150.89	\$4,526.70	
Superior Court											
Capital (1 attny)	0	\$85	192.0	\$978.29	\$17,298.29	\$0.00	\$1.18	unknown	\$17,299.47	\$0.00	
Capital MARs	0	\$85			\$0.00	\$0.00	\$1.18	unknown	\$1.18	\$0.00	
Non-Capital First Degree Murder	0	\$85	42.4	\$12.53	\$3,616.53	\$0.00	\$1.18	unknown	\$3,617.71	\$0.00	
Felony	99	\$65	9.0	\$12.53	\$597.53	\$59,155.47	\$1.18	unknown	\$598.71	\$59,272.29	
Misdemeanors	35	\$65	5.1	\$12.53	\$344.03	\$11,869.04	\$1.18	unknown	\$345.21	\$11,909.75	
Withdrawals	11	\$65	7.4	\$12.53	\$493.53	\$5,182.07	\$1.18	unknown	\$494.71	\$5,194.46	
Appeals											
Appeals	0	\$65		\$12.53	\$12.53	\$0.00	\$1.18	unknown	\$13.71	\$0.00	
Total	582					\$ 163,317				\$ 164,004	
PD Office FY02 Expenditures Adjusted						\$ 276,903				\$ 276,903	
PD Cost Savings/Loss						\$ (113,586)				\$ (112,899)	
No. Attorneys in PD Office	2										
Unweighted Dispositions per attny	291.0										
<p><i>Source: AOC, Court Service Division, 4/2/02. Public Defender YTD Report as of 3/01/02. Capital Dispositions include pending cases. Greensboro Capital dispositions provided in special correction report on 4/5/02 by the Greensboro PD office.</i></p> <p><i>Capital avg. hrs per fee app calculated by ABA caseload guidelines, 10 cases per year maximum which equals 192 hours per case.</i></p>											

FY02 12 Cumberland County PD Office Costs Costed Out as PAC Cases

	No. of Cases	PAC Costs to IDS					PAC Costs to State				
		FY02 Projected Dispositions	Std. Hourly Rate	Avg Hrs per Fee App	PI & Mitigator Costs per Fee App	Cost Per Fee App Cost to IDS	FY02 Total Cost to IDS	Payment Processing Cost per Fee App	Court Processing Cost per Fee App	Cost per Fee App to State	FY02 Total Cost to State
District Court											
Felony	606	\$65	3.5	\$0.21	\$227.71	\$137,992.26	\$1.18	unknown	\$228.89	\$138,707.34	
Misdemeanors	1,794	\$65	3.0	\$0.21	\$195.21	\$350,206.74	\$1.18	unknown	\$196.39	\$352,323.66	
Juvenile	0	\$65	3.0	\$0.21	\$195.21	\$0.00	\$1.18	unknown	\$196.39	\$0.00	
Commitment	5	\$65	0.9	\$0.21	\$58.71	\$264.20	\$1.18	unknown	\$59.89	\$269.51	
Withdrawals	224	\$65	2.3	\$0.21	\$149.71	\$33,460.19	\$1.18	unknown	\$150.89	\$33,723.92	
Superior Court											
Capital (1 attny)	12	\$85	192.0	\$978.29	\$17,298.29	\$207,579.48	\$1.18	unknown	\$17,299.47	\$207,593.64	
Capital MARs	0	\$85			\$0.00	\$0.00	\$1.18	unknown	\$1.18	\$0.00	
Non-Capital First Degree Murder	2	\$85	42.4	\$12.53	\$3,616.53	\$5,424.80	\$1.18	unknown	\$3,617.71	\$5,426.57	
Felony	578	\$65	9.0	\$12.53	\$597.53	\$345,073.58	\$1.18	unknown	\$598.71	\$345,755.03	
Misdemeanors	240	\$65	5.1	\$12.53	\$344.03	\$82,567.20	\$1.18	unknown	\$345.21	\$82,850.40	
Withdrawals	71	\$65	7.4	\$12.53	\$493.53	\$34,793.87	\$1.18	unknown	\$494.71	\$34,877.06	
Appeals											
Appeals	5	\$65	76.8		\$4,992.00	\$22,464.00	\$1.18	unknown	\$4,993.18	\$22,469.31	
Total	3,534					\$ 1,219,826.30				\$1,223,996.42	
PD Office FY02 Expenditures Adjusted						\$ 1,357,114				\$ 1,357,114	
PD Cost Savings/Loss						\$ (137,288)				\$ (133,118)	
No. Attorneys in PD Office	15										
Unweighted Dispositions per attny	236										
<p><i>Source: AOC, Court Service Division, 4/2/02. Public Defender YTD Report as of 3/01/02. Capital Dispositions include pending cases. Greensboro Capital dispositions provided in special correction report on 4/5/02 by the Greensboro PD office.</i></p> <p><i>Capital avg. hrs per fee app calculated by ABA caseload guidelines, 10 cases per year maximum which equals 192 hours per case.</i></p>											

FY02 14 Durham County PD Office Costs Costed Out as PAC Cases

	No. of Cases	PAC Costs to IDS					PAC Costs to State				
		FY02 Projected Dispositions	Std. Hourly Rate	Avg Hrs per Fee App	PI & Mitigator Costs per Fee App	Cost Per Fee App Cost to IDS	FY02 Total Cost to IDS	Payment Processing Cost per Fee App	Court Processing Cost per Fee App	Cost per Fee App to State	FY02 Total Cost to State
District Court											
Felony	844	\$65	3.5	\$0.21	\$227.71	\$192,187.24	\$1.18	unknown	\$228.89	\$193,183.16	
Misdemeanors	2,175	\$65	3.0	\$0.21	\$195.21	\$424,516.68	\$1.18	unknown	\$196.39	\$427,082.79	
Juvenile	273	\$65	3.0	\$0.21	\$195.21	\$53,357.40	\$1.18	unknown	\$196.39	\$53,679.93	
Commitment	548	\$65	0.9	\$0.21	\$58.71	\$32,173.08	\$1.18	unknown	\$59.89	\$32,819.72	
Withdrawals	357	\$65	2.3	\$0.21	\$149.71	\$53,496.37	\$1.18	unknown	\$150.89	\$53,918.03	
Superior Court											
Capital (1 attny)	11	\$85	192.0	\$978.29	\$17,298.29	\$184,515.09	\$1.18	unknown	\$17,299.47	\$184,527.68	
Capital MARs	0	\$85			\$0.00	\$0.00	\$1.18	unknown	\$1.18	\$0.00	
Non-Capital First Degree Murder	8	\$85	42.4	\$12.53	\$3,616.53	\$28,932.24	\$1.18	unknown	\$3,617.71	\$28,941.68	
Felony	1,087	\$65	9.0	\$12.53	\$597.53	\$649,315.93	\$1.18	unknown	\$598.71	\$650,598.20	
Misdemeanors	351	\$65	5.1	\$12.53	\$344.03	\$120,639.85	\$1.18	unknown	\$345.21	\$121,053.64	
Withdrawals	172	\$65	7.4	\$12.53	\$493.53	\$84,887.16	\$1.18	unknown	\$494.71	\$85,090.12	
Appeals											
Appeals	0	\$65			\$0.00		\$1.18	unknown	\$1.18		
Total	5,825					\$ 1,824,021				\$ 1,830,895	
PD Office FY02 Expenditures Adjusted						\$ 1,476,711				\$ 1,476,711	
PD Cost Savings/Loss						\$ 347,310				\$ 354,184	
No. Attorneys in PD Office	15										
Unweighted Dispositions per attny	388										
<i>Source: AOC, Court Service Division, 4/2/02. Public Defender YTD Report as of 3/01/02. Capital Dispositions include pending cases. Greensboro Capital dispositions provided in special correction report on 4/5/02 by the Greensboro PD office. Durham's adjusted office expenditures includes the county-funded attorney position (\$63,489) because reported dispositions include this position and cannot be backed out. Capital avg. hrs per fee app calculated by ABA caseload guidelines, 10 cases per year maximum which equals 192 hours per case.</i>											

FY02 15B Chatham/Orange County PD Office Costs Costed Out as PAC Cases

	No. of Cases	PAC Costs to IDS					PAC Costs to State				
		FY02 Projected Dispositions	Std. Hourly Rate	Avg Hrs per Fee App	PI & Mitigator Costs per Fee App	Cost Per Fee App Cost to IDS	FY02 Total Cost to IDS	Payment Processing Cost per Fee App	Court Processing Cost per Fee App	Cost per Fee App to State	FY02 Total Cost to State
District Court											
Felony	308	\$65	3.5	\$0.21	\$227.71	\$70,020.83	\$1.18	unknown	\$228.89	\$70,383.68	
Misdemeanors	1,409	\$65	3.0	\$0.21	\$195.21	\$274,953.29	\$1.18	unknown	\$196.39	\$276,615.32	
Juvenile	0	\$65	3.0	\$0.21	\$195.21	\$0.00	\$1.18	unknown	\$196.39	\$0.00	
Commitment	0	\$65	0.9	\$0.21	\$58.71	\$0.00	\$1.18	unknown	\$59.89	\$0.00	
Withdrawals	188	\$65	2.3	\$0.21	\$149.71	\$28,070.63	\$1.18	unknown	\$150.89	\$28,291.88	
Superior Court											
Capital (1 attny)	17	\$85	192.0	\$978.29	\$17,298.29	\$285,421.79	\$1.18	unknown	\$17,299.47	\$285,441.26	
Capital MARs	0	\$85			\$0.00	\$0.00	\$1.18	unknown	\$1.18	\$0.00	
Non-Capital First Degree Murder	3	\$85	42.4	\$12.53	\$3,616.53	\$10,849.59	\$1.18	unknown	\$3,617.71	\$10,853.13	
Felony	234	\$65	9.0	\$12.53	\$597.53	\$139,822.02	\$1.18	unknown	\$598.71	\$140,098.14	
Misdemeanors	122	\$65	5.1	\$12.53	\$344.03	\$41,799.65	\$1.18	unknown	\$345.21	\$41,943.02	
Withdrawals	14	\$65	7.4	\$12.53	\$493.53	\$6,662.66	\$1.18	unknown	\$494.71	\$6,678.59	
Appeals											
Appeals	5	\$65	76.8		\$4,992.00	\$22,464.00	\$1.18	unknown	\$4,993.18	\$22,469.31	
Total	2,297					\$ 857,600				\$ 860,305	
PD Office FY02 Expenditures Adjusted						\$ 752,937				\$ 752,937	
PD Cost Savings/Loss						\$ 104,663				\$ 107,368	
No. Attorneys in PD Office	7										
Unweighted Dispositions per attny	328										
<p><i>Source: AOC, Court Service Division, 4/2/02. Public Defender YTD Report as of 3/01/02. Capital Dispositions include pending cases. Greensboro Capital dispositions provided in special correction report on 4/5/02 by the Greensboro PD office.</i></p> <p><i>Capital avg. hrs per fee app calculated by ABA caseload guidelines, 10 cases per year maximum which equals 192 hours per case.</i></p>											

FY02 16A Hoke/Scotland County PD Office Costs Costed Out as PAC Cases

	No. of Cases	PAC Costs to IDS					PAC Costs to State				
		FY02 Projected Dispositions	Std. Hourly Rate	Avg Hrs per Fee App	PI & Mitigator Costs per Fee App	Cost Per Fee App Cost to IDS	FY02 Total Cost to IDS	Payment Processing Cost per Fee App	Court Processing Cost per Fee App	Cost per Fee App to State	FY02 Total Cost to State
District Court											
Felony	89	\$65	3.5	\$0.21	\$227.71	\$20,152.34	\$1.18	unknown	\$228.89	\$20,256.77	
Misdemeanors	840	\$65	3.0	\$0.21	\$195.21	\$163,976.40	\$1.18	unknown	\$196.39	\$164,967.60	
Juvenile	264	\$65	3.0	\$0.21	\$195.21	\$51,535.44	\$1.18	unknown	\$196.39	\$51,846.96	
Commitment	0	\$65	0.9	\$0.21	\$58.71	\$0.00	\$1.18	unknown	\$59.89	\$0.00	
Withdrawals	114	\$65	2.3	\$0.21	\$149.71	\$17,066.94	\$1.18	unknown	\$150.89	\$17,201.46	
Superior Court											
Capital (1 attny)	6	\$85	192.0	\$978.29	\$17,298.29	\$103,789.74	\$1.18	unknown	\$17,299.47	\$103,796.82	
Capital MARs	0	\$86			\$0.00	\$0.00	\$1.18	unknown	\$1.18	\$0.00	
Non-Capital First Degree Murder	3	\$85	42.4	\$12.53	\$3,616.53	\$10,849.59	\$1.18	unknown	\$3,617.71	\$10,853.13	
Felony	308	\$65	9.0	\$12.53	\$597.53	\$183,740.48	\$1.18	unknown	\$598.71	\$184,103.33	
Misdemeanors	147	\$65	5.1	\$12.53	\$344.03	\$50,572.41	\$1.18	unknown	\$345.21	\$50,745.87	
Withdrawals	39	\$65	7.4	\$12.53	\$493.53	\$19,247.67	\$1.18	unknown	\$494.71	\$19,293.69	
Appeals											
Appeals	0	\$65			\$0.00		\$1.18	unknown	\$1.18		
Total	1,809					\$ 620,931				\$ 623,066	
PD Office FY02 Expenditures Adjusted						\$ 558,630				\$ 558,630	
PD Cost Savings/Loss						\$ 62,301				\$ 64,436	
No. Attorneys in PD Office	5										
Unweighted Dispositions per attny	362										
<i>Source: AOC, Court Service Division, 4/2/02. Public Defender YTD Report as of 3/01/02. Capital Dispositions include pending cases. Greensboro Capital dispositions provided in special correction report on 4/5/02 by the Greensboro PD office.</i>											
<i>Capital avg. hrs per fee app calculated by ABA caseload guidelines, 10 cases per year maximum which equals 192 hours per case.</i>											

FY02 16B Robeson County PD Office Costs Costed Out as PAC Cases

	No. of Cases	PAC Costs to IDS					PAC Costs to State				
		FY02 Projected Dispositions	Std. Hourly Rate	Avg Hrs per Fee App	PI & Mitigator Costs per Fee App	Cost Per Fee App Cost to IDS	FY02 Total Cost to IDS	Payment Processing Cost per Fee App	Court Processing Cost per Fee App	Cost per Fee App to State	FY02 Total Cost to State
District Court											
Felony	158	\$65	3.5	\$0.21	\$227.71	\$35,864.33	\$1.18	unknown	\$228.89	\$36,050.18	
Misdemeanors	1,635	\$65	3.0	\$0.21	\$195.21	\$319,168.35	\$1.18	unknown	\$196.39	\$321,097.65	
Juvenile	498	\$65	3.0	\$0.21	\$195.21	\$97,214.58	\$1.18	unknown	\$196.39	\$97,802.22	
Commitment	513	\$65	0.9	\$0.21	\$58.71	\$30,118.23	\$1.18	unknown	\$59.89	\$30,723.57	
Withdrawals	66	\$65	2.3	\$0.21	\$149.71	\$9,880.86	\$1.18	unknown	\$150.89	\$9,958.74	
Superior Court											
Capital (1 attny)	17	\$85	192.0	\$978.29	\$17,298.29	\$285,421.79	\$1.18	unknown	\$17,299.47	\$285,441.26	
Capital MARs	0	\$85			\$0.00	\$0.00	\$1.18	unknown	\$1.18	\$0.00	
Non-Capital First Degree Murder	24	\$85	42.4	\$12.53	\$3,616.53	\$86,796.72	\$1.18	unknown	\$3,617.71	\$86,825.04	
Felony	242	\$65	9.0	\$12.53	\$597.53	\$144,303.50	\$1.18	unknown	\$598.71	\$144,588.47	
Misdemeanors	104	\$65	5.1	\$12.53	\$344.03	\$35,607.11	\$1.18	unknown	\$345.21	\$35,729.24	
Withdrawals	5	\$65	7.4	\$12.53	\$493.53	\$2,220.89	\$1.18	unknown	\$494.71	\$2,226.20	
Appeals											
Appeals	0	\$65			\$0.00		\$1.18	unknown	\$1.18		
Total	3,260					\$ 1,046,596				\$ 1,050,443	
PD Office FY02 Expenditures Adjusted						\$ 930,750				\$ 930,750	
PD Cost Savings/Loss						\$ 115,846				\$ 119,693	
No. Attorneys in PD Office	9										
Unweighted Dispositions per attny	362										
<i>Source: AOC, Court Service Division, 4/2/02. Public Defender YTD Report as of 3/01/02. Capital Dispositions include pending cases. Greensboro Capital dispositions provided in special correction report on 4/5/02 by the Greensboro PD office.</i>											
<i>Capital avg. hrs per fee app calculated by ABA caseload guidelines, 10 cases per year maximum which equals 192 hours per case.</i>											

FY02 18 Guilford County PD Office Costs Costed Out as PAC Cases

	No. of Cases	PAC Costs to IDS					PAC Costs to State				
		FY02 Projected Dispositions	Std. Hourly Rate	Avg Hrs per Fee App	PI & Mitigator Costs per Fee App	Cost Per Fee App Cost to IDS	FY02 Total Cost to IDS	Payment Processing Cost per Fee App	Court Processing Cost per Fee App	Cost per Fee App to State	FY02 Total Cost to State
District Court											
Felony	849	\$65	3.5	\$0.21	\$227.71	\$193,325.79	\$1.18	unknown	\$228.89	\$194,327.61	
Misdemeanors	2,585	\$65	3.0	\$0.21	\$195.21	\$504,520.25	\$1.18	unknown	\$196.39	\$507,569.96	
Juvenile	780	\$65	3.0	\$0.21	\$195.21	\$152,263.80	\$1.18	unknown	\$196.39	\$153,184.20	
Commitment	930	\$65	0.9	\$0.21	\$58.71	\$54,600.30	\$1.18	unknown	\$59.89	\$55,697.70	
Withdrawals	302	\$65	2.3	\$0.21	\$149.71	\$45,137.57	\$1.18	unknown	\$150.89	\$45,493.34	
Superior Court											
Capital (1 attny)	39	\$85	192.0	\$978.29	\$17,298.29	\$674,633.31	\$1.18	unknown	\$17,299.47	\$674,679.33	
Capital MARs	0	\$85			\$0.00	\$0.00	\$1.18	unknown	\$1.18	\$0.00	
Non-Capital First Degree Murder	3	\$85	42.4	\$12.53	\$3,616.53	\$10,849.59	\$1.18	unknown	\$3,617.71	\$10,853.13	
Felony	1,448	\$65	9.0	\$12.53	\$597.53	\$864,924.68	\$1.18	unknown	\$598.71	\$866,632.73	
Misdemeanors	492	\$65	5.1	\$12.53	\$344.03	\$169,262.76	\$1.18	unknown	\$345.21	\$169,843.32	
Withdrawals	209	\$65	7.4	\$12.53	\$493.53	\$102,901.01	\$1.18	unknown	\$494.71	\$103,147.04	
Appeals											
Appeals	0	\$65			\$0.00		\$1.18	unknown	\$1.18		
Total	7,635					\$ 2,772,419				\$ 2,781,428	
PD Office FY02 Expenditures Adjusted						\$ 2,006,139				\$ 2,006,139	
PD Cost Savings/Loss						\$ 766,280				\$ 775,289	
No. Attorneys in PD Office	20										
Unweighted Dispositions per attny	382										
<p><i>Source: AOC, Court Service Division, 4/2/02. Public Defender YTD Report as of 3/01/02. Capital Dispositions include pending cases. Greensboro Capital dispositions provided in special correction report on 4/5/02 by the Greensboro PD office.</i></p> <p><i>Capital avg. hrs per fee app calculated by ABA caseload guidelines, 10 cases per year maximum which equals 192 hours per case.</i></p>											

FY02 27A Gaston County PD Office Costs Costed Out as PAC Cases

	No. of Cases	PAC Costs to IDS					PAC Costs to State				
		FY02 Projected Dispositions	Std. Hourly Rate	Avg Hrs per Fee App	PI & Mitigator Costs per Fee App	Cost Per Fee App Cost to IDS	FY02 Total Cost to IDS	Payment Processing Cost per Fee App	Court Processing Cost per Fee App	Cost per Fee App to State	FY02 Total Cost to State
District Court											
Felony	918	\$65	3.5	\$0.21	\$227.71	\$209,037.78	\$1.18	unknown	\$228.89	\$210,121.02	
Misdemeanors	3,843	\$65	3.0	\$0.21	\$195.21	\$750,192.03	\$1.18	unknown	\$196.39	\$754,726.77	
Juvenile	296	\$65	3.0	\$0.21	\$195.21	\$57,684.56	\$1.18	unknown	\$196.39	\$58,033.25	
Commitment	398	\$65	0.9	\$0.21	\$58.71	\$23,337.23	\$1.18	unknown	\$59.89	\$23,806.28	
Withdrawals	0	\$65	2.3	\$0.21	\$149.71	\$0.00	\$1.18	unknown	\$150.89	\$0.00	
Superior Court											
Capital (1 attny)	17	\$85	192.0	\$978.29	\$17,298.29	\$285,421.79	\$1.18	unknown	\$17,299.47	\$285,441.26	
Capital MARs	0	\$85			\$0.00	\$0.00	\$1.18	unknown	\$1.18	\$0.00	
Non-Capital First Degree											
Murder	5	\$85	42.4	\$12.53	\$3,616.53	\$16,274.39	\$1.18	unknown	\$3,617.71	\$16,279.70	
Felony	432	\$65	9.0	\$12.53	\$597.53	\$258,132.96	\$1.18	unknown	\$598.71	\$258,642.72	
Misdemeanors	275	\$65	5.1	\$12.53	\$344.03	\$94,436.24	\$1.18	unknown	\$345.21	\$94,760.15	
Withdrawals	0	\$65	7.4	\$12.53	\$493.53	\$0.00	\$1.18	unknown	\$494.71	\$0.00	
Appeals											
Appeals	2	\$65	76.8		\$4,992.00	\$7,488.00	\$1.18	unknown	\$4,993.18	\$7,489.77	
Total	6,183					\$ 1,694,517				\$ 1,701,811	
PD Office FY02 Expenditures Adjusted						\$ 1,115,460				\$ 1,115,460	
PD Cost Savings/Loss						\$ 579,057				\$ 586,351	
No. Attorneys in PD Office	12										
Unweighted Dispositions per attny	515										
<i>Source: AOC, Court Service Division, 4/2/02. Public Defender YTD Report as of 3/01/02. Capital Dispositions include pending cases. Greensboro Capital dispositions provided in special correction report on 4/5/02 by the Greensboro PD office.</i>											
<i>Capital avg. hrs per fee app calculated by ABA caseload guidelines, 10 cases per year maximum which equals 192 hours per case.</i>											

FY02 28 Buncombe County PD Office Costs Costed Out as PAC Cases

	No. of Cases	PAC Costs to IDS					PAC Costs to State				
		FY02 Projected Dispositions	Std. Hourly Rate	Avg Hrs per Fee App	PI & Mitigator Costs per Fee App	Cost Per Fee App Cost to IDS	FY02 Total Cost to IDS	Payment Processing Cost per Fee App	Court Processing Cost per Fee App	Cost per Fee App to State	FY02 Total Cost to State
District Court											
Felony	369	\$65	3.5	\$0.21	\$227.71	\$84,024.99	\$1.18	unknown	\$228.89	\$84,460.41	
Misdemeanors	2,210	\$65	3.0	\$0.21	\$195.21	\$431,316.50	\$1.18	unknown	\$196.39	\$433,923.71	
Juvenile	105	\$65	3.0	\$0.21	\$195.21	\$20,497.05	\$1.18	unknown	\$196.39	\$20,620.95	
Commitment	432	\$65	0.9	\$0.21	\$58.71	\$25,362.72	\$1.18	unknown	\$59.89	\$25,872.48	
Withdrawals	15	\$65	2.3	\$0.21	\$149.71	\$2,245.65	\$1.18	unknown	\$150.89	\$2,263.35	
Superior Court											
Capital (1 attny)	27	\$85	192.0	\$978.29	\$17,298.29	\$467,053.83	\$1.18	unknown	\$17,299.47	\$467,085.69	
Capital MARs	0	\$85			\$0.00	\$0.00	\$1.18	unknown	\$1.18	\$0.00	
Non-Capital First Degree Murder	0	\$85	42.4	\$12.53	\$3,616.53	\$0.00	\$1.18	unknown	\$3,617.71	\$0.00	
Felony	450	\$65	9.0	\$12.53	\$597.53	\$268,888.50	\$1.18	unknown	\$598.71	\$269,419.50	
Misdemeanors	225	\$65	5.1	\$12.53	\$344.03	\$77,406.75	\$1.18	unknown	\$345.21	\$77,672.25	
Withdrawals	15	\$65	7.4	\$12.53	\$493.53	\$7,402.95	\$1.18	unknown	\$494.71	\$7,420.65	
Appeals											
Appeals	0	\$65			\$0.00		\$1.18	unknown	\$1.18		
Total	3,848					\$ 1,384,199				\$ 1,388,739	
PD Office FY02 Expenditures Adjusted						\$ 980,070				\$ 980,070	
PD Cost Savings/Loss						\$ 404,129				\$ 408,669	
No. Attorneys in PD Office	10										
Unweighted Dispositions per attny	385										
<i>Source: AOC, Court Service Division, 4/2/02. Public Defender YTD Report as of 3/01/02. Capital Dispositions include pending cases. Greensboro Capital dispositions provided in special correction report on 4/5/02 by the Greensboro PD office.</i>											
<i>Capital avg. hrs per fee app calculated by ABA caseload guidelines, 10 cases per year maximum which equals 192 hours per case.</i>											

Attachment B:
FY02 PD Office Cost Savings or
Losses and Other Key Summary
Information



Attachment C:
FY02 PD Office Reported
Dispositions

FY02 PD Office Reported Dispositions

	A	C	D	F	G	I	J	L	M	O	P	R	S	U	V	X	Y	AA	AB
1	FY02 PD Office Reported Dispo																		
2		3A Pitt		3B Carteret		12 Cumberland		14 Durham		15B Chatham/Orange		15B Chatham		15B Orange		16A Hoke/Scotland		16A Hoke	
3		YTD (3/1/02)	FY02 Estimate	YTD (3/1/02)	FY02 Estimate	YTD (3/29/02)	FY02 Estimate	YTD (3/29/02)	FY02 Estimate	YTD (3/1/02)	FY02 Estimate	YTD (3/1/02)	FY02 Estimate	YTD (3/1/02)	FY02 Estimate	YTD (3/1/02)	FY02 Estimate	YTD (3/1/02)	FY02 Estimate
4	District Court																		
5	Felony	98	147	61	92	404	539	633	844	205	308	54	81	151	227	59	89	16	24
6	Motor Vehicle/DWI	111	167	27	41	474	632	643	857	397	596	170	255	227	341	201	302	103	155
7	Non-Motor Vehicle	377	566	56	84	613	817	643	857	475	713	154	231	321	482	290	435	111	167
8	Post-Judgement	129	194	14	21	109	145	345	460	67	101	24	36	43	65	69	104	40	60
9	Misdemeanors	617	926	153	230	1,196	1,595	1,631	2,175	939	1,409	348	522	591	887	560	840	254	381
10	Juv Felony	0	0	12	18	0	0	45	60	0	0	0	0	0	0	7	11	1	2
11	Juv Misdemeanor	0	0	43	65	0	0	78	104	0	0	0	0	0	0	76	114	41	62
12	Juv Sub Review of Proc.	0	0	3	5	0	0	82	109	0	0	0	0	0	0	93	140	24	36
13	Juvenile	0	0	58	87	0	0	205	273	0	0	0	0	0	0	176	264	66	99
14	Civil Comm. Adult	0	0	0	0	0	0	411	548	0	0	0	0	0	0	0	0	0	0
15	Civil Comm. Juv	0	0	0	0	3	4	0	0	0	0	0	0	0	0	0	0	0	0
16	Commitment	0	0	0	0	3	4	411	548	0	0	0	0	0	0	0	0	0	0
17	Withdrawals	10	15	20	30	149	199	268	357	125	188	31	47	94	141	76	114	47	71
18	Superior Court																		
19	Capital (one atny)	6	9	0	0	4	5	8	11	7	11	5	8	2	3	4	6	1	2
20	Capital (two atny)	1.0	1.5	0.0	0.0	2.0	3	0.0	0	2.0	3.0	2.0	3.0	0.0	0.0	0.0	0.0	0.0	0.0
21	Capital (single Attny)	8	12	0	0	8	11	8	11	11	17	9	14	2	3	4	6	1	2
22	Non-Capital First Degree Murder	1	2	0	0	1	1	6	8	2	3	1	2	1	2	2	3	1	2
23	Capital MARs	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	3	2	3
24	Felony	284	426	66	99	385	513	815	1,087	156	234	53	80	103	155	205	308	65	98
25	Misdemeanor Appeal	17	26	2	3	15	20	122	163	21	32	11	17	10	15	6	9	1	2
26	Post-Judgement	140	210	21	32	145	193	141	188	60	90	12	18	48	72	92	138	58	87
27	Misdemeanors	157	236	23	35	160	213	263	351	81	122	23	35	58	87	98	147	59	89
28	Withdrawals	12	18	7	11	47	63	129	172	9	14	3	5	6	9	26	39	11	17
29	Appeal Court																		
30	Capital	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
31	Other	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0
32	Court of Appeals	0	0	0	0	2	3	0	0	3	5	2	3	1	2	0	0	0	0
33	Appeals	0	0	0	0	3	4	0	0	3	5	2	3	1	2	0	0	0	0
34	Total Dispositions	1,187	1,781	388	582	2,356	3,141	4,369	5,825	1,531	2,297	524	786	1,007	1,511	1,208	1,812	522	783
35	No. Attorneys in Office	9	9	2	2	15	15	15	15	7	7					5	5		
36	Dispositions per atny	131.9	197.8	194.0	291.0	157.1	209.4	291.3	388.4	218.7	328.1	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	241.6	362.4	#DIV/0!	#DIV/0!
37																			
38																			
39																			
40		Source: AOC, Court Service Division, 4/2/02. Public Defender YTD Report as of 3/01/02. Capital Dispositions include pending cases. Greensboro Capital																	
41		dispositions provided in special correction report on 4/5/02 by the Greensboro PD office.																	

Attachment D:
FY02 District and Superior Court
Fee Application Study Results

**District Court & Superior Court Fee Apps 1st Quarter FY02:
Average Rate, Hours, and Total Fee Compared**

	District Court PAC Fee Survey			District Court			Superior Court		
Charge	Avg Rate per Fee App	Avg Hrs per Fee App	Avg. Total per Fee App	Avg Rate per Fee App	Avg Hrs per Fee App	Avg. Total per Fee App	Avg Rate per Fee App	Avg Hrs per Fee App	Avg. Total per Fee App
All Charges				\$72	3.4	\$237	\$68	8.3	\$537
Felony	\$79	5.9	\$453	\$69	3.5	\$241	\$68	9.0	\$582
Felony A							\$72	42.4	\$2,933
Felony B1							\$66	29.4	\$1,911
Felony B2							\$63	44.5	\$2,892
Felony C							\$66	17.8	\$1,149
Felony D							\$66	14.0	\$882
Felony E							\$66	10.9	\$703
Felony F							\$66	9.6	\$610
Felony G							\$66	9.5	\$603
Felony H							\$67	7.2	\$469
Felony I							\$68	6.2	\$407
Felony Prob. Violation							\$73	2.9	\$195
Felony Unknown							\$68	9.4	\$606
Misdemeanor	\$81	3.6	\$275	\$72	3.0	\$204	\$68	5.1	\$331
DWI	\$84	4.3	\$359	\$71	3.3	\$228	\$69	5.4	\$347
Non-Support/Contempt	\$80	3.4	\$279	\$81	3.5	\$224			
Probation Violation	\$82	2.8	\$223	\$70	2.6	\$180	\$68	3.1	\$197
Involuntary Commitment	\$78	3.4	\$263	\$111	0.9	\$87			
Withdrawals*	\$83	1.5	\$121	\$73	2.3	\$170	\$64	7.4	\$454
Juvenile Delinquent				\$75	3.0	\$218			
Abuse/Neglect/Depen.	\$77	13.9	\$1,029	\$81	5.1	\$402			
Incompetence				\$64	3.4	\$220			
Guardian Ad Litem				\$73	9.6	\$770			
Other	\$69	3.5	\$211	\$68	1.5	\$103			
Unknown				\$64	2.3	\$273			
* Withdrawal Fee Apps are not included in Total No. of Fee Apps because it is a disposition not a charge.									

Attachment E:
FY02 Q1 PAC Private
Investigator and Mitigation Expert
Costs

	A	B	C	D	E	F
1	FY02 Q1 Private Investigator and Mitigation Expert Costs					
2		No. of Fee Apps FY02 Q1	Total PI Fees FY02 Q1	Total Mitigation Fees FY02 Q1	Total PI & Mitigator Fees	Cost per Fee App FY02 Q1
3	Total Superior	8,272	\$245,073	\$154,143	\$399,216	\$48.26
4	Capital (% of All Superior)	306	\$183,804	\$115,607	\$299,412	\$978.29
5	Non-Capital (% of All Superior)	7,966	\$61,268	\$38,536	\$99,804	\$12.53
6	District	28,184	\$4,744	\$1,284	\$6,028	\$0.21
7	All Charges	37,429	\$249,817	\$155,427	\$405,244	
8						
9						
10	<i>Source: Itemized list of private investigator and mitigator expenses as well as number of Fee Apps</i>					
11	<i>Processed data provided by Keesha Howell, Assistant Administrator, AOC Fiscal Operations, 3/28/02.</i>					
12	<i>Superior Court PI and mitigator expense data is not collected by type of charge. Based on past</i>					
13	<i>experience, it was assumed that 75% of these expenses were capital-related and 25% non-capital-related.</i>					
14						

Attachment F:
FY02 PAC Payment
Processing Costs

	A	B	C	D	E	F
1	PAC Payment Processing Costs FY02					
2		Hrly Rate <small>(includes benefits)</small>	Annualized <small>(2,080 hrs/yr)</small>	% of Position	FY Cost	FY02 Quarterly Cost
3	Accounts Payable Data Entry (3)	\$48.83	\$101,566.40	100%	\$101,566.40	\$25,391.60
4	Data Staff Supervisor (1)*	\$18.85		15%		
5	Warehouse (1)	\$14.65	\$30,472.00	20%	\$6,094.40	\$1,523.60
6	Scanning (1)	\$16.62	\$34,569.60	20%	\$6,913.92	\$1,728.48
7	Total Personnel Costs				\$114,574.72	\$28,643.68
8	Telephone (\$767 per line)			3.4	\$2,607.80	\$651.95
9	Supplies (\$1,013 per position)			3.4	\$3,444.20	\$861.05
10	Telecomm. Serv./Main. (\$48 per position)			3.4	\$163.20	\$40.80
11	Data Lease Line (email, etc.) (\$356 per line)			3.4	\$1,210.40	\$302.60
12	Office Overhead (\$57/mos per position)			3.0	\$2,052.00	\$513.00
13	Postage (\$0.34 per fee app)				\$50,903.44	\$12,725.86
14	Envelopes (\$0.01 per fee app)				\$1,497.16	\$374.29
15	Total Non-personnel Costs				\$61,878.20	\$15,469.55
16	Total Processing Costs				\$176,452.92	\$44,113.23
17	Number of Fee Apps FY02Q1				149,716	37,429
18	Cost per Fee App				\$1.18	\$1.18
19						
29	<i>Source: Keesha Howell, Assistant Administrator, Fiscal Operations, 3/28/02. AOC currently processes 1 fee app every 45</i>					
30	<i>seconds. The cost of 15% of the data staff supervisor's time was not included in the cost per fee app.</i>					
31						
32						
33	<i>Note: The AOC currently collects data that enables them to process payment, which is very minimal. In order to collect the data</i>					
34	<i>IDS needs to analyze PAC expenditures effectively, IDS will need to add a minimum of 3 additional data entry positions. For</i>					
35	<i>example, in addition to the total amount paid on a fee app, IDS needs to know the number of hours spent, what was the type of</i>					
36	<i>case, expense costs, was recoupment ordered and for how much, and how did the case resolve (was there a trial, a plea,</i>					
37	<i>etc.).AOC data entry personnel currently process 1 fee app every 45 seconds. To add approx. five more fields of data to be</i>					
38	<i>entered would increase processing time from 1 every 45 seconds to 1 every 2 to 2.5 minutes.</i>					
39						



Attachment G:
List of Assumptions

FY02 North Carolina Public Defender Office and Private Assigned Counsel Cost Analysis

List of Assumptions

Cases

1. 1 Fee App = 1 case
2. 1 Disposition = 1 fee app (may under-represent actual workload of PD office)
3. The study used statewide PAC Superior Court average hours per fee app by highest charge rather than county averages because the *n* for many counties was too small to be reliable.

Private Investigator and Mitigator Expenses

4. PI and Mitigation expenses in FY02 1st quarter mirror other FY02 quarters
5. Capital and non-capital PI and mitigation expenses cannot be broken out. Assumes 75% capital, 25% non-capital split of these expenses.
6. PAC PI and mitigation expenses over a year are evenly spread out throughout the State.

Capital Cases

7. As no data was available, the study used an average 192 hours per fee app for Capital cases based on ABA caseload guidelines.
8. PD “pending capital cases” were included in PD dispositions for a number of reasons. Capital cases can last more than a year and we wanted to capture PAC fees for the work performed on these cases. The ABA guidelines of not more than 10 capital cases per year (192 hrs/case) was used to calculate average yearly capital case costs.

PD Office Expenditures

9. PD disposition for FY02 are projected based on disposition reports FY02 YTD as of 3/1/02. Projection assumes dispositions are accrued at same rate in last months.
10. Court reporter costs are the same for both PDs and PACs although they may vary within a time period. Therefore, these costs were backed out of the PD budget and not included in PAC expert witness costs.
11. Durham’s grant-funded attorney position was included in their adjusted budget because disposition reports included this position’s work and could not be broken-out. Represents \$63,489 that IDS does not pay for in the PD’s budget but which we would pay for is this office’s work was farmed out to private assigned counsel.
12. The salary costs for Julies Lewis (\$79,053) plus fringe (22% of salary) as well as for 5% of D.P. Loven salary costs (\$49,126 plus fringe at 22%) have been backed out of the Mecklenburg PD office expenditures. Lewis’s and 5% of Loven’s time are spent exclusively on Appeal cases and they are not reported in Mecklenburg’s disposition reports.