

MINUTES OF THE MEETING OF THE
CADDO PARISH COMMISSION'S
APPROPRIATIONS COMMITTEE
HELD ON THE 4TH DAY OF AUGUST, 2022

The Caddo Parish Appropriations Committee met in legal session on the above date, at 3:00 p.m., in the 1st Floor Conference Room, with Mr. Johnson, Chairman, presiding, and the following members in attendance: Commissioners Atkins, Burrell, Chavez, Johnson, and Lazarus (5). ABSENT: Commissioners Epperson, Hopkins and Gage-Watts (3).

The Invocation and Pledge of Allegiance were bypassed.

NEW BUSINESS

- *Discuss Funding of the Caddo Public Defender's Office*

Michelle M. AndrePont from the Caddo Public Defender's Office explained that their office operates on a proposed and adopted budget for 2022 of \$3.6 million. She said that the District Attorney's Office has a budget over \$10 million. Mrs. AndrePont explained that Caddo Parish has over 20,000 filed cases annually and the Caddo Public Defender's Office handles 16,300 of those filed cases. She pointed out that the Caddo Public Defender's Office handles their case load at one-third of the District Attorney's budget. Mrs. AndrePont further explained that since her appointment as the District Public Defender in February 2000, she has experienced high turnover of attorneys because their office can not pay to retain them. Mrs. AndrePont had increased the starting salary from \$45,000 to \$50,000 to encourage applicants, but would lose them to neighboring jurisdictions. She explained a case of a recently graduated young attorney that left the Caddo Parish Public Defender's Office after four months of practice. That young attorney went to practice in Lafayette for a \$10,000 annual salary increase. After more than a year in Lafayette, the young attorney had an \$8,000 raise. Mrs. AndrePont stated that in that young attorney's second year of practice, they were making \$63,000 per year. Whereas, the Caddo Defender's Office pays an attorney with 25 years of experience \$65,000 per year. Mrs. AndrePont stated that her office would hire personnel with additional funding from the Parish. She explained that the Caddo Public Defender's Office pays 8% of their salary into retirement and covers 75% of their health insurance premiums. Therefore, to hire an attorney with an annual salary of \$50,000 it would cost the Caddo Public Defender's Office about \$60,000 per year. Mrs. AndrePont stated that when an attorney retires from the Public Defender's Office their entire case load are reassigned to a new attorney, which delays the process. She also stated that with additional attorneys and staff cases could be worked quicker, but external factors, such as cooperation with the District Attorney, contributes to the pace. Mrs. AndrePont stated that the Caddo Public Defender's Office is one of the top seven in the state. She explained that the State of Louisiana has a tiered funding system. New Orleans, Baton Rouge and Lafayette receives the highest level of state funding and the Caddo Public Defender's Office is in the second tier along with Jefferson, St. Tammany and one other. Mrs. AndrePont explained that Caddo Parish tries the most criminal cases and criminal jury trials in the state. Mrs. AndrePont stated that the Caddo Public Defender's Office currently pays the second highest rent in the state for Public Defender Offices. She explained that the Baton Rouge Defender's Office rents office space in its City Hall for free, but the New Orleans Defender's Office pays more rent than the Caddo Public Defender's Office in the state. Mrs. AndrePont stated that conviction and user fees are the Caddo Public Defender's Office's primary source of funding and Louisiana is the only state that funds this way. She explained that another source of funding is a \$45 assessment fee when someone pays court costs, but their office will not receive that \$45 assessment fee if their client does not get convicted. The Caddo Public Defender's Office could receive partial payments for multiple cases. Mrs. AndrePont stated that the Caddo Public Defender's Office is rank 37 out of 42 in the Judicial District reporting of remittances and that is mostly due to a poor population that is unable to pay their court costs. Mrs. AndrePont said that the Caddo Public Defender's Office is a political subdivision and they are seeking assistance in representing their client's and their rights.

Mr. Johnson wanted to know what is the specific request. Mrs. AndrePont responded that hiring six employees would cost approximately \$360,000 at \$60,000 per person. Mrs. AndrePont stated that the Caddo Defender's Office's deferred spending includes staff training. Mr. Johnson also wanted to know if their request would be made every year. Mrs. AndrePont acknowledged that a request would be made every year.

Mr. Johnson asked Mrs. Bryant if the Parish had any office space available. Mrs. AndrePont stated that the Caddo Public Defender's Office would need office space that could accommodate 40 staff. Mrs. Bryant stated that the Parish does not have the space to accommodate 40 people right now. Mrs. Bryant pointed out that the Parish has provided in-kind services for the Public Defender's Office, which included payroll, bill processing, health insurance, audits, etc., but the previous Public Defender had elected to no longer use those services. Mr. Johnson requested a value for the Parish to do those services for the Public Defender's Office.

Mrs. Bryant also pointed out that the Commission does not have a fund to take on a half million dollar ongoing request. She explained that the Commission has to fund the deficit in the criminal court system and that criminal justice takes majority of the budget.

Mr. Atkins wanted to know if the Defender's Office is outsourcing their back office support. Mrs. AndrePont responded that their office uses APS to process their payroll and an Office Manager employee. Mrs. Bryant requested that the Defender's Office provide their health insurance costs.

Mr. Chavez wanted to know what determines the state funding levels. Mrs. AndrePont responded that the state determines funding level based on the difference between overall expenditures and local remittances. Mrs. AndrePont said that those factors tell the State how much of the District Assistance Fund a Defender's Office may receive. She explained that New Orleans receives over \$6 million from their City-Parish, Baton Rouge receives about \$850,000 from their City-Parish plus their provided office space, and Lafayette does not receive any local funding. Mrs. AndrePont suggested that the lobbyist contact the Public Defender board and the State Public Defender Ramie Starnes. Mr. Chavez suggested that the Parish's lobbyist corresponds with Mrs. AndrePont to work on upgrading the state's funding level of the Caddo Defender's Office.

Mr. Chavez wanted to know where the Caddo Defender's Office is currently renting their office space. Mrs. AndrePont responded that they are located in the Beck Building and their five-year lease is up for re-negotiation in year 2025. She expressed appreciation for any help the Parish could do with the Caddo Defender's Office's office space situation. Mr. Chavez also wanted to know how does the Caddo Defender's Office receive payment if a client does not pay their court costs. Mrs. AndrePont explained that their office receives \$2 on every bond that is posted, \$45 from the special assessed costs, and a large source from the Shreveport City Court, \$40 application fee when a bond is made. She further explained that she has asked the smaller Mayor's Court to assess a \$20 fee and \$10 of that fee would be sent to the Caddo Defender's Office, but all of the Mayor's Courts have declined to do so. Mrs. AndrePont stated that their office receives about \$2,000 per month in bond application fees. She explained that the Court can assess partial reimbursement fee of \$3000 on a misdemeanor and \$500 on a felony, but most of the Caddo Defender's Office's clients are unable to pay partial reimbursements. Mrs. AndrePont The Caddo Defender's Office receives money on bond forfeiture and they receive 25% of the annual fees assessed to bondsman when surety bonds are set.

Mr. Chavez stated that the Caddo Defender's Office is grossly underpaid and suggested that the Parish research how other states operate their Public Defender's Offices. He reiterated that the Parish lobbyist should work to get adequate funding for the Caddo Public Defender's Office.

Mr. Burrell wanted to know if a millage or tax could help their fund. Mrs. AndrePont responded that there aren't any other jurisdictions that has done. Mrs. Bryant said that the Defender's Office client base is what makes it difficult to get that type of tax pay. Mr. Burrell stated that setting up a special tax category and putting the right message out there could help.

Attorney Bernstein stated that there would need to be more research on if the Commission could put it on the ballot.

Mr. Jackson suggested the vacant floor at the courthouse could be repurposed for the Caddo Defender's Office. Mrs. Bryant stated that the floor had many suitors. She said that based on a recent survey the vacant floor would need renovations that was quoted for more than \$2 million.

Mr. Chavez wanted to know if the Caddo Defender's Office could break their five-year lease. Mrs. Bryant responded that construction might not be done in time.

Mr. Johnson requested Administration to calculate the value of doing the same services the Parish historically did for the Caddo Defender's Office and present it at the next meeting.

Mr. Atkins reminded Administration to get the lobbyist to work on improving state funding for the Caddo Defender's Office.

Mrs. AndrePont stated that last year the Supreme Court counted the Caddo Defender's Office had 1067 cases more than Baton Rouge. However, Baton Rouge has an operating budget of \$5.3 million and the Caddo Defender's Office has a \$3.6 million budget.

At this time, there was no further discussion to come before the Committee, so the meeting adjourned at 3:29 p.m.



Linda J. Montgomery
Administrative Specialist I