



**Connecticut
Public
Defenders**

equality | justice | community

**Division of Public Defender Services
Office of Chief Public Defender
FY 2023-2024**

At a Glance

John R. Day, Acting Chief Public Defender

Established: 1975

Statutory Authority: Conn. Gen. Statutes Sec. 51-296 et seq.

Central Office: 55 Farmington Ave, 8th Floor, Hartford CT 06105

Number of Employees: 457

Recurring Operating Expenses: \$84,818,763

Organizational Structure: The Division is composed of a Commission, the administrative Office of Chief Public Defender, field offices, and specialty units.

Mission

Striving to ensure justice and a fair and unbiased system, the Connecticut Division of Public Defender Services zealously promotes and protects the rights, liberty and dignity of all clients entrusted to us. We are committed to holistic representation that recognizes clients as individuals, fosters trust, and prevents unnecessary and wrongful conviction.

Statutory Responsibilities

The Division, upon appointment by the Court, provides representation to indigent individuals in the following matters:

- Defense of indigent accused children and adults in criminal cases;
- Post-Conviction Representation including:
 - Direct appeals after trial;
 - Habeas Corpus matters, including habeas appeals;
 - Clients acquitted by reason of insanity before the Psychiatric Security Review Board pursuant to Conn. Gen. Statutes Sec. 17a-596(d);
 - Post-conviction motions, including petitions for DNA testing in accordance with Conn. Gen. Statutes Sec. 54-102kk(e) and claims through the Connecticut Innocence Project in which new evidence (both DNA and non-DNA evidence) might reasonably exonerate inmates who are innocent and who have been wrongfully convicted; and
 - Representation of individuals in Parole Revocation proceedings pursuant to P.A. 19-59;

- Child Welfare Representation including:
 - Representation for all children in petitions files in juvenile court, including abuse and neglect petitions, emancipations, terminations of parental rights and reinstatement of parental rights;
 - Representation of young adults remaining in DCF care up to the age of 21;
 - Guardian ad litem representation in delinquency proceedings;
 - Representations of indigent parents and guardians in abuse and neglect petitions and terminations of parental rights;
 - Representations of indigent parents and guardians in reinstatement of parental rights and emancipation petitions with Interest of Justice (IOJ) findings pursuant to Conn. Gen. Statutes Sec. 46b-136;
 - Representation for children and indigent parties in contested matters transferred from Probate court relating to guardianship and parental rights;
 - Representation of children and indigent parties at the appellate level in child welfare cases; and
 - Assignment of Guardians ad Litem and attorneys for children in Family Matters where the family qualifies for state-rates; and
- Representation of indigent contemnors and respondents in paternity matters in family and magistrate court.

Public Service

The Division maintains high ethical standards while zealously promoting and protecting the rights, liberty and dignity of its clients. The Division has a formal process for handling inquiries and concerns about staff and contractors from clients and the public. Depending upon the nature of the inquiry, all communication is directed to either the Deputy Chief Public Defender or the Director of Delinquency Defense and Child Protection to conduct an inquiry with the appropriate staff and respond. Inquiries and responses are logged electronically for future reference. Additionally, the Division has sought feedback from clients and the community through client surveys and engagement with community organizations.

Effective April 5, 2024, the Public Defender Services Commission approved increasing its income eligibility levels from 200% to 225% of the Federal Poverty Guidelines. At the same time, the Commission also approved an increase to 250% of the Federal Poverty Guidelines effective January 1, 2025. The increases were approved because the legislature appropriated increased funding for such during the 2023 legislative session. The appropriation is effective January 1, 2025. By expanding eligibility for its services, the Division is able to assist more members of the public who need legal services but cannot afford representation.

Improvements/Achievements for Fiscal Year 2023-24

Assigned Counsel

Assigned counsel attorneys are private, independently contracting attorneys handling representation of clients for the Division. They fill a role required by our state and federal constitutions: to defend clients' liberty interests in criminal and post-conviction matters, protect parental rights, and represent abused and neglected children for the Division's child welfare matters. The assigned counsel attorneys are dedicated to their clients and have provided representation for indigent persons in Connecticut for many decades.

The FY 2024-2025 Biennial State Budget made possible a much needed 35% pay rate increase for the agency's assigned counsel attorneys. This increase has allowed the Division to recruit and retain assigned counsel more effectively. There are, however, still struggles associated with low pay, so the Division will continue to advocate for higher pay for assigned counsel.

In response to difficulties in hiring private investigators – an especially important resource for assigned counsel – the Public Defender Services Commission approved a 57% pay rate increase for private investigators in January 2024. This has allowed attorneys to retain necessary investigators as they represent the Division's clients.

Recruitment

To support recruitment from among a diverse pool of applicants, the Division partnered with and hosted interns from the Lawyers Collaboration for Diversity, Black Public Defenders Association, Champion Initiative, and Hartford Promise. Engagements with local Boys & Girls Clubs and Junior Achievement broadened these efforts to include younger students as well. Staff have attended recruitment fairs at colleges and universities in order to bring greater awareness to public defense careers.

Training

As with the prior two years, a historically unusual percentage of the Division's attorneys are new to the organization. Accordingly, the Training Department's efforts have remained focused on providing foundational skills and knowledge training to equip the new attorneys to provide exceptional representation to our clients by effectively supplementing the training they receive in the field. This fiscal year, the Division continued to provide its members with an annual course of monthly attorney onboarding full-day trainings, roughly bi-weekly offerings of seminars and afternoon trainings on varying topics, as well as sponsorships and logistical support to attend various out-of-state seminars. In addition to that, this year the Division repeated last year's inclusion of a residential component in its annual week-long intensive trial skills training for public defenders and assigned counsel, during which public defenders and assigned counsel once again effectively utilized the additional time to sharpen their skills. In addition, the Division developed a robust set of legal educational and reference materials to assist new attorneys with effectively practicing criminal defense in Connecticut state courts. Altogether, these trainings continue to provide a thorough foundation in the broad range of knowledge and legal skills that are necessary to maintain the Division's standard of excellence in providing legal representation for its clients.

In addition to the above, the Division has continued its two-year plan to roll out a significant racial equity training to all Division members that explores the history of discrimination in our criminal justice system, how past policy decisions in our criminal justice system still drive bias and create disadvantages for people of color, and how staff can address these issues. As of the end of this fiscal year, approximately 75% of the Division's employees have completed the program, which will wrap up at the end of 2024.

Improvements in Technology

The following are some of the projects completed by the agency:

- Implemented enhancements to cyber security and infrastructure;
- Continued to provide VPN licenses to allow effective remote work from more staff when necessary;
- Refreshed outdated end-user devices to provide for a more efficient working experience;
- Began efforts to upgrade the Division's website and social media presence to assist clients, strengthen recruitment, and increase ease of access to information; and
- Increased the use of the Division's case management system to store documents and files electronically.