



Bureau of Justice Statistics Selected Findings

November 2009, NCJ 228538

Census of Public Defender Offices, 2007

Public Defender Offices, 2007 - Statistical Tables

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In 2007 a total of 957 public defender offices in 49 states and the District of Columbia provided defense services for indigent clients. (Indigent defense services were provided by private attorneys in Maine.) The public defender offices received more than 5.5 million cases in 2007, employed more than 15,000 full-time equivalent litigating attorneys, and reported operating expenditures of more than \$2.3 billion.

Highlights

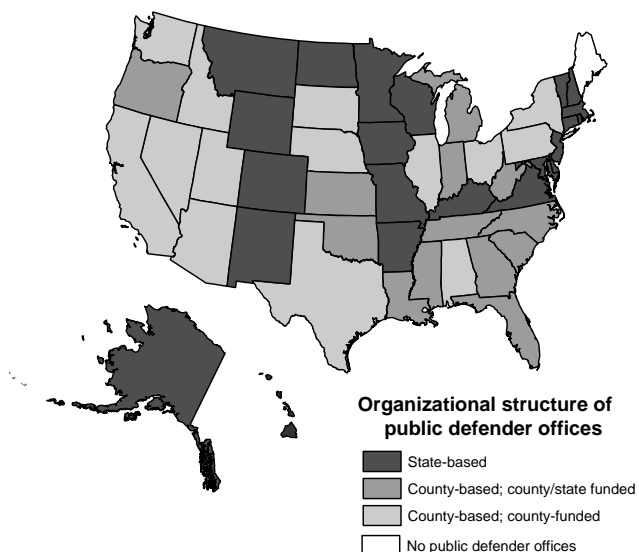
- In 2007, 957 public defender offices across the nation received more than 5.5 million indigent defense cases.
- Misdemeanor cases accounted for about 40% of all cases received by state-based public defender offices and about 50% of the cases received by county-based offices.
- Half of all state-based public defender offices had formal caseload limits in place in 2007.
- Total expenditures in public defender offices exceeded \$2.3 billion in 2007.

Errata: Public Defender Offices, 2007—Statistical Tables

The Bureau of Justice Statistics is re-issuing the report, Public Defender Offices, 2007—Statistical Tables, originally published on November 19, 2009, to correct errors recently identified in the data. The revised report corrects caseload data for one office, excludes caseload data that was determined to be unreliable (out-of-range) for another office, and excludes all data for seven additional offices that were found to be ineligible (out-of-scope). These changes affected data in the text and tables.

The Census of Public Defender Offices (CPDO), 2007, collected nationwide data on the caseloads, staffing, expenditure, and policies for all primary, alternate, and conflict public defender offices. It also collected data on specialty offices that provided capital case representation. BJS restricted the scope of the data analysis to offices that had indicated they were the primary public defender office in their jurisdiction, providing general criminal defense representation. A subsequent office-by-office examination of the data and comparison to secondary data sources revealed that seven offices which reported that they were the primary office in their jurisdiction were in fact providing supplemental defense services. These offices were removed from the analyses.

Also, we conducted a secondary validity assessment of the reported felony capital caseload and found potential problems with the data from two public defender offices. For one office, we were able to independently verify and correct the caseload data. For the other office we were unable to independently verify the caseload data, and decided to remove it from the report. The reported felony capital caseloads in the revised statistical tables reflect these decisions.



- More than 15,000 full-time equivalent litigating attorneys were employed by public defender offices in 2007. State-based public defender programs employed more than 4,000 full-time equivalent litigating attorneys, with a median of 163 per state-based program. County-based offices employed about 11,000 full-time equivalent litigating attorneys, with a median of seven per office.
- In addition to attorneys, public defender offices nationwide employed nearly 9,700 full-time equivalent support staff, including investigators, paralegals, and administrative staff.
- The average public defender office examined six criteria to determine whether a client was indigent. The most commonly used criteria in state-based programs were income level, defendant receipt of public assistance, sworn defendant application, and defendant's debt level. The most commonly used criteria in county-based public defender offices were income level, sworn defendant application, judge's discretion, defendant residence in a public institution, and defendant's debt level.
- The Census of Public Defender Offices collected data on eight commonly referenced standards for operating a public defender office. The most commonly reported standard in public defender offices related to continuing legal education for litigating attorneys.
- State-based public defender programs reported receiving a median of 82 felony (non-capital) cases, 217 misdemeanor cases, and two appeals case per full-time equivalent litigating attorney. County-based public defender offices reported receiving an average of 100 felony (non-capital) cases and 146 misdemeanor cases per full-time equivalent litigating attorney. The CPDO collected data only on the number of cases received in 2007 and, therefore, was unable to estimate the actual caseload (including ongoing cases received prior to 2007) of litigating public defenders.

Indigent defense representation is typically provided through some combination of three methods: a public defender office, an assigned counsel system, and a contract system. The Bureau of Justice Statistics' 2007 Census of Public Defender Offices (CPDO) data collection focused on public defender offices. Public defender offices employ a salaried staff of full- or part-time attorneys to represent indigent clients, as direct government employees or through a public, nonprofit organization.

The CPDO collected data on public defender office caseloads, staffing, expenditures, and adherence to accepted standards and guidelines in offices found across 49 states and the District of Columbia. It was the first systematic, nationwide study of public defender offices.

Public defender offices are typically administered and funded at the county or state level. In 2007, 22 states with state-based programs administered and provided funding for all public defender offices in their respective states. In the remaining 27 states and the District of Columbia, public defender offices were administered and funded at the county level. States with county-based systems included 15 states with public defender offices that were principally funded at the county level, and 12 states with offices that received some level of funding from the state government in addition to county funding. The District of Columbia was grouped with the county-funded public defender offices due to its unique status outside of any state's jurisdiction.

Methodology

The 2007 Census of Public Defender Offices (CPDO) collected office-level data from approximately 1,050 publicly funded public defender offices located across 49 states and the District of Columbia. (Maine provided indigent defense services through assignment to and contract services with private attorneys.) The universe included all public defender offices that were principally funded by state or local governments and provided general criminal defense services, conflict services, or capital case representation. Federal public defender offices that provided primarily contract or assigned counsel services with private attorneys were excluded from the data collection. In addition, any public defender offices that were privately or principally funded by tribal government, or provided primarily appellate or juvenile services were outside the scope of the project and were also excluded.

Questionnaires were sent to 1,046 public defender offices identified in the United States. Approximately 97% of those offices provided responses to at least some of the critical items identified on the survey instrument. Offices that primarily handled conflict of interest cases or specialized in capital, appellate, or juvenile cases were outside of the scope of the study. As a result, data presented in this report describe 957 public defender offices.

Organizational Structure of Public Defender Offices

The offices included in the census were administered and funded at the county or state level. State-based programs functioned entirely under the direction of a central administrative office that funded and administered all the public defender offices in the state. County-based programs were administered at the local level and funded principally by the county or through a combination of county and state funds. These variations in public defender systems dictated the manner by which the CPDO data collection instrument was distributed. In the District of Columbia and states with county-based public defender offices, each of 530 offices submitted one completed questionnaire via hardcopy or online submission. The 22 states employing a central state-based public defender program completed an online questionnaire and responded to questions pertaining to each of the local offices within the states. Because the state-based public defenders often shared resources among the local offices as needed, the state-based programs were given the option of providing data on staffing, caseload, and expenditures for either the entire state or for each respective office. Six of the 22 state-based public defender programs were able to provide information at the local office level (covering 27% of the 427 local offices in state-based public defender programs). Sixteen state-based programs provided at least some of requested information at the state level only.

Scope of Data Collection

The Bureau of Justice Statistics (BJS), the National Legal Aid and Defender Association (NLADA), and a number of chief defenders and other experts in the field of indigent defense collaborated to develop the CPDO data collection instrument. The instrument was additionally sent to the American Bar Association's Standing Committee for Legal Aid and Indigent Defense and the National Association of Criminal Defense Lawyers for review and comment. Data collection began in April 2008 and was completed in March 2009.

The CPDO data include information on caseload, staffing, and expenditures of the public defender offices. The CPDO data do not allow comparison of public defender statistics to those for indigent defense services across the state and local jurisdictions. Jurisdictions generally provide indigent defense through some combination of a public defender, assigned counsel, and contract attorney programs. While each jurisdiction represented in the CPDO provided some indigent defense through the public defender office, each also provided varying levels of indigent defense through other means. The level and type of indigent cases handled outside of the public defender office varies from jurisdiction to jurisdiction, as illustrated by the 1999 National Survey of Indigent Defense Systems (NSIDS). According to *State-Funded Indigent Defense Services, 1999*,

<<http://bjs.ojp.usdoj.gov/content/pub/pdf/sfids99.pdf>>, the Massachusetts public defender program handled 3% of the approximately 208,000 indigent defense cases in the state in 1999; the remaining 97% were handled by assigned counsel.

In Connecticut that same year, 87% of the 64,500 indigent defense cases were handled by the public defender offices, while 1% were handled by assigned counsel and 11% by contract attorneys. The CPDO data reflect operations of public defender offices only.

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The Bureau of Justice Statistics is the statistical agency of the U.S. Department of Justice. Michael D. Sinclair is acting director.

This Selected Findings was written by Lynn Langton and Donald J. Farole, Jr. under the supervision of Duren Banks. Tracey Kyckelhahn and Sean Rosenmerkel verified this report. Doris J. James, Catherine Bird, and Jill Duncan edited the report, and Tina Dorsey produced the report. Jayne Robinson prepared the report for final printing.

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This report in portable document format and in ASCII and its related statistical data and tables are available at the BJS World Wide Web Internet site: <<http://bjs.ojp.usdoj.gov/index.cfm?ty=pbdetail&iid=1758>>.

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Note: This table was revised June 22, 2010 in accordance with the revised office classification described on page 1 of this report.

Table 1. Characteristics of public defender offices, 2007

Type of offices	Number of states ^a	Population served (thousands)	Number of offices ^b	Number of cases received ^c	FTE litigating attorneys ^d	Total expenditures (thousands)
U.S. total	50	240,160	957	5,572,450	15,026	\$2,310,040
State-based	22	73,370	427	1,491,420	4,321	833,358
County-based	28	166,790	530	4,081,030	10,705	1,476,682
County/state funded	12	53,991	193	1,372,633	3,580	423,673
County-funded	16	112,799	337	2,708,397	7,126	1,053,009

^aIncludes the District of Columbia, which is classified as county-funded public defender office due to its unique status outside of any state's jurisdiction. In 2007 Maine did not have city, county, or state public defender offices.

^bExcludes public defender offices that are privately funded or principally funded by federal or tribal governments and those that provide primarily conflict of interest representation, or felony capital, juvenile, or appellate cases services. Also excludes all other providers of indigent services, including attorneys or offices providing contract or assigned council services on an individual or case basis.

^cAlaska's state-based public defender program did not report caseload data. Data available for 95% of county/state/federally funded offices and 98% of county-funded only offices.

^dFTE (full-time equivalent) is a computed statistic calculated by dividing the hours worked by part-time employees by the standard number of hours for full-time employees (40 hours per week) and then adding the resulting quotient to the number of full-time employees. Source: U.S. Census Bureau, http://quickfacts.census.gov/qfd/meta/long_58632.htm.

Note: This table was revised June 22, 2010 in accordance with the revised office classification described on page 1 of this report.

Table 2a. General characteristics of state-based public defender programs, by state, 2007

State	State population (thousands)	Number of offices	Number of cases received ^a	FTE litigating attorneys ^b	Total expenditures ^c (thousands)
Total	73,370	427	1,491,420	4,321	\$833,358
Median	2,907	19	72,740	163	\$33,326
Alaska	681	13	/	93	\$17,231
Arkansas	2,831	31	83,810	305	20,047
Colorado	4,843	22	90,620	241	37,884
Connecticut	3,490	27	83,100	127	47,600
Delaware	862	7	29,410	70	13,713
Hawaii	1,277	5	43,770	93	8,500
Iowa	2,983	16	70,150	96	48,533
Kentucky	4,236	31	148,520	327	32,513
Maryland	5,619	16	199,750	508	77,519
Massachusetts	6,468	28	16,820	197	123,400
Minnesota	5,182	27	139,120	371	61,800
Missouri	5,878	36	83,160	261	34,138
Montana	957	21	22,650	128	18,659
New Hampshire	1,312	10	24,130	107	12,668
New Jersey	8,653	23	100,240	458	99,000
New Mexico	1,964	13	72,740	223	37,083
North Dakota	638	4	2,270	10	1,700
Rhode Island	1,053	6	18,760	40	8,782
Vermont	621	11	11,690	31	6,839
Virginia	7,699	29	95,340	305	37,369
Wisconsin	5,599	35	142,400	294	80,766
Wyoming	523	16	12,980	38	7,615

/Data not reported.

^aRounded to the nearest ten.

^bFTE (full-time equivalent) is a computed statistic calculated by dividing the hours worked by part-time employees by the standard number of hours for full-time employees (40 hours per week) and then adding the resulting quotient to the number of full-time employees. See U.S. Census Bureau, <http://quickfacts.census.gov/qfd/meta/long_58632.htm>.

^cThe Census of Public Defender Offices, 2007, instructed respondents to report either fiscal or calendar year 2007 total public defender office expenditures for indigent defense functions, excluding any fixed capital costs.

Note: This table was revised June 22, 2010 in accordance with the revised office classification described on page 1 of this report.

Table 2b. General characteristics of county-based public defender offices, by office type and caseload, 2007

Office type and caseload	Number of offices	Jurisdiction population (thousands) ^a		Number of cases received		FTE litigating attorneys		Total operating expenditures (thousands) ^b	
		Total	Median per office	Total	Median per office	Total	Median per office	Total	Median per office
All county-based offices	530	166,790	117	4,081,030	2,482	10,705	7	\$1,476,682	\$708
County-funded	337	112,799	91	2,708,397	1,995	7,126	5	\$1,053,009	\$543
Less than 1,000 cases received	112	3,661	23	47,075	351	229	2	\$16,324	\$106
1,000 - 2,500	74	7,151	67	119,143	1,513	392	5	42,527	496
2,501 - 5,000	58	14,473	147	209,912	3,567	722	9	100,522	977
More than 5,000	88	84,775	498	2,332,267	12,078	5,722	32	882,696	4,000
County/state funded	193	53,991	147	1,372,633	3,518	3,580	9	\$423,673	\$960
Less than 1,000 cases received	24	1,546	47	15,507	734	158	4	\$7,968	\$309
1,000 - 2,500	49	5,010	72	81,253	1,597	301	6	33,385	650
2,501 - 5,000	45	7,675	144	164,705	3,600	468	9	45,644	1,037
More than 5,000	66	35,969	349	1,111,168	8,195	2,412	23	298,896	2,767

Note: Office size statistics may not sum to totals due to missing cases received data. Data available for 99% of offices.

^aRounded to nearest thousand.

^bThe Census of Public Defender Offices, 2007, instructed respondents to report either fiscal or calendar year 2007 total public defender office expenditures for indigent defense functions, excluding any fixed capital costs.

Note: This table was revised June 22, 2010 in accordance with the revised office classification described on page 1 of this report.

Table 3a. Formal or written criteria used by state-based programs to qualify a defendant for representation, by state, 2007

State	Number of criteria considered ^a	Income level	Receipt of public assistance	Defendant's sworn application	Debt level	Residence in public institution ^b	Ability to post bail/bond	Defendant's unsworn application	Federal poverty guidelines	Judge's discretion ^c	Other ^d
Total	--	21	17	16	15	11	6	7	13	9	9
Alaska ^e	4	X		X	X						X
Arkansas	7	X	X	X	X	X			X	X	
Colorado	8	X	X	X	X	X			X	X	
Connecticut	7	X	X		X		X	X	X	x	
Delaware	6	X	X	X		X				X	X
Hawaii	6	X	X		X	X		X			X
Iowa	4	X		X	X				X		
Kentucky	8	X	X	X	X		X		X	X	X
Maryland	6	X	X	X		X			X		X
Massachusetts	7	X	X	X	X	X	X		X		
Minnesota	7	X	X		X	X		X	X	X	
Missouri ^f	4	X		X			X				X
Montana	6	X	X		X	X		X	X		
New Hampshire ^g	0										
New Jersey	4	X	X	X	X						
New Mexico ^h	6	X	X			X		X	X		X
North Dakota	6	X	X	X	X				X	X	
Rhode Island	7	X	X	X	X	X		X	X		
Vermont	8	X	X	X	X	X			X	X	X
Virginia	4	X	X	X						X	
Wisconsin	6	X	X	X			X	X			X
Wyoming	3	X		X	X						

--Not calculated.

^aThe Census of Public Defender Offices, 2007, included questions about 10 criteria used to determine indigence.

^bIncludes residence in a public mental health institution or a correctional institution.

^cJudge's decision based on defendant's testimony.

^dIncludes family status, number of dependants, monthly expenses, worker's compensation or disability, bankruptcy, liquid assets, and letters from employers.

^eCriteria used to determine eligibility for representation in Alaska were obtained from Alaska Statute 18.85.120(b), "Determination of Indigency; Repayment." Available at <<http://www.touchngo.com/glcnt/akstats/Statutes/Title18/Chapter85/Section120.htm>>.

^fCriteria used to determine eligibility for representation in Missouri Revised Statute 600.086.(1), "Eligibility for representation, rules to establish--indigency, how determined, procedure, appeal--false statements, penalty --investigation authorized." Available at <<http://www.moga.mo.gov/statutes/C600-699/6000000086.HTM>>.

^gNew Hampshire did not use formal or written criteria to determine indigence.

^hCriteria used to determine eligibility for representation in New Mexico were obtained from New Mexico Statutes Annotated 1978: Section 31-15-7. Available at <http://www.pdd.state.nm.us/aboutus/clientinfo_guideline.html>.

Note: This table was revised June 22, 2010 in accordance with the revised office classification described on page 1 of this report.

Table 3b. Formal or written criteria used by county-based public defender offices to qualify a defendant for representation, by office type and caseload, 2007

Office type and caseload	Offices with formal/written criteria	Median number of criteria considered ^a	Income level	Receipt of public assistance	Defendant's Sworn application	Debt level	Residence in public institution ^b	Ability to post bail/bond	Defendant's Unsworn application	Federal poverty guidelines	Judge's discretion ^c	Other ^d
All county-based offices	439	6	98 %	62 %	79 %	66 %	66 %	34 %	41 %	62 %	67 %	16 %
County-funded	269	6	97 %	63 %	77 %	63 %	68 %	30 %	46 %	58 %	65 %	18 %
Less than 1,000 cases received	92	5	98 %	45 %	80 %	62 %	63 %	30 %	42 %	46 %	78 %	19 %
1,000 - 2,500	67	6	97	73	81	63	75	28	45	70	61	19
2,501 - 5,000	47	6	96	72	77	53	64	28	45	68	70	15
More than 5,000	58	6	98	74	69	78	71	29	53	59	48	21
County/state funded	170	6	99 %	61 %	81 %	71 %	64 %	39 %	33 %	67 %	69 %	12 %
Less than 1,000 cases received	20	6	100 %	45 %	90 %	80 %	70 %	20 %	15 %	60 %	75 %	25 %
1,000 - 2,500	46	6	100	61	83	63	72	39	24	67	65	13
2,501 - 5,000	41	5	98	51	68	56	54	37	39	61	56	12
More than 5,000	57	7	98	70	88	83	61	47	42	75	79	9

Note: Includes offices classified as the primary or alternate public defender office for the jurisdiction. Offices that handled primarily conflict of interest cases or provided representation specifically in felony capital cases were not included.

^aThe Census of Public Defender Offices, 2007, included questions about 10 criteria used to determine indigence.

^bIncludes residence in a public mental health institution or a correctional institution.

^cJudge's decision based on defendant's testimony.

^dIncludes evaluation of assets and property owned, child support obligations, the complexity of the case and the cost of litigation, determination by a county screening agency, number of defendants, and bankruptcy.

Note: This table was revised June 22, 2010 in accordance with the revised office classification described on page 1 of this report.

Table 4a. Formal standards or written guidelines used by state-based public defender programs, by state, 2007

State	Continuing legal education for attorneys	Annual attorney performance review	Attorney representation of client through all stages of proceedings	Matching attorney experience with case complexity	Matching attorney experience with types of cases handled	Client eligibility screening	Maximum number of cases an attorney can have at one time	Attorney appointment within 24 hours of client detention
Total*	18	17	14	14	13	12	9	5
Arkansas	X	X	X	X	X	X		
Colorado	X	X	X	X	X	X	X	
Connecticut	X	X	X	X		X	X	
Delaware	X	X	X	X	X	X		
Hawaii	X		X	X	X			
Iowa	X	X	X					
Kentucky	X	X	X	X	X			X
Maryland	X	X		X	X	X	X	
Massachusetts	X	X	X	X	X	X	X	X
Minnesota		X						
Montana	X	X	X	X	X	X	X	
New Hampshire	X	X	X	X	X		X	X
New Jersey	X	X	X	X	X	X	X	X
North Dakota	X	X	X			X		X
Rhode Island	X					X		
Vermont	X	X		X	X		X	
Virginia	X	X	X	X	X	X		
Wisconsin	X	X	X	X	X	X	X	
Wyoming	X	X						

Note: The Census of Public Defender Offices, 2007, asked respondents to indicate whether their program's operating guidelines included a standard related to each of the general areas listed in this table. Data were not reported by Alaska, Missouri, or New Mexico .

*Total based on the 19 states that provided data on standards and guidelines.

Note: This table was revised June 22, 2010 in accordance with the revised office classification described on page 1 of this report.

Table 4b. Formal standards or written guidelines used in the county-based public defender offices, by office type and caseload, 200

Office type and caseload	Number of offices	Continuing legal education for attorneys	Annual attorney performance review	Attorney representation of client through all stages of proceedings	Matching attorney experience with case complexity	Matching attorney experience with types of cases handled	Client eligibility screening	Maximum number of cases an attorney can have at one time	Attorney appointment within 24 hours of client detention
All county-based offices	530	92 %	48 %	60 %	58 %	51 %	49 %	21 %	28 %
County-funded	337	90 %	45 %	61 %	55 %	47 %	44 %	18 %	27 %
Less than 1,000 cases received	112	84 %	16 %	55 %	27 %	25 %	37 %	11 %	15 %
1,000 - 2,500	74	89	38	55	50	39	54	15	27
2,501 - 5,000	58	97	53	61	72	61	58	21	30
More than 5,000	88	94	82	73	84	73	36	26	38
County/state funded	193	97 %	52 %	57 %	63 %	59 %	57 %	27 %	29 %
Less than 1,000 cases received	24	87 %	25 %	50 %	38 %	42 %	50 %	29 %	21 %
1,000 - 2,500	49	98	49	67	63	63	63	22	14
2,501 - 5,000	45	100	61	55	64	50	68	23	27
More than 5,000	66	99	61	55	71	67	50	33	44

Note: Includes offices classified as the primary or alternate public defender office for the jurisdiction. Offices that handled primarily conflict of interest cases or provided representation specifically in felony capital cases were not included. The Census of Public Defender Offices, 2007, asked respondents to indicate whether their program's operating guidelines included a standard related to each of the general areas listed in this table. Data available for 99% of offices.

Note: This table was revised June 22, 2010 in accordance with the revised office classification described on page 1 of this report.

Table 5a. Cases received in state-based public defender programs, by state and type of case, 2007

State	All cases received ^b	FTE litigating attorneys ^c	Number of capital cases ^d	Felony (non-capital) cases			Misdemeanor cases ^a			Appeals cases		
				Number	Percent of all cases received	Per FTE attorney ^e	Number	Percent of all cases received	Per FTE attorney ^e	Number	Percent of all cases	Per FTE attorney ^e
Total	1,491,420	4,321	436	378,400	25 %	88	575,770	40 %	133	10,760	1 %	3
Median	72,740	163	2	11,420	16 %	82	20,340	28 %	217	100	-- %	2
Alaska	/	93	/	/			/			/		
Arkansas	83,810	305	99	29,190	35 %	96	35,500	42 %	116	150	-- %	--
Colorado	90,620	241	13	55,160	61	229	26,670	29	111	0	0	0
Connecticut	83,100	127	56	/	/	/	27,520	33	217	320	--	3
Delaware	29,410	70	9	5,820	20	83	20,340	69	291	110	--	2
Hawaii	43,770	93	~	4,600	11	49	31,170	71	335	0	0	0
Iowa	70,150	96	~	10,000	14	105	25,000	36	262	60	--	1
Kentucky	148,520	327	181	33,170	22	101	86,560	58	265	2,230	2	7
Maryland	199,750	508	15	41,280	21	81	124,960	63	246	60	--	--
Massachusetts	16,820	197	~	12,830	76	65	3,180	19	16	270	2	1
Minnesota	139,120	371	~	28,000	20	75	19,750	14	53	1,200	1	3
Missouri	83,160	261	/	/			/			/		
Montana	22,650	128	2	5,800	26	45	12,300	54	96	290	1	2
New Hampshire	24,130	107	1	7,420	31	69	13,350	55	125	90	--	1
New Jersey ^e	100,240	458	18	65,110	65	142	/	/	/	1,260	1	3
New Mexico	72,740	223	6	/			/			0	0	0
North Dakota	2,270	10	~	800	35	80	650	29	65	50	2	5
Rhode Island	18,760	40	~	4,770	25	119	10,870	58	272	60	--	1
Vermont	11,690	31	~	2,290	20	75	6,850	59	225	60	1	2
Virginia	95,340	305	34	36,280	38	119	47,280	50	155	1,340	1	4
Wisconsin	142,400	294	~	35,800	25	122	71,810	50	245	3,160	2	11
Wyoming	12,980	38	2	120	1	3	12,000	92	316	60	--	2

Note: Caseload data not available for Alaska, Missouri, and New Mexico. Total, felony (non-capital), and misdemeanor cases received rounded to the nearest ten.

/ Data not reported.

-- Less than 0.5.

~ Not applicable.

^aIncludes only misdemeanors that carry a jail sentence.

^bIncludes felony (capital and non-capital), misdemeanor, and appeals cases; and civil, juvenile, and ordinance violations cases (not shown on table).

^cFTE (full-time equivalent) is a computed statistic calculated by dividing the hours worked by part-time employees by the standard number of hours for full-time employees (40 hours per week) and then adding the resulting quotient to the number of full-time employees. Source: U.S. Census Bureau, <http://quickfacts.census.gov/qfd/meta/long_58632.htm>.

^dThe following states did not have the death penalty in 2007: Alaska, Hawaii, Iowa, Massachusetts, Minnesota, North Dakota, Rhode Island, Vermont, and Wisconsin. Public defenders in Missouri and New Mexico represented indigent defendants in death penalty cases but did not report data on number of cases, expenditures, or use of specialized death penalty defense units.

^eTotal cases received does not include misdemeanor cases.

Note: This table was revised June 22, 2010 in accordance with the revised office classification described on page 1 of this report.

Table 5b. Cases received in county-based public defender offices, by office type and caseload, 2007

Office type and caseload	Number of offices	All cases received ^b	Number of FTE litigating attorneys ^c	Number of capital cases ^d	Felony (non-capital) cases			Misdemeanor cases ^a			Appeals cases		
					Number	Percent of all cases received	Per FTE attorney ^c	Number	Percent of all cases received	Per FTE attorney ^c	Number	Percent of all cases received	Per FTE attorney ^c
All county-based offices	530	4,081,030	10,705	1,210	1,231,435	30 %	100	2,067,403	49 %	146	20,183	-- %	--
County-funded	337	2,708,397	7,126	545	667,911	25 %	79	1,514,771	52 %	157	11,412	-- %	--
Less than 1,000 cases received	112	47,075	229	13	13,509	25 %	50	23,742	52 %	104	639	-- %	--
1,000 - 2,500	74	119,143	392	29	35,322	26	88	56,337	51	167	898	--	1
2,501 - 5,000	58	209,912	722	34	66,313	27	98	97,739	52	188	924	--	--
More than 5,000	88	2,332,267	5,722	469	552,767	23	91	1,336,953	55	240	8,951	--	--
County/state funded	193	1,372,633	3,580	665	563,524	41 %	150	552,632	38 %	119	8,771	-- %	--
Less than 1,000 cases received	24	15,507	158	6	7,165	39 %	76	5,790	35 %	66	29	-- %	--
1,000 - 2,500	49	81,253	301	16	42,779	50	148	26,614	36	90	354	--	1
2,501 - 5,000	45	164,705	468	26	77,138	42	159	60,325	43	130	478	--	1
More than 5,000	66	1,111,168	2,412	617	436,442	38	169	459,903	44	174	7,910	--	--

Note: Includes offices classified as the primary or alternate public defender office for the jurisdiction. Excludes offices that handled primarily conflict of interest cases or provided representation specifically in felony capital cases. Cases received refers to cases appointed to and accepted for representation by the public defender office.

-- Less than 0.5.

^aIncludes only misdemeanors that carry a jail sentence.

^bIncludes felony (capital and non-capital), misdemeanor, and appeals cases; and civil, juvenile, and ordinance violations cases (not shown on table).

^cFTE (full-time equivalent) is a computed statistic calculated by dividing the hours worked by part-time employees by the standard number of hours for full-time employees (40 hours per week) and then adding the resulting quotient to the number of full-time employees. Source: U.S. Census Bureau, http://quickfacts.census.gov/qfd/meta/long_58632.htm.

^dExcludes the District of Columbia, Michigan, New York, and West Virginia because they did not have the death penalty.

Note: This table was revised June 22, 2010 in accordance with the revised office classification described on page 1 of this report.

Table 6a. Staff employed by state-based public defender programs, by state and position title, 2007

State	FTE attorneys ^a				FTE support staff ^a					
	Chief public defender	Managing attorneys	Supervisory attorneys	Assistant public defenders	Total	Investigators	Paralegals	Administrative	Clerical	Other ^b
Total	329	25	314	3,153	2,963	714	117	672	976	485
Median	11	0	5	126	85	25	2	32	11	17
Alaska	1	0	15	78	56	15	6	5	31	0
Arkansas	10	0	24	274	27	6	4	5	6	6
Colorado	22	2	2	218	163	72	4	59	15	14
Connecticut	27	0	0	100	126	46	2	0	38	40
Delaware	1	1	8	62	74	14	0	35	5	20
Hawaii	5	6	0	89	31	7	0	23	2	0
Iowa	14	0	0	83	51	20	0	31	0	0
Kentucky	31	0	8	290	172	46	6	46	50	24
Maryland	26	0	89	403	716	30	35	50	450	151
Massachusetts	30	2	18	152	106	31	2	33	18	23
Minnesota	10	0	42	319	157	35	24	69	6	23
Missouri	36	0	0	261	/	/	/	/	/	/
Montana	/	/	/	/	89	17	4	52	9	7
New Hampshire	10	1	1	96	81	29	0	44	7	1
New Jersey	/	/	/	/	577	233	12	0	279	53
New Mexico	10	1	42	181	/	/	/	/	/	/
North Dakota	4	0	0	6	9	0	1	4	2	2
Rhode Island	4	5	0	35	55	7	0	2	24	23
Vermont	9	0	0	20	30	10	1	11	6	3
Virginia	30	0	52	224	210	51	0	109	14	37
Wisconsin	37	7	13	246	212	43	2	92	17	59
Wyoming	13	0	0	19	25	3	16	5	0	2

Note: State data may not sum to totals due to rounding.

/Data not reported.

^aFTE (full-time equivalent) is a computed statistic calculated by dividing the hours worked by part-time employees by the standard number of hours for full-time employees (40 hours per week) and then adding the resulting quotient to the number of full-time employees. Source: U.S. Census Bureau, http://quickfacts.census.gov/qfd/meta/long_58632.htm.

^bIncludes social workers, indigence screeners, training staff, interns, human resources staff, forensic specialists, clinical psychologists, information technology (IT) specialists, interpreters, and investigators hired on a contractual basis.

Note: This table was revised June 22, 2010 in accordance with the revised office classification described on page 1 of this report.

Table 6b. Staff employed by county-based public defender offices, by office type, caseload, and position title, 2007

Office type and caseload	Number of offices	Median FTE litigating attorneys per office ^a	FTE attorneys ^a				Assistant public defenders	Median FTE support staff per office ^a	FTE support staff ^a				
			Chief public defender	Managing attorneys	Supervisory attorneys	Investigators			Paralegals	Administrative	Clerical	Other ^b	
All county-based offices	530	7	543	187	979	9,035	4	1,529	779	2,419	1,056	938	
County-funded	337	5	289	158	612	6,087	3	967	469	1,344	753	665	
Less than 1,000 cases received	112	2	85	0	3	87	1	10	13	77	13	21	
1,000 - 2,500	74	5	64	1	18	256	3	38	22	115	37	45	
2,501 - 5,000	58	9	53	12	88	541	5	90	28	169	113	212	
More than 5,000	88	32	84	144	494	5,152	18	827	404	969	587	386	
County/state funded	193	9	255	29	367	2,949	6	562	310	1,075	303	273	
Less than 1,000 cases received	24	4	56	0	2	97	2	8	45	35	4	3	
1,000 - 2,500	49	6	46	1	19	223	4	52	30	107	29	9	
2,501 - 5,000	45	9	42	0	45	372	6	71	37	137	18	29	
More than 5,000	66	23	104	25	285	2,040	22	406	196	643	238	231	

^aFTE (full-time equivalent) is a computed statistic calculated by dividing the hours worked by part-time employees by the standard number of hours for full-time employees (40 hours per week) and then adding the resulting quotient to the number of full-time employees. Source: U.S. Census Bureau, http://quickfacts.census.gov/qfd/meta/long_58632.htm.

^bIncludes social workers, indigence screeners, training staff, interns, human resources staff, forensic specialists, clinical psychologists, information technology (IT) specialists, interpreters, and investigators hired on a contractual basis.

Note: This table was revised June 22, 2010 in accordance with the revised office classification described on page 1 of this report.

Table 7a. State-based public defender programs with caseload limits and authority to refuse appointments due to caseload, by state, 2007

State	Felony non-capital cases received per FTE attorney *	Offices with --	
		Caseload limits	Authority to refuse appointments due to caseload
Alaska	/	Yes	/
Arkansas	96	No	Yes
Colorado	229	Yes	No
Connecticut	/	Yes	No
Delaware	83	No	No
Hawaii	49	No	No
Iowa	105	No	Yes
Kentucky	101	No	No
Maryland	81	Yes	No
Massachusetts	65	Yes	Yes
Minnesota	75	No	No
Missouri	/	No	No
Montana	45	Yes	Yes
New Hampshire	69	Yes	Yes
New Jersey	142	Yes	No
New Mexico	/	No	No
North Dakota	80	No	Yes
Rhode Island	119	No	No
Vermont	75	Yes	No
Virginia	119	No	Yes
Wisconsin	122	Yes	No
Wyoming	3	Yes	Yes

/ Data not reported.

*FTE (full-time equivalent) is a computed statistic calculated by dividing the hours worked by part time employees by the standard number of hours for full-time employees (40 hours per week) and then adding the resulting quotient to the number of full-time employees. Source: U.S. Census Bureau, http://quickfacts.census.gov/qfd/meta/long_58632.htm.

Note: This table was revised June 22, 2010 in accordance with the revised office classification described on page 1 of this report.

Table 7b. County-based public defender offices with caseload limits and authority to refuse appointments due to caseload, by office type and caseload, 2007

Office type and caseload	Number of offices	Felony (non-capital) cases received per FTE attorney*	Percent of offices with—	
			Caseload limits	Authority to refuse appointments due to caseload
All county-based offices	530	100	15 %	36 %
County-funded	337	79	12 %	33 %
Less than 1,000 cases received	112	50	9	21
1,000 - 2,500	74	88	11	25
2,501 - 5,000	58	98	12	34
More than 5,000	88	91	16	57
County/state funded	193	150	22 %	42 %
Less than 1,000 cases received	24	76	25	58
1,000 - 2,500	49	148	18	31
2,501 - 5,000	45	159	21	48
More than 5,000	66	169	24	39

Note: Includes offices classified as the primary or alternate public defender office for the jurisdiction. Offices that handled primarily conflict of interest cases or provided representation specifically in felony capital cases were not included. Details do not sum to total due to missing data on the volume of cases received by some offices.

*FTE (full-time equivalent) is a computed statistic calculated by dividing the hours worked by part-time employees by the standard number of hours for full-time employees (40 hours per week) and then adding the resulting quotient to the number of full-time employees. Source: U.S. Census Bureau, http://quickfacts.census.gov/qfd/meta/long_58632.htm.