

IDC Grant Application Questionnaire Fiscal Year 2021

IDC grant funding is limited to Utah Indigent Defense Systems. Utah's indigent defense systems are those counties, municipalities, and inter-local entities that are responsible for providing indigent defense services. The applicant system is referred to in this document as System.

Please answer all questions as completely as possible as responses may be scored and used in funding determinations.

1. Enter the name of the System or Systems requesting IDC Support. (Systems include: municipalities, counties, and inter-local entities that are responsible for providing indigent defense services in Utah) *

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2. Please tell us the court calendar/schedule for each court that your System serves, including day(s) and time(s) for initial appearances/arraignments, detention hearings, shelter hearings, law and motion calendars, etc., where relevant. *

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Principle 1: Organizational Capacity

3. The IDC works hard to ensure state-funding is ongoing. However, If you receive IDC funding could your system assume the costs if funding became unavailable? *

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4. Do your indigent defense attorneys have caseload/workload numbers available? *

Yes

No

5. What case management system is currently used by your attorneys to track appointed cases? *

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6. The IDC currently has funding available to provide Defender Data Prime case management system. Provide the number of public defense attorneys that you would like to add licenses for, for the next 5 years. *

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7. Does the system currently have a process to address indigent defense client complaints and compliments? *

Yes

No

8. What position currently provides oversight and assesses performance for public defenders? If other please explain. *

The system has a supervising or managing public defender

The city or county attorney

The city or county mayor/manager

The city or county council/commission

Other:

9. Describe the current process for oversight and performance management for defense attorneys in your system. Describe how complaints and/or compliments are addressed. If your system does not have formal processes in place, does this grant application address the issue? *

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Principle 2: System Provides Counsel to All

10. Do the judges in your System order indigent defendants to pay recoupment for costs associated with the services provided by appointed counsel? *

Yes

No

Recoupment Details

10a. Explain how the recoupment process currently works in your system, including how your system uses these costs/fees. *

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10b. What is the amount typically ordered for recoupment per case? *

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10c. What was the total amount recouped per year, in each of the last three years? *

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Principle 3: Scope of Representation

11. Does your contract with indigent defense attorneys require them to be present at the first hearing before a judge? (This includes arraignments, first appearances, shelter hearings, detention hearings, bail hearings, etc.) *

	Yes	No	Not Sure
District Court	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Justice Court	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Juvenile Court Delinquency	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Juvenile Court Child Welfare	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

12. How often do attorneys in your System provide vertical representation on indigent defense matters in the following areas? Vertical representation occurs when the same attorney represents the individual for the duration of their case. *

	Always	Almost always	Usually	Almost never	Never	Not applicable
District Court	<input checked="" type="radio"/>	<input type="radio"/>				
Justice Court	<input checked="" type="radio"/>	<input type="radio"/>				
Juvenile Court Delinquency	<input checked="" type="radio"/>	<input type="radio"/>				
Juvenile Court Child Welfare	<input checked="" type="radio"/>	<input type="radio"/>				

13. Do your contracts require attorneys to be present at Order to Show Cause (OSC) hearings for indigent clients? *

- Yes
 No

Principle 4: Representation That is Independent and Free From Interference

14. Check all boxes below where an employee or representative of the prosecution entity currently has involvement within your indigent defense system? If none select no involvement. *

	Availability of defense resources	Selection of defense counsel	Compensation rates of defense counsel	Tracking data	Reporting data	No involvement
For district court	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
For justice court	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
For juvenile court delinquency	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
For juvenile court child welfare	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

15. Check all boxes below where an employee or representative of the courts currently has involvement within your indigent defense system? If none select no involvement. *

	Availability of defense resources	Selection of defense counsel	Compensation rates of defense counsel	Tracking data	Reporting data	No involvement
For district court	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
For justice court	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
For juvenile court delinquency	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
For juvenile court child welfare	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Principle 5: Distinct Areas of Specialization

16. What areas of specialization does your System separately account for in its employment and contracting arrangements with defense attorneys? Select the box for each row that is the most accurate. *

	Currently specialized without IDC funding	Currently specialized as a result of IDC funding	Will be specialized with approval of this grant request	Not specialized
Criminal defense	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Delinquency defense	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Parental defense	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Appellate advocacy	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

17. Do appointed attorneys in your System represent individuals in multiple specialty areas (criminal defense, delinquency defense, parental defense, and appellate advocacy) or in only one per attorney? *

- All attorneys represent individuals in multiple specialty areas
- Most attorneys represent individuals in multiple specialty areas
- Half of the attorneys represent individuals in more than one specialty area
- Most attorneys represent individuals in only one specialty area
- All attorneys represent individuals in only one specialty area

Principle 6: Right to Appeal

18. Describe how appellate representation is handled in your system for adult criminal, juvenile and child welfare matters. *

19. Do your contracts separately provide for representation in district court for cases that are sent up on appeal from the justice court level? *

- Yes
- No
- The public defender system does not serve any justice courts

Principle 7: Representation That is Free From Conflicts of Interest

20. Describe how your defense attorneys currently identify, handle, and track conflicts of interest. *

21. What are the most common reasons for conflict cases within your System? *

- Multiple Co-defendants
- Familiarity with another party to the case
- Not Sure
- Other:

22. How many conflicts were declared by defense attorneys in your system in the 2019 calendar year? If this data is not available, please explain why. *

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23. How does your system provide a separate attorney when there is a conflict of interest on an appointed matter? Check all that apply. *

- The System has multiple attorneys in each specialty area that cover conflicts for each other
- The System utilizes attorneys to cover conflict cases for each other regardless of specialty
- The System contracts with additional attorneys on a case by case basis for conflict cases
- The System has one or more attorneys on contract specifically for conflict cases
- The system does not have attorneys available to cover conflict cases
- Other:

Principle 8: Effective Representation

24. How many times per year does your System require defense attorneys to attend relevant CLE (Continuing Legal Education) training specific to their areas of practice (specialties)? *

- 0
- 1
- 2
- 3 or more

25. Does your system track and/or require attorneys to report on their CLE attendance? *

- Yes
- No

26. Does the compensation structure for public defenders in your system account for an attorney's caseload size, in any way? Please explain. *

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