

# Public Defender

## Mission and philosophy

The Wyoming Public Defender Program, as part of the criminal justice system, fulfills a constitutional obligation by providing effective assistance of counsel to our clients, needy persons accused of a crime whom we are appointed to represent. By providing legal assistance to those who cannot provide for themselves, as part of the human services of the state, and by assuring the proper functioning of the criminal justice system, the public defender program contributes to the public safety of the residents of the state.

## Results of outcomes

Public defenders statewide provided legal counsel to **8,780** clients during FY02, including 69 appeals to the Wyoming Supreme Court that were handled by the appellate division. The program currently receives approximately 730 new clients every month. The FY 02 caseload represents an 11.7 percent increase from FY 01. The caseload has more than doubled since FY 92, when the Wyoming Public Defender Program handled 4,374 clients – a 100.7 percent increase.

From FY 01 to FY 02, revenues generated by the program showed a moderate increase from \$312,955 in FY01 to \$313,931 in FY 02.

The four-year strategic plan that applies to the FY 02 annual report is dated September 1, 1999 and is the fourth edition (July 1, 2001 to June 30, 2004). The results of the outcomes from the strategic plan are as listed below.

In FY 02, our clients were represented, and cases conducted, in accordance with constitutionally defined standards for effective assistance of counsel and within the Rules of Professional Conduct for Attorneys at Law. There were no cases in which a Wyoming appellate court or a federal court made a finding of ineffective assistance of counsel. There was no public action by the Board of Professional Responsibility taken against any public defenders.

In FY 02, the average caseload per full-time equivalent attorney was approximately 226 new cases per year per trial attorney and 23 new cases per appellate attorney. This is an increase in average caseload per trial attorney from FY01, which was approximately 209 new cases per trial attorney. Appellate attorney caseload increased moderately from 22 new cases in FY 01. National guidelines utilized by the agency are: 200 new cases per year per trial attorney and 25 new appeals per year per appellate attorney.

The number of cases in which courts ordered reimbursement in Wyoming for public defender fees and costs continued to increase. From FY 01 to FY 02, the number

## *General information*

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## *Agency contact*

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## *Other locations*

Listed in organizational chart

## *Year established*

1978

## *Statutory references*

Wyo. Stat. §§ 7-6-101 through 7-6-114 (LEXIS 2001)

## *Number of authorized personnel*

47 full-time, 17 part-time

## *Organizational structure*

Administrative and Fiscal Division, Capital Case Unit, Trial Division, Appellate Division, Post-Conviction Unit

## *Clients served*

Indigent persons charged with and/or convicted of a crime in Wyoming.

Juveniles charged with and/or convicted of a delinquent act in Wyoming.

## *Budget information*

General funds	\$3,942,084
Other	\$697,023
<b>Total</b>	<b>\$4,639,107</b>

of cases where the courts ordered reimbursement has increased from 3,365 cases in FY 01 to 3,830 cases in FY 02, an increase of 465 cases. Yet, there were still 756 cases in which the courts had failed to order reimbursements and make findings on the record of inability to pay.

Wyo. Stats. 7-6-106(d) requires that the agency's annual report have pertinent reimbursement information as set forth below.

Period	Number of Cases with Appointment of Public Defender	Reimbursement Ordered	No Reimbursement Ordered/Specific funding of No Ability to Pay	No Reimbursement Ordered / No Finding of Inability to Pay
1st Quarter	1868	793	550	175
2nd Quarter	2135	999	664	193
3rd Quarter	2384	1028	676	170
4th Quarter	2324	1010	627	218
Total	8711	3830	2517	756

In past fiscal years, Wyoming Public Defender Program access to legal research databases has been severely limited due to cost and inadequate high-speed Internet or telephonic connections. Because of the competition among the three leading legal research databases, development of cost-effective, high-speed Internet connections, and availability of some free legal research via the Internet, the program has greatly enhanced legal research capability. In May 2001, the program switched from slow telephonic modem access (available in only five field offices) to web-based research capabilities for all but three of the 16 field offices. The ultimate result was greatly enhanced research capability at no or minimal additional cost to the program.

In FY 02, the agency provided access to the internet to all but three of the 16 field offices, and installed a T-1 line in the program's busiest field office (i.e., Natrona County). By the end of FY 02, four of the 16 field offices had access to statewide Groupwise.

To further enhance the abilities of our attorneys and support staff, the program developed an "employee-only" section to the agency's web site, providing to staff on-line legal forms and agency management forms.

The agency also has been in the process of developing a new client database, with a prototype being provided to the Cheyenne field office in FY 02.

## Strategic plan changes

The Wyoming Public Defender Program will continue to provide effective assistance of counsel to the increasing number of clients assigned by the court. Staff compensation, salary parity with our counterparts in the criminal justice system, training,

and retention are on-going issues. Continued efforts will be made to ensure compliance with statutory mandates and indigency guidelines to ensure proper use of limited program resources.

Wyo. Stats. 28-1-115 requires state agencies to submit in every odd numbered years strategic plans covering a four year period. Per statute, the Wyoming Public Defender Program revised the strategic plan for the period covering July 1, 2002 to June 30, 2006 (i.e., fifth edition). There have been modifications of the strategic plan, but no major change to the program's goals, objectives or outcomes for FY 03.

# Public Defender organization chart

