

RE: HB2 Caseload Growth Contingency Funding

Pursuant to HB2 please accept this memo as the Office of State Public Defender’s formal request to the Office of Budget and Program Planning to certify its working cases numbers, allowing the Agency to expend its contingency funding for Quarter 2 FY 2022. To unlock these funds the Budget Director must certify that OPD’s working caseload in a fiscal quarter has increased by 0.5% or more than the same fiscal quarter in the prior fiscal year.

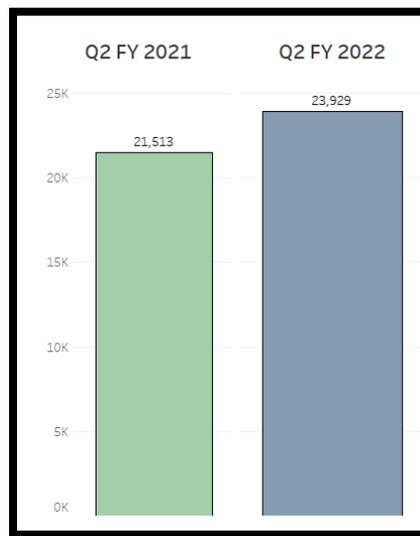
A change from prior caseload growth requests, the 2021 Legislature, at OPD’s request, chose to utilize the working cases metric instead of relying solely on new filings. The intent behind the working cases metric is to more accurately measure and convey the existing workload that OPD and its attorneys are responsible for in a given timeframe.

A case is considered a worked in a given month if:

- The case was opened in the month; or,
- OPD employee charged time to the case in the month; or,
- OPD received and approved a valid claim for services related to the case in the month; or,
- Two or more of the following took place in the month:
 - the case was in an open status;
 - the case went from inactive status to closed status;
 - an Office of State Public Defender employee generated a document related to the case; or
 - a non-continued, non-vacated court or client-related event took place in the case.

Please accept the following chart in support of the Agency’s request:

OPD’s Quarter 2 Working Cases¹ by Fiscal Year



As can be seen, OPD experienced a growth of 2,416 working cases in Quarter 2 FY 2022 as compared to Quarter 2 FY 2021, representing a 11%% increase.

¹ Please note that due to changes in OPD’s document generation engine as part of its new case management system, the agency is currently unable to query document generation at the case level for FY 2022. As a result, this factor of working cases has been excluded from FY 2021 numbers as well.