

Table of Contents

Attachment 1: 2024 CPDO survey instrument-----	2
Attachment 2: CPDO Overview-----	14
Attachment 3: Generic OMB approval for CPDO frame construction-----	16
Attachment 4: Title 34, United States Code, Section 10132 of the Justice Systems Improvement Act of 1979-----	18
Attachment 5: Welcome screen for online instrument-----	24
Attachment 6: 2024 CPDO Cognitive Testing Report-----	26
Attachment 7: BJS Pre-notification letter-----	61
Attachment 8: Invitation email-----	62
Attachment 9: Ad hoc survey link/delegation request-----	64
Attachment 10: Reminder emails-----	66
Attachment 11: Reminder letter and hardcopy survey mailing-----	71
Attachment 12: Reminder script – telephone-----	72
Attachment 13: Reminder letter and hardcopy survey mailing-----	74
Attachment 14: Reminder letter-----	75
Attachment 15: NAPD Reminder script – telephone-----	76
Attachment 16: Last chance postcard-----	78
Attachment 17: Thank you email-----	80
Attachment 18: 60-day notice public comment from the National Association of Counsel for Children---	81
Attachment 19: 60-day notice public comment from Partners for Justice-----	82



U.S. Department of Justice Bureau of Justice Statistics
(NORC acting as data collection agent)



2024 Census of Public Defender Offices

Name: _____

Title: _____

Name of office: _____

Direct email: _____

Direct phone: _____

Instructions

The 2024 Census of Public Defender Offices (CPDO) is a census of all publicly funded public defender offices with at least one (1) W-2 earning attorney that provides direct public defense representation for adults and/or juveniles who are accused of a crime or delinquency or accused in a trial court of violating conditions of a sentence. Data collected on this form will provide needed information to state and local governments, practitioners, and other stakeholders. The Bureau of Justice Statistics (BJS) greatly appreciates your assistance.

1. There are multiple ways to complete and submit this survey. Please select the method most suitable for you:
 - a. Complete the survey and return via the provided self-addressed stamped envelope.
 - b. Visit [insert website] and enter your office's unique PIN provided on the bottom left of this survey.
 - c. Call (866) 582-4052 and complete the survey by phone.
2. Please answer all questions with reference to the public defender office specified above. If you are the head of more than one public defender office you should receive multiple solicitations for this survey; we ask that you fill out one instrument for each office. If you find you need more copies of the survey, please contact the CPDO team via email at CPDO@norc.org.
3. Answer the questions as accurately as possible given the organization and structure of your office. Estimates are allowed.

If you have questions or need assistance in completing the survey, please contact the CPDO team via email at CPDO@norc.org.

Burden Statement

This collection is authorized under 34 U.S.C. § 10132. Your participation is voluntary. BJS will use the information only for statistical purposes [34 U.S.C. § 10134]. BJS will protect personally identifiable information consistent with the confidentiality requirements in 34 U.S.C. § 10231 and 28 CFR Part 22. See the BJS Data Protection Guidelines (https://bjs.ojp.gov/sites/g/files/xyckuh236/files/media/document/bjs_data_protection_guidelines.pdf).

This collection has been approved by the Office of Management and Budget (OMB Number: 1121-0095 Approval Expires: TBD). If this number were not displayed, we could not conduct this survey. Your voluntary participation in this survey is important, however, you may decline to answer any or all questions. Public reporting burden for this collection of information is estimated to average 60 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

You can contact the Bureau of Justice Statistics with questions or feedback at askbjs@usdoj.gov; by phone at 202-307-0765; or by mail: Bureau of Justice Statistics, 999 North Capitol Street NE, Washington, DC 20002.

Screener Questions

The first series of questions will confirm your office's eligibility for the census. Mark (X) only one choice per row.

- | | Yes | No |
|---|--------------------------|--------------------------|
| S1. Is your office supported, either partially or fully, by public funds? <i>Funding that comes from federal, state or local government, often collected through taxes and used toward public goods and services.</i> | ☐ | ☐ |
| S2. Does your office have at least one W-2 earning attorney? <i>A W-2 earning attorney is an attorney who is formally employed by a company or organization and who receives a W-2 tax form each year to report their income and taxes withheld.</i> | ☐ | ☐ |
| S3. Does your office provide public defense representation for adult or juvenile clients who are accused of a crime or delinquency, or accused in a trial court of violating conditions of a sentence? | ☐ | ☐ |
| S4. Does your office have a dedicated physical space? <i>A place that some or all staff may use for work.</i> | ☐ | ☐ |

If you answered 'No' to any S1 – S4, please stop here. Your office does not meet our eligibility criteria for this census, but we thank you for your time. If you have any questions about eligibility, or believe you were screened out in error, please contact cpdo@norc.org or 1-866-582-4052.

If all your answers to S1 - S4 were 'Yes', please continue the survey.

- | | Yes | No |
|---|--------------------------|--------------------------|
| S5. Is your office a for-profit private law firm? | ☐ | ☐ |
| S6. Does your office provide representation solely using an assigned counsel system? <i>An assigned counsel system provides representation using private attorneys who are not employed by the office, except possibly as contractors.</i> | ☐ | ☐ |
| S7. Is your office a tribal defender? <i>A tribal defender provides representation only to defendants in tribal justice systems.</i> | ☐ | ☐ |

If you answered 'Yes' to any S5 – S7, please stop here. Your office does not meet our eligibility criteria for this census, but we thank you for your time. If you have any questions about eligibility, or believe you were screened out in error, please contact cpdo@norc.org or 1-866-582-4052.

If all your answers to S5 – S7 were 'No', please continue the survey.

Section A. General Information

A1. What is the geographic jurisdiction served by your public defender office? *Mark (X) only one.*

¹ ☐ An entire state or United States territory.

² ☐ Multiple counties or county equivalents, an entire judicial district or circuit larger than a single county. → Enter the names of the counties served.

³ ☐ An entire county or county equivalent

⁴ ☐ Part of a county (e.g., city or town) →

STOP HERE. Your office does not meet our eligibility criteria for this survey but we thank you for your time. If you have any questions about eligibility, or believe you were screened out in error, please contact cpdo@norc.org or 1-866-582-4052.

⁵ ☐ Other (please specify)

A2. Is your public defender office the primary office in your jurisdiction? *A 'primary office' is an office that is assigned more criminal and juvenile delinquency cases or other court-appointed cases than any other public defender office. Mark (X) only one.*

¹ ☐ Yes

² ☐ No

A3. Is your public defender office a conflict office? *A 'conflict office' is an office that is assigned cases when another public defender office has a conflict of interest. Mark (X) only one.*

¹ ☐ Yes

² ☐ No

A4. Which best describes your public defender office? Mark (X) only one.

- ¹ ☐ Part of the state or county judicial branch
² ☐ Part of the state or county executive branch
³ ☐ A nonprofit organization
⁴ ☐ Other (please specify)

A5. Is your office overseen or funded, in whole or in part, by a state or territory-level body? Mark (X) only one.

	Yes	No
Funded	☐	☐
Overseen	☐	☐

A6. Is your office overseen or funded, in whole or in part, by a body other than at the state or territory-level body? Mark (X) only one.

	Yes	No
Funded	☐	☐
Overseen	☐	☐

A7. Which of the following best describes the role of the non-state or territory-level body in the following decisions? Mark (X) only one choice per row.

	Is the final decision-maker	Has a limited (e.g., advisory) role	Has no role	Don't know
a. Determines attorney practice standards for the office	☐	☐	☐	☐
b. Determines the total amount of the office's budget	☐	☐	☐	☐
c. Determines policy priorities for the office	☐	☐	☐	☐

A8. Who appoints the members of the non-state or territory-level body? Mark (X) only one choice per row.

	Yes	No	Don't know
a. Governor	☐	☐	☐
b. State Legislature	☐	☐	☐
c. Supreme Court	☐	☐	☐
d. County Commission	☐	☐	☐
e. Other (please specify)	☐	☐	☐

A9. Do any attorney or non-attorney staff in your office belong to a labor union with the right to engage in collective bargaining related to their public defense work?

- ¹ ☐ Yes, some attorney and/or non-attorney staff belong to a labor union
² ☐ No, no attorney and/or non-attorney staff belong to a labor union → **SKIP to A11**
³ ☐ I don't know → **SKIP to A11**

A10. Which of the following is allowable for your attorney and/or non-attorney staff regarding membership with a labor union?

- ¹ ☐ Attorneys and non-attorneys can belong to the same labor union.
² ☐ Attorneys and non-attorneys can belong to separate labor unions.
³ ☐ Only attorneys can belong to a labor union.
⁴ ☐ Only non-attorneys can belong to a labor union.
⁵ ☐ I don't know

A11. The reference period for this survey's questions about finances is fiscal year (FY) 2024. Please indicate your office's FY 2024. Mark (X) only one.

- ¹ ☐ Calendar year (January 1, 2024-December 31, 2024)
² ☐ July 1, 2023 to June 30, 2024
³ ☐ Other *If other, please indicate the dates below:*

Month ____ -Day ____ -Year ____
to
Month ____ -Day ____ -Year ____

USE THIS REFERENCE PERIOD FOR QUESTIONS THAT ASK ABOUT FY 2024

A12. In FY 2024, how much did your office spend (total operating expenditures) to provide criminal public defense services to defendants? That is, excluding any fixed capital costs, what were the total office expenditures for public defense functions during the year? Exclude building construction costs and major equipment purchases. If you are unable to provide the actual dollar amount, please provide your best estimate and mark (X) in the estimate check box.

TOTAL OPERATING EXPENDITURES:
\$ _____ .00

- ¹ ☐ Estimate
² ☐ Don't know → **SKIP to A14**

A13. What percentage of the total operating expenditures entered in A12 came directly from each of the following sources? If you are unable to provide the actual percentage, please provide your best estimate and mark (X) in the estimate check box. If none, enter "0".

Percentage Source	Percentage (%)	Est
a. State/U.S. Territory		☐
b. County		☐
c. City or town		☐
d. Federal government (including Byrne Justice Assistance Grants)		☐
e. Fees charged to clients for representation		☐
f. Other (please specify)		☐
100% TOTAL		

A14. Is the primary funding source for your public defender office an awarded contract? Mark (X) only one.

- ¹ ☐ Yes
² ☐ No → **SKIP to B1**

A15. When your office first won the contract, was the process competitive? Mark (X) only one.

- ¹ ☐ Yes
² ☐ No

Section B. Staffing

B1. Including the chief public defender, how many of the following types of paid employees worked in your public defender office on December 31, 2024?

'Chief public defender' is the individual designated as the chief executive of the office. "Part-time" refers to any individual who regularly works fewer hours than the office's standard work week. If you are unable to provide the actual number, please provide your best estimate and mark (X) in the estimate check box. If none, enter "0".

	Number of full-time	Est	Number of part-time	Est
a. Attorneys, including the chief public defender, with management or supervisory responsibilities over other attorneys		☐		☐
b. Attorneys with no management or supervisory responsibilities over other attorneys		☐		☐
Total attorneys (sum of rows a and b)				
c. Social workers (staff whose primary responsibility is to assess client needs, prepare reports, and refer to services, regardless of licensing credentials)		☐		☐
d. Investigators (staff whose primary responsibility is factual investigation of cases)		☐		☐
e. Paralegals		☐		☐
f. All other staff (including administrators, support staff, IT staff, human resources, and all others)		☐		☐

What number of hours qualifies an attorney to be full-time?

- B2. Of the sum of full-time attorneys (B1a and B1b) and sum of part-time attorneys (B1a and B1b) in your office on December 31, 2024, what was the breakdown of all attorney staff by sex? If you are able to provide estimated numbers only, please mark (X) in the estimate check box. If you are unable to provide any numbers, please check 'Unable to provide this information.' If none, enter "0".**

	Number of full-time attorneys	Est	Number of part-time attorneys	Est
a. Female		☐		☐
b. Male		☐		☐

- B3. Of the sum of full-time attorneys (B1a and B1b) and sum of part-time attorneys (B1a and B1b) in your office on December 31, 2024, what was the breakdown of all attorney staff by race and/or ethnicity? If you are able to provide estimated numbers only, please mark (X) in the estimate check box. If you are unable to provide any numbers, please check 'Unable to provide this information.' If none, enter "0".**

	Number of full-time attorneys	Est	Number of part-time attorneys	Est
a. White alone		☐		☐
b. Black or African American alone		☐		☐
c. Hispanic or Latino alone		☐		☐
d. American Indian or Alaska Native alone		☐		☐
e. Asian alone		☐		☐
f. Native Hawaiian or Pacific Islander alone		☐		☐
g. Middle Eastern or North African alone		☐		☐
h. Multiracial and/or Multiethnic		☐		☐
i. Not known		☐		☐

- B4. Of the sum of full-time attorneys (B1a and B1b) and sum of part-time attorneys (B1a and B1b) on staff, how many litigating attorneys worked in your public defender office on December 31, 2024? 'Litigating attorneys' carry a caseload. If you are unable to provide the actual number, please provide your best estimate and mark (X) in the estimate check box. If none, enter "0".**

Number of full-time attorneys	Number of part-time attorneys
☐ Est	☐ Est

- B5. Of the sum of B1a and B1b full-time attorneys, and sum of B1a and B1b part-time attorneys on staff, how many attorneys had been employed at your office for more than three years as of December 31, 2024? If you are unable to provide the actual number, please provide your best estimate and mark (X) in the estimate check box. If none, enter "0".**

Number of full-time attorneys	Number of part-time attorneys
☐ Est	☐ Est

- B6. Please enter the minimum and maximum annual salaries your office paid as of December 31, 2024 for staff in the following categories:**

Category	Minimum	Maximum	No such persons
a. Attorneys with management or supervisory responsibilities over other attorneys	\$ _____ .00	\$ _____ .00	☐
b. Attorneys with no supervisory responsibilities over other attorneys	\$ _____ .00	\$ _____ .00	☐
c. Social workers (staff whose primary responsibility is to assess client needs, prepare reports, and refer to services, regardless of licensing credentials)	\$ _____ .00	\$ _____ .00	☐
d. Investigators (staff whose primary responsibility is factual investigation of cases)	\$ _____ .00	\$ _____ .00	☐
e. Paralegals	\$ _____ .00	\$ _____ .00	☐

B7. How many staff in each category left your office at any time during calendar year 2024 (January 1, 2024 - December 31, 2024), regardless of the reason? If you are unable to provide the actual number, please provide your best estimate and mark (X) in the estimate check box. If none, enter "0".

Category	Number full-time			Number part-time		
a. Attorneys with management or supervisory responsibilities over other attorneys		☐	Est		☐	Est
b. Attorneys with no supervisory responsibilities over other attorneys		☐	Est		☐	Est
c. Social workers (staff whose primary responsibility is to assess client needs, prepare reports, and refer to services, regardless of licensing credentials)		☐	Est		☐	Est
d. Investigators (staff whose primary responsibility is factual investigation of cases)		☐	Est		☐	Est
e. Paralegals		☐	Est		☐	Est

B8. How many staff in each category were hired at any time during calendar year 2024 (January 1, 2024 - December 31, 2024)? If you are unable to provide the actual number, please provide your best estimate and mark (X) in the estimate check box. If none, enter "0".

Category	Number full-time			Number part-time		
a. Attorneys with management or supervisory responsibilities over other attorneys		☐	Est		☐	Est
b. Attorneys with no supervisory responsibilities over other attorneys		☐	Est		☐	Est
c. Social workers (staff whose primary responsibility is to assess client needs, prepare reports, and refer to services, regardless of licensing credentials)		☐	Est		☐	Est
d. Investigators (staff whose primary responsibility is factual investigation of cases)		☐	Est		☐	Est
e. Paralegals		☐	Est		☐	Est

B9. How many positions were vacant on December 31, 2024? 'Vacant' means that your office is authorized to hire for that position, but as of December 31, 2024, the position was not filled. If you are unable to provide the actual number, please provide your best estimate and mark (X) in the estimate check box. If none, enter "0".

Category	Number full-time			Number part-time		
a. Attorneys with management or supervisory responsibilities over other attorneys		☐	Est		☐	Est
b. Attorneys with no supervisory responsibilities over other attorneys		☐	Est		☐	Est
c. Social workers (staff whose primary responsibility is to assess client needs, prepare reports, and refer to services, regardless of licensing credentials)		☐	Est		☐	Est
d. Investigators (staff whose primary responsibility is factual investigation of cases)		☐	Est		☐	Est
e. Paralegals		☐	Est		☐	Est

B10. In your jurisdiction who is the final authority in the selection of the chief public defender in your office?

Mark (X) only one.

- ☐ 1 State-level body
- ☐ 2 Chair of state-level body
- ☐ 3 Board or commission other than at state-level
- ☐ 4 State governor
- ☐ 5 Publicly elected
- ☐ 6 County executive
- ☐ 7 County legislature
- ☐ 8 County or district judiciary
- ☐ 9 Other (please specify):

B11. How long had the chief public defender in your office been in their position as of December 31, 2024? Write in years and months.

- a. _____ Years
b. _____ Months
c. N/A - position was vacant → **SKIP to B13**

B12. What was the annual salary of the chief public defender in your office on December 31, 2024?

TOTAL ANNUAL SALARY:

\$ _____ .00

B13. Is the current chief public defender in your office a litigating attorney? (Litigating attorneys carry a caseload.) Mark (X) only one.

- ¹ ☐ Yes
² ☐ No
³ ☐ NA - position is vacant → **SKIP to C1**

B14. Is the current chief defender full or part-time?

"Part-time" refers to any individual who regularly works fewer hours than the office's standard work week. Mark (X) only one.

- ¹ ☐ Full-time
² ☐ Part-time

B15. What is the sex of the current chief defender?

Mark (X) all that apply.

- ¹ ☐ Female
² ☐ Male

B16. What is the race and/or ethnicity of the current chief public defender? Mark (X) all that apply.

- ¹ ☐ White
² ☐ Black or African American
³ ☐ American Indian or Alaska Native
⁴ ☐ Asian
⁵ ☐ Native Hawaiian or Other Pacific Islander
⁶ ☐ Middle Eastern or North African
⁷ ☐ Hispanic or Latino

Section C. Caseload

The reference period for this survey's questions about cases is your office's fiscal year (FY) 2024, defined in question A11.

C1. Did your office handle cases for court-appointed clients in the following categories?

Mark (X) only one choice per row.

	Yes	No
a. Capital felony (including death penalty-eligible cases not ultimately prosecuted as capital cases)	☐	☐
b. Non-capital felony cases where life without parole is an available sentence (whether or not it is imposed)	☐	☐
c. Non-capital felony cases where the maximum sentence is less than life without parole (including traffic felonies)	☐	☐
d. Misdemeanors that carry a jail sentence (including misdemeanor traffic cases)	☐	☐
e. Misdemeanors that do not carry a jail sentence (including fine-only traffic offenses)	☐	☐
f. Ordinance/Municipal infraction or violation	☐	☐
g. Violation/Revocation of probation or parole	☐	☐
h. Sex offender registration and classification	☐	☐
i. Criminal appeal	☐	☐
j. State post-conviction/habeas corpus	☐	☐
k. Federal habeas corpus	☐	☐
l. Expungement of criminal record	☐	☐
m. Clemency or pardon	☐	☐
n. Juvenile delinquency	☐	☐
o. Juvenile delinquency appeals	☐	☐
p. Juvenile transfer/waiver hearings	☐	☐
q. Juvenile status offense (e.g., underage liquor law violation, truancy, etc.)	☐	☐
r. Termination of parental rights	☐	☐
s. Child protection/dependency cases (representing children)	☐	☐
t. Failure to pay child support	☐	☐
u. Child protection/dependency cases (representing parents, other than termination of parental rights)	☐	☐
v. Civil commitment of alleged sexually violent predators	☐	☐
w. Civil commitment (other than alleged sexually violent predators)	☐	☐
x. Other (please specify):	☐	☐

C2. Criminal cases are often defined and counted differently across offices. Which of the following statements most closely reflects how your office counts a "case"? Mark (X) only one.

- ¹ ☐ Every charge against every client is counted as a separate case.
- ² ☐ Groups of charges against a client may be counted as single cases. (Groups of charges may be: charges arising from a single incident, charges contained in a single charging instrument, or charges contained in a single court docket)

C3. How many of the following types of cases did your office receive in your office's FY 2024? If you are unable to provide the actual number, please provide your best estimate and mark the estimate box. If none, enter "0".

Type of case	Number of cases	Est
a. Capital felony (including death penalty-eligible cases not ultimately prosecuted as capital cases)		☐
b. Non-capital cases where life without parole is an available sentence (where or not it is imposed)		☐
c. Non-capital felony cases where the maximum sentence is less than life without parole (including traffic felonies)		☐
d. Misdemeanors that carry a jail sentence (including misdemeanor traffic offenses)		☐
e. Misdemeanors that do not carry a jail sentence (including fine-only traffic offenses)		☐
f. Ordinance/Municipal infraction or violation		☐
g. Violation of probation or parole		☐
h. Criminal appeals		☐
i. Juvenile cases (including juvenile delinquency, delinquency appeals, and juvenile transfer/waiver hearings)		☐
j. All other cases (including civil commitment of alleged sexually violent predators, civil commitment other than alleged sexually violent predators, state post-conviction/habeas corpus, federal habeas corpus, juvenile status offenses, termination of parental rights, failure to pay child support, child protection/dependency cases representing children or parents, sex offender registration and classification, expungement of criminal record, clemency)		☐

If your responses to C3, b. and C3, c. regarding non-capital felony cases are both '0,' skip to D1

C4. In non-capital felony cases, when is your office typically appointed to represent a client? Mark (X) only one.

- ¹ ☐ BEFORE the client's arrest and first court appearance. (A first court appearance occurs when a defendant is brought before a judge or judicial officer, is informed of charges against them, and their liberty may be subject to restriction.)
- ² ☐ AT the client's first court appearance
- ³ ☐ AFTER the client's first court appearance
- ⁴ ☐ Other (please specify):

C5. In non-capital felony cases, how soon does a representative from your office (attorney, investigator, paralegal, etc.) typically first contact a client appointed to the office who is in custody? Mark (X) only one.

- ¹ ☐ Before appointment
- ² ☐ Immediately upon appointment (e.g., attorney is routinely present in court when client is appointed, and meets with client)
- ³ ☐ Not immediately, but within 24 hours of appointment
- ⁴ ☐ Later than 24 but within 48 hours of appointment
- ⁵ ☐ Later than 48 but within 72 hours of appointment
- ⁶ ☐ Later than 72 hours after appointment
- ⁷ ☐ Other (please specify):

C6. In non-capital felony cases, when does a representative from your office (attorney, investigator, paralegal, etc.) typically first contact a client appointed to the office who is not in custody? Mark (X) only one.

- ¹ ☐ Before appointment
- ² ☐ Immediately upon appointment (e.g., attorney is routinely present in court when client is appointed, and meets with client)
- ³ ☐ Not immediately, but within 24 hours of appointment
- ⁴ ☐ Later than 24 but within 48 hours of appointment
- ⁵ ☐ Later than 48 but within 72 hours of appointment
- ⁶ ☐ Later than 72 hours after appointment
- ⁷ ☐ Other (please specify):

C7. Which of the following best describes how non-capital felony cases are generally handled after your office is appointed? Mark (X) only one.

- ¹ ☐ Cases are handled by a single attorney from start to finish (vertical representation).
² ☐ Cases may be handled by one or more attorneys prior to arraignment, then assigned to a single attorney for the remainder of the case (vertical representation after arraignment only).
³ ☐ Cases may be assigned to different attorneys at various stages of the case after arraignment (horizontal representation).
⁴ ☐ Cases are assigned to either one or more attorneys depending on the type of charges filed
⁵ ☐ Other (please specify):

Section D. Eligibility for Services

D1. Is your office responsible for screening applications from defendants seeking court-appointed counsel? Mark (X) only one.

- ¹ ☐ Yes
² ☐ No
³ ☐ Not applicable - no screening process is used for persons seeking representation from our office. → **SKIP to D5**

D2. Which of the following information is used to assess whether a defendant is financially qualified to receive appointed counsel in your jurisdiction? Mark (X) only one choice per row.

	Considered	Some courts consider, others do not.	Not considered	Don't know
a. Applicant earns income from employment	☐	☐	☐	☐
b. Applicant has outstanding debt (e.g., credit card, student loan)	☐	☐	☐	☐
c. Applicant is able to post financial bond	☐	☐	☐	☐
d. Applicant is in custody (e.g., mental health facility, jail, juvenile or youth facility or other correctional institution)	☐	☐	☐	☐
e. Applicant lives in public housing	☐	☐	☐	☐
f. Applicant must pay utility bills, rent, mortgage, or other fixed expenses	☐	☐	☐	☐
g. Applicant owns a car	☐	☐	☐	☐
h. Applicant owns a house	☐	☐	☐	☐
i. Applicant receives needs-based public assistance (e.g., social security, TANF)	☐	☐	☐	☐
j. Assets or income of applicant's family members (e.g., spouse, parents)	☐	☐	☐	☐
k. Likely cost for applicant to hire own attorney	☐	☐	☐	☐
l. Number of dependents in applicant's family	☐	☐	☐	☐
m. Seriousness of charges against applicant	☐	☐	☐	☐

D3. In your jurisdiction, is there a standard income level above which applicants are generally denied court-appointed counsel?

- ¹ ☐ Yes
² ☐ No → **SKIP to D5**
³ ☐ Don't know → **SKIP to D5**

D4. As of December 31, 2024, what was the income limit below which an applicant for representation in a non-capital felony case with no dependents would routinely qualify for court-appointed counsel? Enter either a dollar amount or a percentage based on the Federal Poverty Line. If neither applies, please describe what is used.

- ¹ ☐ Income level: \$ _____ .00
² ☐ ____ % of the Federal Poverty Line
³ ☐ Other (please specify):

- ⁴ ☐ Don't know

D5. Which of the following fees can a client of your office be required to pay? Mark (X) only one choice per row.

- | | Yes | No | Don't know |
|---|---------------------------------------|---------------------------------------|---------------------------------------|
| a. Up-front application or administrative fee when requesting an attorney | ¹ ☐ | ² ☐ | ³ ☐ |
| b. Attorney cost recoupment after representation is ended (whether partial or full) | ¹ ☐ | ² ☐ | ³ ☐ |

Section E. Office Resources

E1. Does your office have policies in the following areas? Mark (X) only one choice per row.

- | | Yes, written policy | Yes, unwritten or informal policy | No policy |
|---|--------------------------|-----------------------------------|--------------------------|
| a. Attorney caseload limits | ☐ | ☐ | ☐ |
| b. Attorney qualifications to take cases | ☐ | ☐ | ☐ |
| c. Attorney supervision and/or mentoring | ☐ | ☐ | ☐ |
| d. Case file maintenance (e.g., timeliness of case closing, completeness of notes) | ☐ | ☐ | ☐ |
| e. Client contact (e.g., frequency throughout the case) | ☐ | ☐ | ☐ |
| f. Continuity (or 'verticality') of representation throughout case | ☐ | ☐ | ☐ |
| g. Determining a conflict of interest | ☐ | ☐ | ☐ |
| h. Information security (e.g., personally identifiable information (PII) or sensitive information) | ☐ | ☐ | ☐ |
| i. Leave policy | ☐ | ☐ | ☐ |
| j. Performance reviews for attorney staff | ☐ | ☐ | ☐ |
| k. Performance reviews for non-attorney staff | ☐ | ☐ | ☐ |
| l. Remote work | ☐ | ☐ | ☐ |
| m. Professional Development Policy | ☐ | ☐ | ☐ |
| n. Training of attorneys | ☐ | ☐ | ☐ |
| o. Training of social workers | ☐ | ☐ | ☐ |
| p. Training of investigators | ☐ | ☐ | ☐ |
| q. Use of social workers | ☐ | ☐ | ☐ |
| r. Use of investigators | ☐ | ☐ | ☐ |
| s. Attorneys referring a client to outside organizations to help meet their civil or social service needs | ☐ | ☐ | ☐ |

E2. Does your office provide either in-house Continuing Legal Education (CLE) for attorneys, or funding for attorneys to obtain CLE elsewhere? Mark (X) only one choice per row.

	Provided	Not provided	Don't know
a. In-house CLE	☐	☐	☐
b. Funding for attorneys to obtain CLE elsewhere	☐	☐	☐

E3. Does your office provide either in-house Continuing Education Units (CEUs) for social workers, or funding for social workers to obtain CEUs elsewhere? Mark (X) only one choice per row.

	Provided	Not provided	Don't know
a. In-house CEU	☐	☐	☐
b. Funding for attorneys to obtain CEU elsewhere	☐	☐	☐

E4. Does your office pay bar membership fees for staff attorneys? Mark (X) only one.

	Full-Time	Part-Time
Yes, for all	☐	☐
Yes, for some	☐	☐
No	☐	☐

E5. Does your office use an electronic case management system (CMS)? Case management systems are software packages that allow attorneys to keep track of data on clients and cases. For the purposes of this question, word-processing documents and spreadsheets (such as Excel) do not constitute a CMS. Mark (X) only one.

- ¹ ☐ Yes
² ☐ No
³ ☐ Don't know

E6. Indicate how easy it would be for your office to report the following data. Mark (X) only one choice per row.

	Data are easily reportable	Data would be difficult to report (e.g., time consuming and/or labor-intensive)	Could not report (e.g., data not available or accessible)
a. The office's total caseload	☐	☐	☐
b. The number of cases in which an attorney used the services of an investigator	☐	☐	☐
c. The number of cases in which an attorney used the services of a social worker	☐	☐	☐
d. The number of cases in which an attorney used the services of an expert witness	☐	☐	☐
e. Number of cases by disposition (e.g., how many ended in dismissal, conviction, acquittal)	☐	☐	☐
f. The cost of providing representation in all cases	☐	☐	☐
g. Demographic data on attorneys and other employees	☐	☐	☐
h. Demographic data on clients	☐	☐	☐
i. Volume of digital discovery evidence	☐	☐	☐

E7. Do you have any system in your office that does the following? Mark (X) only one choice per row.

	Yes, and it meets our office's needs	Yes, but it doesn't meet our office's needs	No such system
a. Automatically transcribes speech in video evidence to text	☐	☐	☐
b. Generates form letters or emails to send to clients	☐	☐	☐
c. Identifies conflicts of interest by checking names of parties in existing cases	☐	☐	☐
d. Organizes client appointments and court dates into a calendar showing attorneys where they need to be	☐	☐	☐
e. Sends text message reminders to clients for court dates	☐	☐	☐
f. Sends text message reminders to clients for appointments at the office	☐	☐	☐
g. Stores all documents related to a case for easy reference	☐	☐	☐
h. Stores information about communication with client	☐	☐	☐
i. Tracks the amount of time that attorneys spend on a case	☐	☐	☐

E8. For FY 2024, indicate the types of digital evidence your staff reviewed and the devices where the evidence was stored. Mark (X) only one choice per row.

	Yes	No
Types of digital evidence reviewed		
a. Documents (e.g., notes, letters, articles, spreadsheets)	☐	☐
b. GPS and navigation system data	☐	☐
c. Social media posts, including audio and video files	☐	☐
d. Law enforcement body camera data	☐	☐
e. Audio files not including social media or body camera data	☐	☐
f. Video files not including social media or body camera data	☐	☐
g. Other type of digital/multimedia data (please specify):		
	☐	☐

Types of devices where digital evidence was stored		
a. Laptop or desktop computer	☐	☐
b. Thumb and external drives, CDs, DVDs or other media storage device	☐	☐
c. Cloud or external server	☐	☐
d. Traditional cellphone (not smartphone) device	☐	☐
e. Smartphone, tablet, or mobile device	☐	☐
f. Other type of digital/multimedia device (please specify):		
	☐	☐



Attachment 2

Census of Public Defender Offices

SEPTEMBER 2024



Census of Public Defender Offices

The Census of Public Defender Offices (CPDO) is the second iteration of a project by the Bureau of Justice Statistics (BJS) to collect informative metrics from all public defender offices operating in the United States. Last administered in 2007, the CPDO enhances understanding about public defender office operations. Additionally, the CPDO supplements the BJS portfolio of data collections on various aspects of indigent defense.^{1,2}

To collect this information, BJS will work with the National Opinion Research Center at the University of Chicago, the National Association for Public Defense, the Urban Institute, and other national experts. The CPDO project is intended to collect information focused on key operational aspects of public defense offices in each county and state.

Which offices are included in the census?

CPDO will seek data on all public defender offices funded through public funds that represent indigent clients in criminal cases. This includes specialty offices, such as conflict defender offices (those that take cases where the public defender office has a conflict of interest, such as representing co-defendants accused of the same crime); appellate or post-conviction public defender offices; and capital case public defender offices. Nonprofit organizations that provide public defense through a contract with a state or local government employing at least one W-2 wage-earning attorney who provides direct representation to clients also are considered public defender offices.

The 2007 CPDO identified approximately 1,000 public defender offices nationwide within two general administration structures. Twenty-two states had statewide public defender programs, while 27 states and

the District of Columbia administered public defense through county-based programs.³

What information will the CPDO collect?

The primary purpose of the CPDO is to collect information about the operations of public defender offices. In July 2023, BJS convened a diverse panel of indigent defense experts. This group contributed to the development of the questionnaire that will be sent to offices. The census aims to collect information on emerging issues while also maintaining consistency with the 2007 CPDO to allow comparison over time. Examples of information include:

- Caseloads and case types.
- Staff sizes and roles.
- Staff attrition and turnover.
- Attorney training.
- Budget and expenditures.
- Financial qualifications for public defense services.
- Public defender salaries.

A second but equally important outcome of this project is to develop a comprehensive list of public defender offices. The framework will allow public defense systems and attorneys to be sampled appropriately in the future to generate national estimates.

How will data from public defender offices be used?

Using the census data, BJS will publish reports similar to those generated from the 2007 CPDO. Results from the CPDO will allow accurate descriptions of public defense in the United States. The data will permit analysis of public defender services across places that differ by urbanicity, types of cases handled, office size, funding sources, and other key factors.

¹BJS defines indigent defense as criminal defense services for those persons who cannot afford to pay for their own lawyer.

²A complete list of BJS publications about indigent defense is included at the end of this information sheet.

³Maine had no public defender offices in 2007 and provided all indigent defense services through assignment to and contract services with private attorneys.

Highlights from the 2007 CPDO

- Eighty-eight percent of the large offices in county-based systems reported an insufficient number of attorneys to meet established professional guidelines.
- Forty percent of the 526 county-based offices employed no investigators.
- Eighteen of the 20 responding state public defender programs had fewer than one investigator for every three full-time equivalent litigating attorneys.
- The median attrition rate of assistant public defenders in offices receiving more than 5,000 cases in 2007 was 8%.
- Among state-based systems, the highest attrition rate was 24%, with an average length of 3 years of service for assistant public defenders.
- Of the states with state-administered public defense programs, seven states did not have caseload limits or the authority to refuse appointments.

What is the timeline for the CPDO?

The CPDO is a 3-year project launched in January 2023. The project team began contacting public defender offices to identify and verify contact information in summer 2023 and will survey public defender offices beginning in early 2025. Data are expected to be released in 2026.

Why should my jurisdiction participate?

CPDO will provide updated information about what is known about public defender offices. The invaluable data produced by the CPDO rely on participation from jurisdictions like yours. It can help inform funding decisions, policies, and practices. The information CPDO will collect may provide support for public defender offices to better articulate staffing, training, and funding needs. For instance, the 2016 *Luis v. United States* ruling cited findings from the 2007 CPDO pertaining to the insufficient supply of public defenders to meet established caseload recommendations. It is a critical tool for data consumers and researchers to conduct analyses across jurisdictions and will enhance public knowledge of indigent defense. Data from CPDO also may help the general public understand more about the important work of public defenders within their state or local area.

How can I find out more information?

Ryan Kling, CPDO Project Manager
Bureau of Justice Statistics
202-704-0076 | Ryan.Kling@usdoj.gov

Jeanette Hussemann, CPDO Co-Principal Investigator
National Opinion Research Center at the University of Chicago
312-201-4466 | hussemann-jeanette@norc.org

William Adams, CPDO Co-Principal Investigator
Urban Institute
202-261-5506 | badams@urban.org

Heather Hall, CPDO Co-Principal Investigator
504-301-6956 | hhall.cpdo@gmail.com

Andrew Davies, CPDO Co-Principal Investigator
The Deason Criminal Justice Reform Center
214-768-2837 | albdavies@mail.smu.edu

Recent BJS public defense reports, by year of publication

To access BJS public defense publications, please visit <https://bjs.ojp.gov/>.

County-based and Local Public Defender Offices, 2007 (NCJ 231175, BJS, September 2010).

State Public Defender Programs, 2007 (NCJ 228229, BJS, September 2010).

Indigent Defense Services in the United States, 2008–2012 – Updated (NCJ 246683, BJS, July 2014).

State Government Indigent Defense Expenditures, FY 2008–2012 – Updated (NCJ 246684, BJS, July 2014).

State-Administered Indigent Defense Systems, 2013 (NCJ 250249, BJS, November 2016).

Hussemann, J., Adams, W., Davies, A., Hall, H., Lyon, J., and Hu, C. (2021). *Survey of publicly appointed defense attorneys: design study* (NCJ 252676). Urban Institute, Indigent Defense Research Association, and National Association for Public Defense.

NOTICE OF OFFICE OF MANAGEMENT AND BUDGET ACTION

Date 06/13/2023

Department of Justice
Office of Justice Programs

Attachment 3

FOR CERTIFYING OFFICIAL: Melinda Rogers
FOR CLEARANCE OFFICER: John Carlson

In accordance with the Paperwork Reduction Act, OMB has taken action on your request received
05/30/2023

ACTION REQUESTED: Generic IC
IC TITLE: Census of Public Defender Offices Frame-building Outreach
ICR REFERENCE NUMBER: 202202-1121-002
AGENCY ICR TRACKING NUMBER: BJS
TITLE: Generic Clearance for Cognitive, Pilot and Field Studies for Bureau of Justice Statistics Data Collection Activities
LIST OF INFORMATION COLLECTIONS: See next page

OMB ACTION: Approved without change
OMB CONTROL NUMBER: 1121-0339

The agency is required to display the OMB Control Number and inform respondents of its legal significance in accordance with 5 CFR 1320.5(b).

EXPIRATION DATE: 04/30/2025

DISCONTINUE DATE:

BURDEN:	RESPONSES	HOURS	COSTS
Previous	30,000	15,000	0
New	30,000	15,000	0
Difference			
Change due to New Statute	0	0	0
Change due to Agency Discretion	0	0	0
Change due to Agency Adjustment	0	0	0
Change due to PRA Violation	0	0	0

TERMS OF CLEARANCE: Terms of the Generic ICR remain in effect.

OMB Authorizing Official: Dominic J. Mancini
Deputy Administrator,
Office Of Information And Regulatory Affairs

List of ICs				
IC Title	Form No.	Form Name	CFR Citation	Hrs/\$/Resp
Cognitive interviewing for the Law Enforcement Management and Administrative Statistics (LEMAS) supplement survey	N/A, N/A	LEMAS Supplement Survey – Response to Police Suicide questionnaire, LEMAS Supplement Survey – Post-Academy Training questionnaire		107 / 0 / 40
National Inmate Survey (NIS-4J) - Jails Outreach	N/A, N/A	NIS-4J COVID-related Restrictions Assessment, NIS-4J Facility Questionnaire Feedback Form		37 / 0 / 48
Cognitive Interviewing for 2022 Census of Law Enforcement Training Academies	CJ-52	2022 Census of Law Enforcement Training Academies (CLETA)		55 / 0 / 60
Survey of Public Defenders Pilot Testing	N/A	Interview Protocol		5 / 0 / 10
Pretest Revised Survey of Inmates in Local Jails	N/A	SILJ Draft Instrument		587 / 0 / 360
Pilot Study for the Local Jails Reporting Program	N/A	Survey of Inmates in Local Jails Pretest, 2020		588 / 0 / 30
National Census of Victim Service Providers (NCVSP) Cognitive Test	N/A	NCVSP Draft Survey Instrument		195 / 0 / 225
Cognitive testing for the 2023 Survey of Sexual Victimization	N/A, N/A	Survey instrument, Protocol for Cognitive Interview for 2023 Survey of Sexual Victimization		40 / 0 / 40
Test the Ability of Law Enforcement Agencies to Report on Revised Race and Ethnicity Categories	N/A	Cognitive Interview Protocol		36 / 0 / 50
Pilot Test of the New NCVS instrument				3,484 / 0 / 7,900
Unmoderated Cognitive Testing for the 2023 Survey of Sexual Victimization Incident Forms				25 / 0 / 100
Census of Public Defender Offices Frame-building Outreach				205 / 0 / 820
Total Hours Actually Used for Information Collections Under Currently Approved ICR:				5,364

Attachment 4 - 34 USC 10132

34 USC 10132: Bureau of Justice Statistics

Text contains those laws in effect on August 13, 2018

From Title 34-CRIME CONTROL AND LAW ENFORCEMENT

Subtitle I-Comprehensive Acts

CHAPTER 101-JUSTICE SYSTEM IMPROVEMENT

SUBCHAPTER III-BUREAU OF JUSTICE STATISTICS

Jump To:

[Source Credit](#)

[References In Text](#)

[Codification](#)

[Prior Provisions](#)

[Amendments](#)

[Effective Date](#)

[Miscellaneous](#)

§10132. Bureau of Justice Statistics

(a) Establishment

There is established within the Department of Justice, under the general authority of the Attorney General, a Bureau of Justice Statistics (hereinafter referred to in this subchapter as "Bureau").

(b) Appointment of Director; experience; authority; restrictions

The Bureau shall be headed by a Director appointed by the President. The Director shall have had experience in statistical programs. The Director shall have final authority for all grants, cooperative agreements, and contracts awarded by the Bureau. The Director shall be responsible for the integrity of data and statistics and shall protect against improper or illegal use or disclosure. The Director shall report to the Attorney General through the Assistant Attorney General. The Director shall not engage in any other employment than that of serving as Director; nor shall the Director hold any office in, or act in any capacity for, any organization, agency, or institution with which the Bureau makes any contract or other arrangement under this Act.

(c) Duties and functions of Bureau

The Bureau is authorized to-

(1) make grants to, or enter into cooperative agreements or contracts with public agencies, institutions of higher education, private organizations, or private individuals for purposes related to this subchapter; grants shall be made subject to continuing compliance with standards for gathering justice statistics set forth in rules and regulations promulgated by the Director;

(2) collect and analyze information concerning criminal victimization, including crimes against the elderly, and civil disputes;

(3) collect and analyze data that will serve as a continuous and comparable national social indication of the prevalence, incidence, rates, extent, distribution, and attributes of crime, juvenile delinquency, civil disputes, and other statistical factors related to crime, civil disputes, and juvenile delinquency, in support of national, State, tribal, and local justice policy and decisionmaking;

(4) collect and analyze statistical information, concerning the operations of the criminal justice system at the Federal, State, tribal, and local levels;

(5) collect and analyze statistical information concerning the prevalence, incidence, rates, extent, distribution, and attributes of crime, and juvenile delinquency, at the Federal, State, tribal, and local levels;

(6) analyze the correlates of crime, civil disputes and juvenile delinquency, by the use of statistical information, about criminal and civil justice systems at the Federal, State, tribal, and local levels, and about the extent, distribution and attributes of crime, and juvenile delinquency, in the Nation and at the Federal, State, tribal, and local levels;

(7) compile, collate, analyze, publish, and disseminate uniform national statistics concerning all aspects of criminal justice and related aspects of civil justice, crime, including crimes against the elderly, juvenile delinquency, criminal offenders, juvenile delinquents, and civil disputes in the various States and in Indian country;

(8) recommend national standards for justice statistics and for insuring the reliability and validity of justice statistics supplied pursuant to this chapter;

(9) maintain liaison with the judicial branches of the Federal Government and State and tribal governments in

matters relating to justice statistics, and cooperate with the judicial branch in assuring as much uniformity as feasible in statistical systems of the executive and judicial branches;

(10) provide information to the President, the Congress, the judiciary, State, tribal, and local governments, and the general public on justice statistics;

(11) establish or assist in the establishment of a system to provide State, tribal, and local governments with access to Federal informational resources useful in the planning, implementation, and evaluation of programs under this Act;

(12) conduct or support research relating to methods of gathering or analyzing justice statistics;

(13) provide for the development of justice information systems programs and assistance to the States, Indian tribes, and units of local government relating to collection, analysis, or dissemination of justice statistics;

(14) develop and maintain a data processing capability to support the collection, aggregation, analysis and dissemination of information on the incidence of crime and the operation of the criminal justice system;

(15) collect, analyze and disseminate comprehensive Federal justice transaction statistics (including statistics on issues of Federal justice interest such as public fraud and high technology crime) and to provide technical assistance to and work jointly with other Federal agencies to improve the availability and quality of Federal justice data;

(16) provide for the collection, compilation, analysis, publication and dissemination of information and statistics about the prevalence, incidence, rates, extent, distribution and attributes of drug offenses, drug related offenses and drug dependent offenders and further provide for the establishment of a national clearinghouse to maintain and update a comprehensive and timely data base on all criminal justice aspects of the drug crisis and to disseminate such information;

(17) provide for the collection, analysis, dissemination and publication of statistics on the condition and progress of drug control activities at the Federal, State, tribal, and local levels with particular attention to programs and intervention efforts demonstrated to be of value in the overall national anti-drug strategy and to provide for the establishment of a national clearinghouse for the gathering of data generated by Federal, State, tribal, and local criminal justice agencies on their drug enforcement activities;

(18) provide for the development and enhancement of State, tribal, and local criminal justice information systems, and the standardization of data reporting relating to the collection, analysis or dissemination of data and statistics about drug offenses, drug related offenses, or drug dependent offenders;

(19) provide for improvements in the accuracy, quality, timeliness, immediate accessibility, and integration of State and tribal criminal history and related records, support the development and enhancement of national systems of criminal history and related records including the National Instant Criminal Background Check System, the National Incident-Based Reporting System, and the records of the National Crime Information Center, facilitate State and tribal participation in national records and information systems, and support statistical research for critical analysis of the improvement and utilization of criminal history records;

(20) maintain liaison with State, tribal, and local governments and governments of other nations concerning justice statistics;

(21) cooperate in and participate with national and international organizations in the development of uniform justice statistics;

(22) ensure conformance with security and privacy requirement of section 10231 of this title and identify, analyze, and participate in the development and implementation of privacy, security and information policies which impact on Federal, tribal, and State criminal justice operations and related statistical activities; and

(23) exercise the powers and functions set out in subchapter VII.

(d) Justice statistical collection, analysis, and dissemination

(1) In general

To ensure that all justice statistical collection, analysis, and dissemination is carried out in a coordinated manner, the Director is authorized to-

(A) utilize, with their consent, the services, equipment, records, personnel, information, and facilities of other Federal, State, local, and private agencies and instrumentalities with or without reimbursement therefor, and to enter into agreements with such agencies and instrumentalities for purposes of data collection and analysis;

(B) confer and cooperate with State, municipal, and other local agencies;

(C) request such information, data, and reports from any Federal agency as may be required to carry out the purposes of this chapter;

(D) seek the cooperation of the judicial branch of the Federal Government in gathering data from criminal justice records;

(E) encourage replication, coordination and sharing among justice agencies regarding information systems, information policy, and data; and

(F) confer and cooperate with Federal statistical agencies as needed to carry out the purposes of this subchapter, including by entering into cooperative data sharing agreements in conformity with all laws and regulations applicable to the disclosure and use of data.

(2) Consultation with Indian tribes

The Director, acting jointly with the Assistant Secretary for Indian Affairs (acting through the Office of Justice Services) and the Director of the Federal Bureau of Investigation, shall work with Indian tribes and tribal law enforcement agencies to establish and implement such tribal data collection systems as the Director determines to be necessary to achieve the purposes of this section.

(e) Furnishing of information, data, or reports by Federal agencies

Federal agencies requested to furnish information, data, or reports pursuant to subsection (d)(1)(C) shall provide such information to the Bureau as is required to carry out the purposes of this section.

(f) Consultation with representatives of State, tribal, and local government and judiciary

In recommending standards for gathering justice statistics under this section, the Director shall consult with representatives of State, tribal, and local government, including, where appropriate, representatives of the judiciary.

(g) Reports

Not later than 1 year after July 29, 2010, and annually thereafter, the Director shall submit to Congress a report describing the data collected and analyzed under this section relating to crimes in Indian country.

(Pub. L. 90–351, title I, §302, as added Pub. L. 96–157, §2, Dec. 27, 1979, 93 Stat. 1176 ; amended Pub. L. 98–473, title II, §605(b), Oct. 12, 1984, 98 Stat. 2079 ; Pub. L. 100–690, title VI, §6092(a), Nov. 18, 1988, 102 Stat. 4339 ; Pub. L. 103–322, title XXXIII, §330001(h)(2), Sept. 13, 1994, 108 Stat. 2139 ; Pub. L. 109–162, title XI, §1115(a), Jan. 5, 2006, 119 Stat. 3103 ; Pub. L. 111–211, title II, §251(b), July 29, 2010, 124 Stat. 2297 ; Pub. L. 112–166, §2(h)(1), Aug. 10, 2012, 126 Stat. 1285 .)

REFERENCES IN TEXT

This Act, referred to in subsecs. (b) and (c)(11), is Pub. L. 90–351, June 19, 1968, 82 Stat. 197 , known as the Omnibus Crime Control and Safe Streets Act of 1968. For complete classification of this Act to the Code, see Short Title of 1968 Act note set out under section 10101 of this title and Tables.

CODIFICATION

Section was formerly classified to section 3732 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

PRIOR PROVISIONS

A prior section 302 of Pub. L. 90–351, title I, June 19, 1968, 82 Stat. 200 ; Pub. L. 93–83, §2, Aug. 6, 1973, 87 Stat. 201 ; Pub. L. 94–503, title I, §110, Oct. 15, 1976, 90 Stat. 2412 , related to establishment of State planning agencies to develop comprehensive State plans for grants for law enforcement and criminal justice purposes, prior to the general amendment of this chapter by Pub. L. 96–157.

AMENDMENTS

2012-Subsec. (b). Pub. L. 112–166 struck out ", by and with the advice and consent of the Senate" before period at end of first sentence.

2010-Subsec. (c)(3) to (6). Pub. L. 111–211, §251(b)(1)(A), inserted "tribal," after "State," wherever appearing.

Subsec. (c)(7). Pub. L. 111–211, §251(b)(1)(B), inserted "and in Indian country" after "States".

Subsec. (c)(9). Pub. L. 111–211, §251(b)(1)(C), substituted "Federal Government and State and tribal governments" for "Federal and State Governments".

Subsec. (c)(10), (11). Pub. L. 111–211, §251(b)(1)(D), inserted ", tribal," after "State".

Subsec. (c)(13). Pub. L. 111–211, §251(b)(1)(E), inserted ", Indian tribes," after "States".

Subsec. (c)(17). Pub. L. 111–211, §251(b)(1)(F), substituted "activities at the Federal, State, tribal, and local" for "activities at the Federal, State and local" and "generated by Federal, State, tribal, and local" for "generated by Federal, State, and local".

Subsec. (c)(18). Pub. L. 111–211, §251(b)(1)(G), substituted "State, tribal, and local" for "State and local".

Subsec. (c)(19). Pub. L. 111–211, §251(b)(1)(H), inserted "and tribal" after "State" in two places.

Subsec. (c)(20). Pub. L. 111–211, §251(b)(1)(I), inserted ", tribal," after "State".

Subsec. (c)(22). Pub. L. 111–211, §251(b)(1)(J), inserted ", tribal," after "Federal".

Subsec. (d). Pub. L. 111–211, §251(b)(2), designated existing provisions as par. (1), inserted par. (1) heading, substituted "To ensure" for "To insure", redesignated former pars. (1) to (6) as subpars. (A) to (F), respectively, of par. (1), realigned margins, and added par. (2).

Subsec. (e). Pub. L. 111–211, §251(b)(3), substituted "subsection (d)(1)(C)" for "subsection (d)(3)".

Subsec. (f). Pub. L. 111–211, §251(b)(4)(B), inserted ", tribal," after "State".

Pub. L. 111–211, §251(b)(4)(A), which directed insertion of ", tribal," after "State" in heading, was executed editorially but could not be executed in original because heading had been editorially supplied.

Subsec. (g). Pub. L. 111–211, §251(b)(5), added subsec. (g).

2006-Subsec. (b). Pub. L. 109–162, §1115(a)(1), inserted after third sentence "The Director shall be responsible for the integrity of data and statistics and shall protect against improper or illegal use or disclosure."

Subsec. (c)(19). Pub. L. 109–162, §1115(a)(2), amended par. (19) generally. Prior to amendment, par.

(19) read as follows: "provide for research and improvements in the accuracy, completeness, and inclusiveness of criminal history record information, information systems, arrest warrant, and stolen vehicle record information and information systems and support research concerning the accuracy, completeness, and inclusiveness of other criminal justice record information;"

Subsec. (d)(6). Pub. L. 109–162, §1115(a)(3), added par. (6).

1994-Subsec. (c)(19). Pub. L. 103–322 substituted a semicolon for period at end.

1988-Subsec. (c)(16) to (23). Pub. L. 100–690 added pars. (16) to (19) and redesignated former pars. (16) to (19) as (20) to (23), respectively.

1984-Subsec. (b). Pub. L. 98–473, §605(b)(1), inserted provision requiring Director to report to Attorney General through Assistant Attorney General.

Subsec. (c)(13). Pub. L. 98–473, §605(b)(2)(A), (C), added par. (13) and struck out former par. (13) relating to provision of financial and technical assistance to States and units of local government relating to collection, analysis, or dissemination of justice statistics.

Subsec. (c)(14), (15). Pub. L. 98–473, §605(b)(2)(C), added pars. (14) and (15). Former pars. (14) and (15) redesignated (16) and (17), respectively.

Subsec. (c)(16). Pub. L. 98–473, §605(b)(2)(A), (B), redesignated par. (14) as (16) and struck out former par. (16) relating to insuring conformance with security and privacy regulations issued under section 10231 of this title.

Subsec. (c)(17). Pub. L. 98–473, §605(b)(2)(B), redesignated par. (15) as (17). Former par. (17) redesignated (19).

Subsec. (c)(18). Pub. L. 98–473, §605(b)(2)(D), added par. (18).

Subsec. (c)(19). Pub. L. 98–473, §605(b)(2)(B), redesignated former par. (17) as (19).

Subsec. (d)(1). Pub. L. 98–473, §605(b)(3)(A), inserted ", and to enter into agreements with such agencies and instrumentalities for purposes of data collection and analysis".

Subsec. (d)(5). Pub. L. 98–473, §605(b)(3)(B)–(D), added par. (5).

EFFECTIVE DATE OF 2012 AMENDMENT

Amendment by Pub. L. 112–166 effective 60 days after Aug. 10, 2012, and applicable to appointments made on and after that effective date, including any nomination pending in the Senate on that date, see section 6(a) of Pub. L. 112–166, set out as a note under section 113 of Title 6, Domestic Security.

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98–473 effective Oct. 12, 1984, see section 609AA(a) of Pub. L. 98–473, set out as an Effective Date note under section 10101 of this title.

CONSTRUCTION OF 2010 AMENDMENT

Pub. L. 111–211, [title II, §251\(c\), July 29, 2010](#), 124 Stat. 2298, provided that: "Nothing in this section [amending this section and section 41507 of this title] or any amendment made by this section-

"(1) allows the grant to be made to, or used by, an entity for law enforcement activities that the entity lacks jurisdiction to perform; or

"(2) has any effect other than to authorize, award, or deny a grant of funds to a federally recognized Indian tribe for the purposes described in the relevant grant program."

[For definition of "Indian tribe" as used in section 251(c) of Pub. L. 111–211, set out above, see section 203(a) of Pub. L. 111–211, set out as a note under section 2801 of Title 25, Indians.]

INCLUSION OF HONOR VIOLENCE IN NATIONAL CRIME VICTIMIZATION SURVEY

Pub. L. 113–235, [div. B, title II, Dec. 16, 2014](#), 128 Stat. 2191, provided in part: "That beginning not later than 2 years after the date of enactment of this Act [div. B of Pub. L. 113–235, Dec. 16, 2014], as part of each National Crime Victimization Survey, the Attorney General shall include statistics relating to honor violence".

STUDY OF CRIMES AGAINST SENIORS

Pub. L. 106–534, [§5, Nov. 22, 2000](#), 114 Stat. 2557, provided that:

"(a) **IN GENERAL.**—The Attorney General shall conduct a study relating to crimes against seniors, in order to assist in developing new strategies to prevent and otherwise reduce the incidence of those crimes.

"(b) **ISSUES ADDRESSED.**—The study conducted under this section shall include an analysis of-

"(1) the nature and type of crimes perpetrated against seniors, with special focus on-

"(A) the most common types of crimes that affect seniors;

"(B) the nature and extent of telemarketing, sweepstakes, and repair fraud against seniors;

and

"(C) the nature and extent of financial and material fraud targeted at seniors;

- "(2) the risk factors associated with seniors who have been victimized;
- "(3) the manner in which the Federal and State criminal justice systems respond to crimes against seniors;
- "(4) the feasibility of States establishing and maintaining a centralized computer database on the incidence of crimes against seniors that will promote the uniform identification and reporting of such crimes;
- "(5) the effectiveness of damage awards in court actions and other means by which seniors receive reimbursement and other damages after fraud has been established; and
- "(6) other effective ways to prevent or reduce the occurrence of crimes against seniors."

INCLUSION OF SENIORS IN NATIONAL CRIME VICTIMIZATION SURVEY

Pub. L. 106–534, §6, Nov. 22, 2000, 114 Stat. 2557 , provided that: "Beginning not later than 2 years after the date of enactment of this Act [Nov. 22, 2000], as part of each National Crime Victimization Survey, the Attorney General shall include statistics relating to-

- "(1) crimes targeting or disproportionately affecting seniors;
- "(2) crime risk factors for seniors, including the times and locations at which crimes victimizing seniors are most likely to occur; and
- "(3) specific characteristics of the victims of crimes who are seniors, including age, gender, race or ethnicity, and socioeconomic status."

CRIME VICTIMS WITH DISABILITIES AWARENESS

Pub. L. 105–301, Oct. 27, 1998, 112 Stat. 2838 , as amended by Pub. L. 106–402, title IV, §401(b)(10), Oct. 30, 2000, 114 Stat. 1739 , provided that:

"SECTION 1. SHORT TITLE.

"This Act may be cited as the 'Crime Victims With Disabilities Awareness Act'.

"SEC. 2. FINDINGS; PURPOSES.

"(a) **FINDINGS.**-Congress finds that-

"(1) although research conducted abroad demonstrates that individuals with developmental disabilities are at a 4 to 10 times higher risk of becoming crime victims than those without disabilities, there have been no significant studies on this subject conducted in the United States;

"(2) in fact, the National Crime Victim's Survey, conducted annually by the Bureau of Justice Statistics of the Department of Justice, does not specifically collect data relating to crimes against individuals with developmental disabilities;

"(3) studies in Canada, Australia, and Great Britain consistently show that victims with developmental disabilities suffer repeated victimization because so few of the crimes against them are reported, and even when they are, there is sometimes a reluctance by police, prosecutors, and judges to rely on the testimony of a disabled individual, making individuals with developmental disabilities a target for criminal predators;

"(4) research in the United States needs to be done to-

"(A) understand the nature and extent of crimes against individuals with developmental disabilities;

"(B) describe the manner in which the justice system responds to crimes against individuals with developmental disabilities; and

"(C) identify programs, policies, or laws that hold promises for making the justice system more responsive to crimes against individuals with developmental disabilities; and

"(5) the National Academy of Science Committee on Law and Justice of the National Research Council is a premier research institution with unique experience in developing seminal, multidisciplinary studies to establish a strong research base from which to make public policy.

"(b) **PURPOSES.**-The purposes of this Act are-

"(1) to increase public awareness of the plight of victims of crime who are individuals with developmental disabilities;

"(2) to collect data to measure the extent of the problem of crimes against individuals with developmental disabilities; and

"(3) to develop a basis to find new strategies to address the safety and justice needs of victims of crime who are individuals with developmental disabilities.

"SEC. 3. DEFINITION OF DEVELOPMENTAL DISABILITY.

"In this Act, the term 'developmental disability' has the meaning given the term in section 102 of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 [42 U.S.C. 15002].

"SEC. 4. STUDY.

"(a) **IN GENERAL.**-The Attorney General shall conduct a study to increase knowledge and information about crimes against individuals with developmental disabilities that will be useful in developing new strategies to reduce the incidence of crimes against those individuals.

"(b) **ISSUES ADDRESSED.**-The study conducted under this section shall address such issues as-

"(1) the nature and extent of crimes against individuals with developmental disabilities;

"(2) the risk factors associated with victimization of individuals with developmental disabilities;

"(3) the manner in which the justice system responds to crimes against individuals with developmental disabilities; and

"(4) the means by which States may establish and maintain a centralized computer database on the incidence of crimes against individuals with disabilities within a State.

"(c) **NATIONAL ACADEMY OF SCIENCES.**-In carrying out this section, the Attorney General shall consider contracting with the Committee on Law and Justice of the National Research Council of the National Academy of Sciences to provide research for the study conducted under this section.

"(d) **REPORT.**-Not later than 18 months after the date of enactment of this Act [Oct. 27, 1998], the Attorney General shall submit to the Committees on the Judiciary of the Senate and the House of Representatives a report describing the results of the study conducted under this section.

"SEC. 5. NATIONAL CRIME VICTIM'S SURVEY.

"Not later than 2 years after the date of enactment of this Act, as part of each National Crime Victim's Survey, the Attorney General shall include statistics relating to-

"(1) the nature of crimes against individuals with developmental disabilities; and

"(2) the specific characteristics of the victims of those crimes."



Census of Public Defender Offices



Census of Public Defender Offices

The U.S. Department of Justice, Bureau of Justice Statistics is conducting the 2024 Census of Public Defender Offices. This census was last conducted in 2007 and we are excited about the chance for updated and more comprehensive data. We thank you for your participation. Please enter the PIN for your office to access the survey.

Burden Statement

This collection is authorized under 34 U.S.C. § 10132. Your participation is voluntary. BJS will use the information only for statistical purposes [34 U.S.C. § 10134]. BJS will protect personally identifiable information consistent with the confidentiality requirements in 34 U.S.C. § 10231 and 28 CFR Part 22. See the [BJS Data Protection Guidelines](#). This collection has been approved by the Office of Management and Budget (OMB Number: XXXX-XXXX). If this number were not displayed, we could not conduct this survey. Your voluntary participation in this survey is important, however, you may decline to answer any or all questions. Public reporting burden for this collection of information is estimated to average 60 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. You can contact the Bureau of Justice Statistics with questions or feedback at askbjs@usdoj.gov; by phone at 202-307-0765; or by mail: Bureau of Justice Statistics, 810 Seventh Street NW, Washington, DC 20531.

FAQs:

<i>How was my office selected?</i>	+
<i>How was I selected?</i>	+
<i>Who is sponsoring the survey?</i>	+
<i>What is the survey about?</i>	+
<i>Who/what is NORC?</i>	+
<i>How can I participate in the survey?</i>	+
<i>How long will it take to complete the survey?</i>	+
<i>Why should I do it?</i>	+
<i>Who will see the answers from my office? Will this information be kept confidential?</i>	+

<i>Do I need to complete the CPDO all at once?</i>	+
<i>Do I have to do this?</i>	+
<i>I don't want to participate/ I don't have time!</i>	+
<i>I have some questions. Who can answer them?</i>	+
<i>I submitted my response, but I need to update my information. What should I do?</i>	+
<i>I started the survey, but it is taking too long to collect the information.</i>	+
<i>I can't log into the web survey/I don't know if my PIN is working.</i>	+

If you have any questions or concerns about your rights as a research participant, please contact the NORC IRB Manager at the IRB's toll-free phone number: (866) 309-0542.

FAQs:

<i>How was my office selected?</i>	—
The Census of Public Defender Offices (CPDO) is a census of all publicly funded public defender offices with at least one (1) W-2 earning attorney that provides direct public defense representation for adults and/or juveniles who are accused of a crime or delinquency or accused in a trial court of violating conditions of a sentence. Your office was selected based on these criteria. If you believe your office is not eligible for the census, please let us know by emailing CPDO@norc.org.	
<i>How was I selected?</i>	+
<i>Who is sponsoring the survey?</i>	+
<i>What is the survey about?</i>	+
<i>Who/what is NORC?</i>	+
<i>How can I participate in the survey?</i>	+

BJS Census of Public Defender Offices (CPDO) Cognitive Test Report

NORC, NAPD, the Urban Institute, and Dr. Andrew Davies
August 2024

Table of Contents

Introduction
Questionnaire Development
Respondent Selection and Recruitment for CPDO Pretest
Data Collection Procedures
Results and Recommendations
Appendix A: Census of Public Defenders Offices (CPDO) questionnaire
Appendix B: Contact Scripts to Participate in CPDO Pretest and Cognitive Interviews
Appendix C: CPDO Pretest Cognitive Interview Script

Introduction

The Census of Public Defender Offices (CPDO) is the second iteration of a project by the Bureau of Justice Statistics (BJS) to collect informative metrics from all public defender offices operating in the United States. Last administered in 2007, the CPDO enhances understanding about public defender office operations and supplements the BJS portfolio of data collections on various aspects of indigent defense. To collect this information, BJS is working with the National Opinion Research Center at the University of Chicago, the National Association for Public Defense, the Urban Institute, and Dr. Andrew Davies on this census data collection. The CPDO project is intended to collect information focused on key operational aspects of public defense offices in each county and state in the United States.

The population of interest is all public defender offices funded through public funds that represent indigent clients in criminal cases. This includes specialty offices, such as conflict defender offices (those that take cases where the public defender office has a conflict of interest, such as representing co-defendants accused of the same crime); appellate or post-conviction public defender offices; and capital case public defender offices. Nonprofit organizations that provide public defense through a contract with a state or local government employing at least one W-2 wage-earning attorney who provides direct representation to clients also are considered public defender offices.

The primary purpose of the CPDO is to collect information about the operations of public defender offices. A diverse panel of indigent defense experts contributed to the development of the CPDO questionnaire. The census aims to collect information on emerging issues while also maintaining consistency with the 2007 CPDO to allow comparisons over time. The information collected by the CPDO includes caseloads and case types; staff sizes and roles; staff attrition and turnover; attorney training, office budgets and expenditures, financial qualifications for public defense services, and public defender salaries.

The full CPDO census will be fielded nationally to all public defender offices in the United States in late 2024. To pilot the census, the project team conducted a pretest of the CPDO on a small sample of 12 public defender offices from February - June 2024. This pretest provided an opportunity to cognitively test the CPDO questionnaire by obtaining feedback from respondents about the survey content, questionnaire construction, response options, and burden. This report describes the development and piloting of the CPDO pretest that was conducted this Spring. Recommendations for survey and data collection revisions are included.

Questionnaire Development

For the design and development phase of the CPDO questionnaire, BJS and the project team assembled an expert panel composed of chief public defenders, public defense experts, and other public defense professionals in the field. BJS and the project team convened an all-day in-person meeting of this expert panel on July 25, 2023 to discuss content domains, survey development, and questionnaire construction for the CPDO. The panel included the following 13 individuals who provided valuable information and commentary on the content and design of the CPDO data collection instrument:

Ibukun Adepoju

Public Defender, New Mexico Law Offices of the Public Defender

Jon Bartleson

CIO at the Committee for Public Counsel Services, Commonwealth of Massachusetts

Deepak Budwani

Assistant Department Leader/Chief Financial & Administrative Officer
Santa Barbara County Public Defender's Office

Alex Bunin

Chief Public Defender, Harris County, Texas

Mary Fox

Director of Missouri State Public Defender System

Keisha Hudson

Deputy Chief Defender
Montgomery County Office of the Public Defender, Montgomery County, Pennsylvania

Galit Lipa

Executive Director of the Indigent Defense Improvement Division
Office of State Public Defender in California

Carlos J. Martinez

Elected Public Defender, Miami-Dade County, Florida

Elizabeth Miller

Assistant Director of the Office of the Ohio Public Defender

Marcie Ryba

Executive Director, Nevada Department of Indigent Defender

Jonathan Sacks

Director, Michigan State Appellate Defender Office (SADO)

Dr. Erik Stilling

Information Technology Management Officer, Louisiana State Public Defender Board

Nikhil Ramnaney

Senior Counsel, U.S. Department of Justice's Office for Access to Justice

After feedback from BJS and the aforementioned experts was incorporated, the updated draft CPDO instrument was circulated, and any additional input was requested by email or phone calls from these individuals. The draft survey was then formatted to align with other similar census data collections conducted by BJS. The formatted questionnaire was reviewed by BJS staff and suggested formatting changes were implemented over a ten-week period.

Respondent Selection and Recruitment

In determining which offices to select to participate in the CPDO pretest and cognitive interviewing, BJS and the project team considered the major structural and contextual differences in public defense offices across the country and developed a list of characteristics to include when selecting cognitive participants. The different office profiles could influence the availability and accessibility of financial and institutional data. Thus, the project team sought to include at least one office from each of these categories, to identify whether there are barriers in the survey instrument for offices that fit into each subset/stratum. Selected offices could fulfill more than one criterion (e.g., an urban office with an elected public defender). Additionally, we endeavored to select geographically diverse offices across the country.

The project identified 18 offices to conduct the pretest, based on the following criteria/office types:

- Single county office in a county-based public defense state
- Multi-county office in a county-based public defense state
- Single county office in a state with public defense districts/circuits
- Multi-county office in a state with public defense districts/circuits
- Statewide office
- Office in a U.S. territory/county equivalent
- Office in an independent city
- Office with a mix of state/county funding
- Contracted non-profit
- Office in an urban jurisdiction
- Office in a rural jurisdiction
- Office with an elected public defender
- Alternate/conflict defender
- Contracted non-profit office
- Juvenile office
- Capital defense office

- Appellate only office
- Mental health office

The 18 public defender offices that were invited to participate in the pretest of the CPDO questionnaire were located in the jurisdictions specified in the table below, which notes the office type and participation status for each invited office. An additional office (office #19) was contacted by mistake but agreed to participate, so we decided to include it in the pretest as well. There were also 2 alternate offices (office #20, and #21) that were additionally selected to replace offices which declined participation in the CPDO pretest. The 11 offices highlighted in blue below were the offices that fully participated in the pretest (i.e., these offices returned a completed survey and participated in a debriefing interview with the project team).

	Office	State	Office Type	Status
1	Lawrence County Public Defender	SD	Single-county office in a county-based public defense state	Completed and returned questionnaire and participated in cognitive interview
2	SW Oregon Public Defender	OR	Multi-county office in a county-based defense state	Completed and returned questionnaire and participated in cognitive interview
3	9 th Circuit Public Defender	WV	Single-county office in a state with districts/circuits	No response
4	6 th Circuit Public Defender	FL	Multi-county office in a state with districts/circuits	No response
5	Ketchikan Office	AK	Office in statewide system	No response
6	Knox County Public Defender	TN	Office with a mix of state/county funding	DECLINED participation
7	Still She Rises	OK	Contracted non-profit	No response
8	Neighborhood Defender Services (Harlem)	NY	Office in an urban jurisdiction	Completed and returned questionnaire but declined cognitive debriefing interview
9	Far West Texas Regional Public Defender	TX	Office in a rural jurisdiction	Completed and returned questionnaire and participated in cognitive interview
10	San Francisco County Public Defender	CA	Office with an elected public defender	Completed and returned questionnaire and participated in cognitive interview

11	Capital Trial Office - Norman	OK	Capital defense office	No response
12	Wyoming Defender – Appellate Office	WY	Appellate-only office	No response
13	State Appellate Defender Office	MI	Office with a statewide jurisdiction	Completed and returned questionnaire and participated in cognitive interview
14	North Carolina Office of the Juvenile Defender	NC	Juvenile office	Completed and returned questionnaire and participated in cognitive interview
15	Wisconsin Public Defender – Milwaukee Juvenile/Mental Health	WI	Mental health office	No response
16	Humboldt County Alternate Defender	NV	Alternate/conflict defender	DECLINED participation
17	Richmond Public Defender	VA	Office in an independent city	Completed and returned questionnaire and participated in cognitive interview
18	Public Defender Service Corporation of Guam	GU	Office in a U.S. territory/county equivalent	Completed and returned questionnaire and participated in cognitive interview
19	Yates County Public Defender	NY	Single-county office in a county-based public defense state	Completed and returned questionnaire and participated in cognitive interview
20	Caddo Parish (Replacement for #6)	LA	Office with a mix of state/county funding	Completed and returned questionnaire and participated in cognitive interview
21	Mendocino County (Replacement for #16)	CA	Alternate/conflict defender	Completed and returned questionnaire and participated in cognitive interview

The project team completed cognitive testing of the CPDO instrument between February and June of 2024. A total of 12 offices participated in the pretest of the census by returning completed responses for the CPDO questionnaire. Of those 12 offices, the project team conducted cognitive debriefing interviews with 11 offices (highlighted in blue, above). The chief public defender at the 12th office (office #8) completed the questionnaire for her office but notified the project team that she could not participate in a

cognitive interview since she was leaving the employ of the public defender office the day after completing the questionnaire.

As discussed above, BJS and the project team sought to test the instrument on a variety of office types, while also ensuring geographically diversity. In the end, the 11 offices who completed the CPDO instrument and participated in cognitive testing represented the following subsets/office types:

- Single county office in a county-based public defense state
- Multi-county office in a county-based public defense state
- Juvenile office
- Office in a U.S. territory/county equivalent
- Office within a statewide jurisdiction
- Office in a rural jurisdiction
- Office in an independent city
- Office with a mix of state/county funding
- Office in an urban jurisdiction
- Alternate/conflict defender
- Office with an elected public defender

Data Collection Procedures

For the public defender offices that were selected for inclusion in the CPDO pretest sample, we sent an initial email to the office leader/chief public defender inviting them to participate and informing them about the purpose of the survey and cognitive test (**Attachment B**). The email was sent by a project team member via NORC's dedicated CPDO email account (cpdo@norc.org). This invitation email provided the elements of informed consent and described the voluntary nature of the study, how the respondent office was selected, and information about whom to contact with questions about the study. The respondent was asked to reply to the email to indicate their consent for participation.

If a potential participant was unresponsive to the initial email, the project team followed up with phone calls to request participation. If the invited participant refused/declined, or we were unable to secure their participation, we identified a replacement office that matched the initial respondent's selection criteria and invited that office to participate instead. The project team followed a similar protocol if a respondent's consent was initially secured and then withdrawn (or if the participant simply did not follow through to complete the questionnaire within a reasonable timeframe).

After obtaining consent, respondents received the PDF questionnaire (**Attachment A**) along with instructions (i.e., how to complete it, the voluntary nature of the survey, the importance of noting challenges experienced during the survey, and the expected length of time to complete the survey -- see **Attachment B**) via email and U.S. mail. Respondents were instructed to:

1. complete the survey by highlighting their answers in Adobe, if they were able to, and return via email; or
2. print out the survey, complete and scan the survey to return via email; or
3. complete the hard copy and return via self-addressed stamped envelope.

Respondents were asked to track the time they started and finished the survey as well as the number of individuals consulted to complete the questionnaire. The pilot survey also included an optional notes section at the end to record item numbers of challenging or unclear questions. If a respondent found that a

question was too difficult or would require too much time to answer, the respondent was asked to estimate the time it would take to answer the question, note that, and proceed to the next question.

Participants were asked to complete the questionnaire and return their survey responses by a specific date that was 2 weeks from the date the survey was sent to them. For those offices that did not complete the survey by the provided deadline, follow-up phone calls were made, and emails were sent reminding them to return their completed survey as soon as possible. Upon receipt of a completed survey, a project team member reached out to the respondent via email to schedule the cognitive debriefing interview, which was conducted via zoom videoconference.

The debriefing interviews included a review of the instructions and screener questions and asked about readability, question clarity, adequacy of response choices, overall ease of providing the requested information, and the terminology used for each question. The burden/length of time needed to complete the survey, challenges in providing the information requested, and the preferred mode of completing the survey were also discussed in these cognitive interviews. Results were recorded by Urban Institute staff members conducting the debriefing call and reviewed following the call for accuracy and completeness.

Findings and Recommendations

General Findings

All offices reported that it was not difficult for them to complete the questionnaire overall, except for providing the actual numbers of cases received (by case types) over the past year. Most offices indicated that it would take extra time for them to answer questions about the exact number of specific types of cases received (even for those offices with automated case management systems), if that were required. Accordingly, most of the numerical figures about case types reported by the pilot respondents were estimates. The option to estimate these case numbers rather than requiring exact counts was a choice that was appreciated by participants (and it reduced the burden on respondents).

During the interviews, the offices were asked about the best mode in which to contact them for the census. Most offices reported that communication by e-mail was favored, with a preference for follow-up outreach by e-mail as well (though follow-up phone calls and voicemails were also deemed acceptable). There was a consensus among respondents that email is the best method to use for outreach to offices. Even so, it is important to note that two of the 12 office that participated in the CPDO pilot test were responsive to mailings by U.S. post and chose to mail in hard copies of their census responses via U.S. mail. We therefore suggest a multi-mode follow-up protocol that includes e-mail, phone calls, and U.S. mail, in that order, to maximize response.

A few respondents indicated that clarifying the purpose of the census and better explaining the tangible benefits of the data collection to public defender offices would likely increase the response rate to the questionnaire. It was suggested that we include this type of information in the initial email inviting offices to respond, or perhaps include it as an attachment. If offices understood that the data collected could yield direct benefits to them (e.g., that the national data could be used by public defenders to make the case to their state legislatures about the need for more resources for their offices), response rates could improve.

Response time. Overall, it took longer than anticipated to receive completed surveys back from respondents and to schedule and conduct follow-up debriefing interviews with respondents. The initial due date in the cover letter requesting that the office participate was two weeks out for each office. To maximize response rates for the national data collection, we suggest communicating to offices that they have 3 or 4 weeks to complete the survey, though we expect a total period of 16-20 weeks may be necessary to conduct targeted follow-up with certain non-responders in order to achieve the highest response rates that are required of a census. We recommend building in a little extra time to account for any extenuating circumstances (i.e., prosecution of an urgent, high priority or complex case) that the respondent in a public defender office may be facing at the time that the CPDO instrument is sent to them. We heard from several offices that we reached out to that they wanted to respond to our questionnaire, but simply could not do so in a timely manner due to the extenuating circumstances confronting their office at the time (e.g., a large, high priority time-consuming case).

Nevertheless, we asked offices if a due date might encourage a faster response. Pilot respondents reported overwhelmingly that a due date would prevent the survey from being deprioritized by their office and recommended including one. Accordingly, we suggest providing an initial due date for the completion of the survey that is either 3 or 4 weeks out when it is fielded nationally, even though it is likely that a certain share of offices may not be able to meet that initial deadline due to extenuating circumstances (such as those mentioned above).

Burden. The estimated time to complete the CPDO survey reported by offices participating in the pretest ranged from a minimum of 15 minutes to a maximum of 2 hours, with an average time burden of approximately 61.6 minutes per office. The table below shows the survey completion time reported by each participating office.

	Office	State	Office Type	Time to Complete the Questionnaire
1	Lawrence County Public Defender	SD	Single-county office in a county-based public defense state	52 minutes
2	SW Oregon Public Defender	OR	Multi-county office in a county-based defense state	75 minutes
8	Neighborhood Defender Services (Harlem)	NY	Office in an urban jurisdiction	39 minutes
9	Far West Texas Regional Public Defender	TX	Office in a rural jurisdiction	41 minutes
10	San Francisco County Public Defender	CA	Office with an elected public defender	90 minutes

13	State Appellate Defender Office	MI	Office with a statewide jurisdiction	51 minutes
14	North Carolina Office of the Juvenile Defender	NC	Juvenile office	15 minutes
17	Richmond Public Defender	VA	Office in an independent city	80 minutes
18	Public Defender Service Corporation of Guam	GU	Office in a U.S. territory/county equivalent	90 minutes
19	Yates County Public Defender	NY	Single-county office in a county-based public defense state	60 minutes
20	Caddo Parish (Replacement for #6)	LA	Office with a mix of state/county funding	27 minutes
21	Mendocino County (Replacement for #16)	CA	Alternate/conflict defender	120 minutes

Based on the average time that pilot test respondents reported to complete the CPDO questionnaire, we suggest retaining the time burden estimate of 60 minutes for completing the instrument (to be included in the burden statement on the instrument when the census is fielded nationally).

Specific Findings and Recommendations

Based on the feedback received from respondents in the in-depth debriefing interviews, we recommend the following changes to the census instrument, which are organized by section.

Instructions and Screener Questions. By and large, pilot test respondents indicated that the instructions and screener questions at the front of the census instrument were clearly stated and appropriate, but there were a couple of exceptions. Regarding the instructions, one cognitive test respondent indicated that he was confused about whether he needed to fill out the questionnaire once or twice – since in his jurisdiction, he is simultaneously the head of both a public defender office and a conflict defender office. The project team recommended that to avoid this confusion, Instruction #3 be amended to add the following text: “If you are the head of more than one public defender office, you should receive multiple solicitations for this survey: we ask that you fill out one questionnaire for each office. If you need more copies of the questionnaire, please contact the CPDO team via email at CPDO@norc.edu.” Regarding the screener questions, one cognitive test respondent suggested that we avoid using *italicized* font in the screener questions because people tend to not read such text. However, since it is standard practice for BJS to use italicized instructions within a survey question for examples of what to include or exclude, the

project team recommends leaving the italicized text intact within the screener questions section. Relatedly, the project team also recommended moving the parenthetical content out of the parentheses in screener questions S4, S6, and S7 and italicize it instead.

General Information. Section A of the CPDO captures general information about oversight, funding, and the total operating expenditures for each public defender office. Based on the cognitive test responses, several revisions were made as described below, and two new questions were added to this section. For item A1, the first response option was edited from “An entire state” to “An entire state or United States territory”. For items A2, A3, A5, and A6, the “don’t know” response option was eliminated. For items A5 and A6, response options were revised to the following four choices: “Yes, both overseen and funded”, “Yes, overseen but not funded”, “Yes, funded but not overseen”, and “No, neither funded nor overseen”. For item A6, the question text was revised to read as follows: “Is your office overseen or funded, in whole or in part, by a body other than at the state-level? *Mark (X) only one.*”. In addition, the following two new questions about the unionization of attorneys and staff were added and placed between questions A8 and A9:

First new question:

“To the best of your knowledge, do any attorney or non-attorney staff in your office belong to a labor union, whether the union is recognized or unrecognized? (A labor union is an organized association of workers, often in a trade or profession, formed to protect and further their rights and interests)”

- Yes, some attorney and/or non-attorney staff belong to a labor union
- No, no attorney and/or non-attorney staff belong to a labor union
- I don’t know

Second new question:

“[If yes]

Which of the following best describes the labor unions that your attorney and/or non- attorney staff belong to?”

- Some attorney and/or non-attorney staff belong to a single labor union
- Some attorney and/or non-attorney staff belong to more than one labor union
- Attorney staff only belong to a single labor union
- Attorney staff only belong to multiple labor unions
- Non-attorney staff only belong to a single labor union
- Non-attorney staff only belong to multiple labor unions
- I don’t know

The question text for item A10 was revised to add the word “criminal” to the final clause, so that it reads: “provide services to defendants in court-appointed criminal cases”. This change was made because there were some cognitive test respondents who engaged in representation of other types of clients that mistakenly thought they should include expenditures on that other work in the budget number they provided to answer this question. Also, based on feedback from cognitive test respondents, two new response options were added for item A11: (g) Attorney training and (h) Rent for office space. Finally, for item A12, response choice (e) was revised from “Private funds” to “Fees charged to clients for representation”. We learned that public defenders rarely receive other private funding – the only instances where we know this happens is in prominent non-profit organizations that run indigent defense

services in New York City (these organizations occasionally hold galas to raise money). The project team determined that such funding would be better categorized under response (f) Other (please describe).

Staffing. Section B of the CPDO captures information about staffing in public defender offices, including attorney demographics. Based on cognitive test feedback, several revisions were made to item response categories and a new question was added to this section. First, for line item B1(a), a decision was made to include the chief public defender, so the new text reads: “Attorneys, including the chief public defender, with management or supervisory responsibilities over other attorneys”. As a quality control measure, if a respondent does not enter any value in B1(a), we recommend adding a soft prompt to ask: “Are you sure this is correct? Remember, the chief public defender should be included in these numbers” (the respondent will be able to confirm that it is, in fact, correct and continue, or the respondent could revise their response). Regarding questions B2 & B3, cognitive testers reported that requests for gender and race could be sensitive. Some reporters may not be able to, or may feel they are not permitted, to report such data. To address these concerns, we recommend adding the screener question below, inserting it right before item B2, that asks:

“Are you able to report race and gender demographics for staff in your office?”

- Yes, gender (Respondent will be directed to answer question B2 regarding gender).
- Yes, race (Respondent will be directed to answer question B3 regarding race).
- Yes, both (Respondent will be directed to answer questions B2 & B3 (race and gender)).
- No (Respondent skips to item B4).

Several cognitive test respondents objected that including only male/female options for this question was insufficient. Building on OMB’s advice about surveys of individuals, we therefore suggest reformulating item B2 to create an option to report any persons not conforming to the gender binary.

“Of the sum of B1a and B1b full-time attorneys and sum of B1a and B1b part-time attorneys in your office on December 31, 2023, what was the breakdown of all attorney staff by gender on December 31, 2023?”

- a. Female
- b. Male
- c. Transgender, non-binary, or another gender

On each of these line items (a-c for item B2, and a-h for item B3), we also recommend adding “Unable to provide” as a response option. This accounts for respondents who, for example, can report the female/male breakdown only, or do not have data specifically on Hispanic ethnicity, but can report other race categories. For item B6, which asks for the minimum and maximum salary for various staff positions, we will add the word “annual” before salaries in the question text to clarify that we would like annual salaries reported for this item. We also learned that the question text for item B7 regarding staff attrition is poorly worded (several cognitive testers reported that it made no sense as written). Therefore, item B7 will be reworded by adding “at any time during the calendar year 2023 (January 1, 2023 – December 31, 2023) in place of “as of December 31, 2023”. In addition, based on cognitive test feedback, we are adding another response option (“Chair of state-level board or commission”) for item B9, the question about the final authority that selects the chief public defender for the office.

Caseloads. Section C of the CPDO census records caseload information for public defender offices. Based on feedback received about the inadequacy of response options for question C1, which asks about case types or categories, we recommend adding another category for ‘life without parole’, which will be

inserted as a row between (a) and (b) and then the subsequent list will be renumbered. The revised categories will appear as follows:

- (a) Capital felony (including death penalty-eligible cases not ultimately prosecuted as capital cases)
- (b) Non-capital cases where life without parole is an available sentence (whether or not it is imposed)
- (c) Non-capital felony cases where the maximum sentence is less than life without parole (including traffic felonies)
- (d) Misdemeanors...*continue existing list of categories/rows*

Based on additional input from several cognitive test respondents, we also recommend adding another category ('Failure to pay child support') to the list of case types and place it between existing items (s) (child protection) and (t) (civil commitment of sex offenders). There was one cognitive test respondent who suggested adding 'Children in Need of Supervision' (CHINS) as a separate category, but we declined to do this because CHINS is not a universally understood term across the country, and it is redundant with other categories. Like item C1 regarding whether certain case types were handled by an office, for item C3, which asks for the numbers of cases received for different case types, we recommend adding a 'life without parole' category, which will be inserted as a row between (a) and (b) and then the subsequent list will be renumbered. The revised categories we recommend should appear as follows:

- (a) Capital felony (including death penalty-eligible cases not ultimately prosecuted as capital cases)
- (b) Non-capital cases where life without parole is an available sentence (whether or not it is imposed)
- (c) Non-capital felony cases where the maximum sentence is less than life without parole (including traffic felonies)
- (d) Misdemeanors...*continue existing list of categories/rows*

From recommendations we received from several cognitive test respondents, under item C3(i), we suggest adding "failure to pay child support" to the list of case types in the parenthetical for "All other case types".

Eligibility for Services. Section D of the census collects information from prosecutor offices about eligibility for services. As a result of cognitive test feedback we received, for the first question in this section (item D1), we are adding a third response option ("Not applicable – no screening process is used for persons seeking representation from our office"). Any respondent who selects 'Not applicable' will skip to question D5. And for item D2 (financial eligibility criteria), we will add another column ("Some courts consider, others do not") to account for variety within jurisdictions in eligibility determination procedures. This change is being made based on recommendations from cognitive test respondents. We are also adding the phrase "to the best of your knowledge" to the D2 question text ('To the best of your knowledge, which of the following information is used to assess whether a defendant is financially qualified to receive appointed counsel in your jurisdiction?'). Finally, based on feedback from respondents, we are rephrasing question D4 to focus on how a person *qualifies* for counsel rather than how a person is denied counsel. The new question text will read: "As of December 31, 2023, what was the income limit below which an applicant for representation in a non-capital felony case with no dependents would routinely qualify for court-appointed counsel?"

Office Resources. The final section of the census (Section E) captures information about office resources within public defender offices. Regarding question E1 about office policies, we heard from cognitive test

respondents that two important office policies ('leave policy' and 'professional development policy') were missing from our list of policies for this item, so we recommend adding those two policies to our list for this question, as items E1(q) and E1(r). In addition, one respondent reported that the use of the word "communication" in item E7(h) was unclear/too vague. Therefore, we recommend replacing the phrase "stores all communication" with "stores information about communication with clients" for this item, to eliminate confusion.

Appendix A
Census of Public Defenders Offices (CPDO) questionnaire



U.S. Department of Justice Bureau of Justice Statistics
(NORC acting as data collection agent)



2023 Census of Public Defender Offices

Name: _____

Title: _____

Name of office: _____

Direct email: _____

Direct phone: _____

Instructions

The 2023 Census of Public Defender Offices (CPDO) is a census of all publicly funded public defender offices with at least one (1) W-2 earning attorney that provides direct public defense representation for adults and/or juveniles who are accused of a crime or delinquency or accused in a trial court of violating conditions of a sentence. Data collected on this form will provide needed information to state and local governments, practitioners, and other stakeholders. The Bureau of Justice Statistics (BJS) greatly appreciates your assistance.

1. There are multiple ways to complete and submit this survey. Please select the method most suitable for you:
 - a. Complete the survey by highlighting your answers in Adobe, if you are able to, save and email back to CPDO@norc.org.
 - b. Print out the survey, complete by hand, scan and return to CPDO@norc.org via email.
 - c. Complete the hard copy of the survey that will arrive at your office in the next week and return either via scanning and emailing to CPDO@norc.org or through the provided self-addressed stamped envelope.
2. When completing the survey, please take notes separately or on page 11 to provide feedback on questions that:
 - a. are unclear
 - b. require input from multiple staff in order to provide a response to
 - c. are a high time burden
3. Please answer all questions with reference to the public defender office specified above.
4. Answer the questions as accurately as possible given the organization and structure of your office. Estimates are allowed. If any question is overly burdensome, you may skip the question and provide your best estimate as to how long it would take to answer it.

Once the project team has received your response, we will reach out via email to schedule your cognitive interview. If you have questions or need assistance in completing the survey, please contact the CPDO team via email at CPDO@norc.org.

Burden Statement

This collection is authorized under 34 U.S.C. § 10132. Your participation is voluntary. BJS will use the information only for statistical purposes [34 U.S.C. § 10134]. BJS will protect personally identifiable information consistent with the confidentiality requirements in 34 U.S.C. § 10231 and 28 CFR Part 22. See the BJS Data Protection Guidelines.

This collection has been approved by the Office of Management and Budget (OMB Number: 1121-0339). If this number were not displayed, we could not conduct this survey. Your voluntary participation in this survey is important, however, you may decline to answer any or all questions. Public reporting burden for this collection of information is estimated to average 60 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

You can contact the Bureau of Justice Statistics with questions or feedback at askbjs@usdoj.gov; by phone at 202-307-0765; or by mail: Bureau of Justice Statistics, 810 Seventh Street NW, Washington, DC 20531.

Screener Questions

Time of day starting survey: _____

The first series of questions will confirm your office's eligibility for the census. (Mark (X) only one choice per row.)

- | | Yes | No |
|--|--------------------------|--------------------------|
| S1. Is your office supported, either partially or fully, by public funds? (Funding that comes from federal, state or local government, often collected through taxes and used toward public goods and services.) | ☐ | ☐ |
| S2. Does your office have at least one W-2 earning attorney? (A W-2 earning attorney is an attorney who is formally employed by a company or organization and who receives a W-2 tax form each year to report their income and taxes withheld.) | ☐ | ☐ |
| S3. Does your office provide public defense representation for adult or juvenile clients who are accused of a crime or delinquency, or accused in a trial court of violating conditions of a sentence? | ☐ | ☐ |
| S4. Does your office have a dedicated physical space? (A place that some or all staff may use for work.) | ☐ | ☐ |

If you answered 'No' to any S1 – S4, please stop here. Your office does not meet our eligibility criteria for this census, but we thank you for your time. If you have any questions about eligibility, or believe you were screened out in error, please contact cpdo@norc.org or 1-866-582-4052.

If all your answers to S1 - S4 were 'Yes' please continue the survey.

- | | Yes | No |
|--|--------------------------|--------------------------|
| S5. Is your office a for-profit private law firm? | ☐ | ☐ |
| S6. Does your office provide representation solely using an assigned counsel system? (An assigned counsel system provides representation using private attorneys who are not employed by the office, except possibly as contractors.) | ☐ | ☐ |
| S7. Is your office a tribal defender? (A tribal defender provides representation only to defendants in tribal justice systems.) | ☐ | ☐ |

If you answered 'Yes' to any S5 – S7, please stop here. Your office does not meet our eligibility criteria for this census, but we thank you for your time. If you have any questions about eligibility, or believe you were screened out in error, please contact cpdo@norc.org or 1-866-582-4052.

If all your answers to S5 – S7 were 'No' please continue the survey.

Section A. General Information

A1. What is the geographic jurisdiction served by your public defender office?

- ¹ ☐ An entire state
- ² ☐ Multiple counties, an entire judicial district or circuit larger than a single county

If your public defender office serves multiple counties, what are the names of the counties served?

- ³ ☐ An entire county
- ⁴ ☐ County equivalent
- ⁵ ☐ Part of a county (e.g., city or town)
- ⁶ ☐ Other (Describe)

If you answered 5 – Part of a county (e.g., city or town), please stop here. Your office does not meet our eligibility criteria for this census, but we thank you for your time. If you have any questions about eligibility, or believe you were screened out in error, please contact cpdo@norc.org or 1-866-582-4052.

A2. Is your public defender office the primary office in your jurisdiction? By 'primary office' we mean an office that is assigned more criminal and juvenile delinquency cases or other court-appointed cases than any other public defender office. (Mark (X) only one.)

- ¹ ☐ Yes
- ² ☐ No
- ³ ☐ Don't know

A3. Is your public defender office a conflict office? By 'conflict office' we mean an office that is assigned cases when another public defender office has a conflict of interest. (Mark (X) only one.)

- ¹ ☐ Yes
- ² ☐ No
- ³ ☐ Don't know

A4. Which best describes your public defender office? (Mark (X) only one.)

- 1 ☐ Part of the state or county judicial branch
 2 ☐ Part of the state or county executive branch
 3 ☐ A nonprofit organization
 4 ☐ Other (Describe)

A5. Is your office overseen or funded, in whole or in part, by a state-level board or commission? (Mark (X) only one.)

- 1 ☐ Yes
 2 ☐ No
 3 ☐ Don't know

A6. Is your office overseen or funded, in whole or in part, by a board or commission other than at the state-level? (Mark (X) only one.)

- 1 ☐ Yes
 2 ☐ No (If no, Skip to A9)
 3 ☐ Don't know

A7. Which of the following best describes the role of the non-state-level board or commission in the following decisions? (Mark (X) only one choice per row.)

	Is the final decision-maker	Has a limited (e.g., advisory) role	Has no role	Don't know
a. Determines attorney practice standards for the office	☐	☐	☐	☐
b. Determines the total amount of the office's budget	☐	☐	☐	☐
c. Determines policy priorities for the office	☐	☐	☐	☐

A8. Who appoints the members of the non-state-level board or commission? (Mark (X) only one choice per row.)

	Yes	No	Don't know
a. Governor	☐	☐	☐
b. State Legislature	☐	☐	☐
c. Supreme Court	☐	☐	☐
d. County Commission	☐	☐	☐
e. Other (please describe)	☐	☐	☐

A9. The reference period for this survey's questions about finances is fiscal year (FY) 2023. Please indicate your office's FY 2023. (Mark (X) only one.)

- 1 ☐ Calendar year (January 1, 2023-December 31, 2023)
 2 ☐ July 1, 2022 to June 30, 2023
 3 ☐ Other (If other, please indicate the dates below):

Month ____ -Day ____ -Year ____

to

Month ____ -Day ____ -Year ____

USE THIS REFERENCE PERIOD FOR QUESTIONS THAT ASK ABOUT FY 2023

A10. In your office's FY 2023, how much did your office spend (i.e., what was your office's total operating expenditures) to provide services to defendants in court-appointed cases? (If you are unable to provide the actual amount, please provide your best estimate and mark (X) in the estimate check box.)

TOTAL OPERATING EXPENDITURES:

\$ _____ .00

- 1 ☐ Estimate (Est)
 2 ☐ Don't know (skip to A13)

A11. Which of the following are included in your total operating expenditures entered in A10? (Mark (X) only one choice per row.)

	Yes	No	N/A, no such spending	Don't know
a. Salaries for personnel	1 ☐	2 ☐	3 ☐	4 ☐
b. Fringe benefits for personnel (e.g., health benefits, retirement)	1 ☐	2 ☐	3 ☐	4 ☐
c. Contracting costs (e.g., expert witness compensation)	1 ☐	2 ☐	3 ☐	4 ☐
d. One-time capital costs (e.g., building construction, major equipment purchase)	1 ☐	2 ☐	3 ☐	4 ☐
e. Supplies, materials (e.g., office supplies)	1 ☐	2 ☐	3 ☐	4 ☐
f. Utilities & services (e.g., water, heat, security, I.T. support)	1 ☐	2 ☐	3 ☐	4 ☐

A12. What percentage of the total operating expenditures entered in A10 came directly from each of the following sources? (If you are unable to provide the actual percentage, please provide your best estimate and mark (X) in the estimate check box. If none, enter "0".)

Percentage Source	Percentage (%)	Est
a. State		☐
b. County		☐
c. City or town		☐
d. Federal government (including Byrne Justice Assistance Grants)		☐
e. Private funds (e.g., client contributions to cost of representation, charitable donations)		☐
f. Other (please describe)		☐
100% TOTAL		

A13. Is the primary funding source for your public defender office an awarded contract? (Mark (X) only one.)

- ¹ ☐ Yes
² ☐ No (If no, Skip to B1)

A14. Was the contract process competitive? (Mark (X) only one.)

- ¹ ☐ Yes
² ☐ No

Section B. Staffing

B1. Including the chief public defender, how many of the following types of paid employees worked in your public defender office on December 31, 2023? ("Part-time" refers to any individual who regularly works fewer hours than the office's standard work week. If you are unable to provide the actual number, please provide your best estimate and mark (X) in the estimate check box. If none, enter "0".)

	Number of full-time	Est	Number of part-time	Est
a. Attorneys with management or supervisory responsibilities over other attorneys		☐		☐
b. Attorneys with no management or supervisory responsibilities over other attorneys		☐		☐
Total attorneys (sum of rows a and b)				
c. Social workers (staff whose primary responsibility is to assess client needs, prepare reports, and refer to services, regardless of licensing credentials)		☐		☐
d. Investigators (staff whose primary responsibility is factual investigation of cases)		☐		☐
e. Paralegals		☐		☐
f. All other staff (including administrators, support staff, IT, human resources, and all others)		☐		☐

- B2. Of the sum of B1a and B1b full-time attorneys and sum of B1a and B1b part-time attorneys in your office on December 31, 2023, what was the breakdown of all attorney staff by gender on December 31, 2023?** (If you are able to provide estimated numbers only, please mark (X) in the estimate check box. If you are unable to provide any numbers, please check 'Unable to provide this information.' If none, enter "0".)

	Number of full-time attorneys	Est	Number of part-time attorneys	Est
a. Female		☐		☐
b. Male		☐		☐
☐ Unable to provide this information				

- B3. Of the sum of B1a and B1b full-time attorneys and sum of B1a and B1b part-time attorneys in your office on December 31, 2023, what was the breakdown of all attorney staff by race and ethnicity on December 31, 2023?** (If you are able to provide estimated numbers only, please mark (X) in the estimate check box. If you are unable to provide any numbers, please check 'Unable to provide this information.' If none, enter "0".)

	Number of full-time attorneys	Est	Number of part-time attorneys	Est
a. White (non-Hispanic)		☐		☐
b. Black or African American (non-Hispanic)		☐		☐
c. Hispanic		☐		☐
d. American Indian or Alaska Native (non-Hispanic)		☐		☐
e. Asian (non-Hispanic)		☐		☐
f. Native Hawaiian or Other Pacific Islander (non-Hispanic)		☐		☐
g. Two or more races		☐		☐
h. Not known		☐		☐
☐ Unable to provide this information				

- B4. Of the sum of B1a and B1b full-time attorneys, and sum of B1a and B1b part-time attorneys on staff, how many are litigating attorneys as of December 31, 2023? (Litigating attorneys carry a caseload.)** (If you are unable to provide the actual number, please provide your best estimate and mark (X) in the estimate check box. If none, enter "0".)

Number of full-time attorneys	Number of part-time attorneys
☐ Est	☐ Est

- B5. Of the sum of B1a and B1b full-time attorneys, and sum of B1a and B1b part-time attorneys on staff, how many had been employed at your office for more than three years as of December 31, 2023?** (If you are unable to provide the actual number, please provide your best estimate and mark (X) in the estimate check box. If none, enter "0".)

Number of full-time attorneys	Number of part-time attorneys
☐ Est	☐ Est

B6. Please enter the minimum and maximum salaries your office paid as of December 31, 2023 for staff in the following categories:

Category	Minimum	Maximum	No such persons
a. Attorneys with management or supervisory responsibilities over other attorneys	\$ _____ .00	\$ _____ .00	☐
b. Attorneys with no supervisory responsibilities over other attorneys	\$ _____ .00	\$ _____ .00	☐
c. Social workers (staff whose primary responsibility is to assess client needs, prepare reports, and refer to services, regardless of licensing credentials)	\$ _____ .00	\$ _____ .00	☐
d. Investigators (staff whose primary responsibility is factual investigation of cases)	\$ _____ .00	\$ _____ .00	☐
e. Paralegals	\$ _____ .00	\$ _____ .00	☐

B7. How many staff in each category left your office as of December 31, 2023, regardless of the reason?
(If you are unable to provide the actual number, please provide your best estimate and mark (X) in the estimate check box. If none, enter "0".)

Category	Number full-time			Number part-time		
a. Attorneys with management or supervisory responsibilities over other attorneys		☐	Est		☐	Est
b. Attorneys with no supervisory responsibilities over other attorneys		☐	Est		☐	Est
c. Social workers (staff whose primary responsibility is to assess client needs, prepare reports, and refer to services, regardless of licensing credentials)		☐	Est		☐	Est
d. Investigators (staff whose primary responsibility is factual investigation of cases)		☐	Est		☐	Est
e. Paralegals		☐	Est		☐	Est

B8. How many positions were vacant on December 31, 2023? *Vacant means that your office is authorized to hire for that position, but as of December 31, 2023, the position was not filled. (If you are unable to provide the actual number, please provide your best estimate and mark (X) in the estimate check box. If none, enter "0".)*

Category	Number full-time			Number part-time		
a. Attorneys with management or supervisory responsibilities over other attorneys		☐	Est		☐	Est
b. Attorneys with no supervisory responsibilities over other attorneys		☐	Est		☐	Est
c. Social workers (staff whose primary responsibility is to assess client needs, prepare reports, and refer to services, regardless of licensing credentials)		☐	Est		☐	Est
d. Investigators (staff whose primary responsibility is factual investigation of cases)		☐	Est		☐	Est
e. Paralegals		☐	Est		☐	Est

B9. In your jurisdiction who is the final authority in the selection of the chief public defender in your office? (Mark (X) only one.)

- ¹ ☐ State-level board or commission
² ☐ Board or commission other than at state-level
³ ☐ State governor
⁴ ☐ Publicly elected
⁵ ☐ County executive
⁶ ☐ County legislature
⁷ ☐ County or district judiciary
⁸ ☐ Other (Please describe):

B10. How long had the chief public defender in your office been in their position as of December 31, 2023? (Write in years and months.)

- a. _____ Years
b. _____ Months
c. N/A - position was vacant (If no, Skip to B12)

B11. What was the annual salary of the chief public defender in your office on December 31, 2023?

TOTAL ANNUAL SALARY:

\$ _____ .00

B12. Is the current chief public defender in your office a litigating attorney? (Litigating attorneys carry a caseload.) (Mark (X) only one.)

- ¹ ☐ Yes
² ☐ No
³ ☐ NA - position is vacant (Skip to C1)

B13. Is the current chief defender part- or full-time? "Part-time" refers to any individual who regularly works fewer hours than the office's standard work week. (Mark (X) only one.)

- ¹ ☐ Part-time
² ☐ Full-time

B14. What is the gender of the current chief defender? (Mark (X) all that apply.)

- ¹ ☐ Female
² ☐ Male
³ ☐ Transgender, non-binary, or another gender

B15. What is the ethnicity of the current chief public defender? (Mark (X) only one.)

- ¹ ☐ Spanish, Hispanic, or Latino
² ☐ Not Spanish, Hispanic, or Latino

B16. What is the race of the current chief public defender? (Mark (X) all that apply.)

- ¹ ☐ White
² ☐ Black or African American
³ ☐ American Indian or Alaska Native
⁴ ☐ Asian
⁵ ☐ Native Hawaiian or Other Pacific Islander
⁶ ☐ Some other race (Please specify):

Section C.

C1. In your office's FY 2023, did your office handle cases for court-appointed clients in the following categories? (Mark (X) only one choice per row.)

	Yes	No
a. Felony capital (including death-penalty-eligible cases not ultimately prosecuted as capital cases)	☐	☐
b. Felony non-capital (including felony traffic cases)	☐	☐
c. Misdemeanors that carry a jail sentence (including misdemeanor traffic cases)	☐	☐
d. Misdemeanors that do not carry a jail sentence (including fine-only traffic offenses)	☐	☐
e. Ordinance/Municipal infraction or violation	☐	☐
f. Violation/Revocation of probation or parole	☐	☐
g. Sex offender registration and classification	☐	☐
h. Criminal appeal	☐	☐
i. State post-conviction/habeas corpus	☐	☐
j. Federal habeas corpus	☐	☐
k. Expungement of criminal record	☐	☐
l. Clemency or pardon	☐	☐
m. Juvenile delinquency	☐	☐
n. Juvenile delinquency appeals	☐	☐
o. Juvenile transfer/waiver hearings	☐	☐
p. Juvenile status offense (e.g., underage liquor law violation, truancy, etc.)	☐	☐
q. Termination of parental rights	☐	☐
r. Child protection/dependency cases (representing children)	☐	☐
s. Child protection/dependency cases (representing parents, other than termination of parental rights)	☐	☐
t. Civil commitment of alleged sexually violent predators	☐	☐
u. Civil commitment (other than alleged sexually violent predators)	☐	☐
v. Other (Describe):	☐	☐

C2. Criminal cases are often defined and counted differently across offices. Which of the following statements most closely reflects how your office counts a "case"? (Mark (X) only one.)

- ¹ ☐ Every charge against every client is counted as a separate case.
- ² ☐ Groups of charges against a client may be counted as single cases. (Groups of charges may be: charges arising from a single incident, charges contained in a single charging instrument, or charges contained in a single court docket)

C3. How many of the following types of cases did your office receive in your office's FY 2023? (If you are unable to provide the actual number, please provide your best estimate and mark the estimate box. If none, enter "0".)

Type of case	Number of cases	Est
a. Capital felony (including death-penalty-eligible cases not ultimately prosecuted as capital cases)		☐
b. Non-capital felony (including traffic felonies)		☐
c. Misdemeanors that carry a jail sentence (including misdemeanor traffic offenses)		☐
d. Misdemeanors that do not carry a jail sentence (including fine-only traffic offenses)		☐
e. Ordinance/Municipal infraction or violation		☐
f. Violation of probation or parole		☐
g. Criminal appeals		☐
h. Juvenile cases (including juvenile delinquency, delinquency appeals, and juvenile transfer/waiver hearings)		☐
i. All other cases (including civil commitment of alleged sexually violent predators, civil commitment other than alleged sexually violent predators, state post-conviction/habeas corpus, federal habeas corpus, juvenile status offenses, termination of parental rights, child protection/dependency cases representing children or parents, sex offender registration and classification, expungement of criminal record, clemency)		☐

If your response to C3, b. non-capitol felony cases is '0,' skip to D1

C4. In non-capital felony cases, when is your office typically appointed to represent a client? (Mark (X) only one.)

- ¹ ☐ Between the client's arrest and first court appearance. (A first court appearance occurs when a defendant is brought before a judge or judicial officer, is informed of charges against them, and their liberty may be subject to restriction.)
- ² ☐ AT the client's first court appearance
- ³ ☐ AFTER the client's first court appearance
- ⁴ ☐ Other (Please describe):

C5. In non-capital felony cases, how soon does a representative from your office (attorney, investigator, paralegal, etc.) typically first contact a client appointed to the office who is in custody? (Mark (X) only one.)

- ¹ ☐ Before appointment
- ² ☐ Immediately upon appointment (e.g., attorney is routinely present in court when client is appointed, and meets with client)
- ³ ☐ Not immediately, but within 24 hours of appointment
- ⁴ ☐ Later than 24 but within 48 hours of appointment
- ⁵ ☐ Later than 48 but within 72 hours of appointment
- ⁶ ☐ Later than 72 hours after appointment
- ⁷ ☐ Other (Please describe):

C6. In non-capital felony cases, how soon does a representative from your office (attorney, investigator, paralegal, etc.) typically first contact a client appointed to the office who is not in custody? (Mark (X) only one.)

- ¹ ☐ Before appointment
- ² ☐ Immediately upon appointment (e.g., attorney is routinely present in court when client is appointed, and meets with client)
- ³ ☐ Not immediately, but within 24 hours of appointment
- ⁴ ☐ Later than 24 but within 48 hours of appointment
- ⁵ ☐ Later than 48 but within 72 hours of appointment
- ⁶ ☐ Later than 72 hours after appointment
- ⁷ ☐ Other (Please describe):

C7. Which of the following best describes how non-capital felony cases are generally handled after your office is appointed? (Mark (X) only one.)

- ¹ ☐ Cases are handled by a single attorney from start to finish (vertical representation).
² ☐ Cases may be handled by one or more attorneys prior to arraignment, then assigned to a single attorney for the remainder of the case (vertical representation after arraignment only).
³ ☐ Cases may be assigned to different attorneys at various stages of the case after arraignment (horizontal representation).
⁴ ☐ Cases are assigned to either one or more attorneys depending on the type of charges filed
⁵ ☐ Other (Please describe):

Section D. ELIGIBILITY FOR SERVICES

D1. Is your office responsible for screening applications from defendants seeking court-appointed counsel? (Mark (X) only one.)

- ¹ ☐ Yes
² ☐ No

D2. In your jurisdiction, which of the following information is used to assess whether a defendant is financially qualified to receive appointed counsel? (Mark (X) only one choice per row.)

	Considered	Not considered	Don't know
a. Applicant earns income from employment	☐	☐	☐
b. Applicant has outstanding debt (e.g., credit card, student loan)	☐	☐	☐
c. Applicant is able to post financial bond	☐	☐	☐
d. Applicant is in custody (e.g., mental hospital, jail, juvenile or youth facility or other correctional institution)	☐	☐	☐
e. Applicant lives in public housing	☐	☐	☐
f. Applicant must pay utility bills, rent, mortgage, or other fixed expenses	☐	☐	☐
g. Applicant owns a car	☐	☐	☐
h. Applicant owns a house	☐	☐	☐
i. Applicant receives needs-based public assistance (e.g., social security, TANF)	☐	☐	☐
j. Assets or income of applicant's family members (e.g., spouse, parents)	☐	☐	☐
k. Likely cost for applicant to hire own attorney	☐	☐	☐
l. Number of dependents in applicant's family	☐	☐	☐
m. Seriousness of charges against applicant	☐	☐	☐

D3. In your jurisdiction, is there a standard income level above which applicants are generally denied court-appointed counsel?

- ¹ ☐ Yes
² ☐ No *(Skip to D5)*
³ ☐ Don't know *(Skip to D5)*

D4. As of December 31, 2023, what was the income limit above which an applicant for representation in a non-capital felony case with no dependents would routinely be denied court-appointed counsel? (Enter either a dollar amount or a percentage based on the Federal Poverty Line. If neither applies, please describe what is used.)

- ¹ ☐ Income level: \$ _____ .00
² ☐ ____ % of the Federal Poverty Line
³ ☐ Other *(Please describe):*

- ⁴ ☐ Don't know

D5. Which of the following fees can a client of your office be required to pay? (Mark (X) only one choice per row.)

	Yes	No	Don't know
a. Up-front application or administrative fee when requesting an attorney	¹ ☐	² ☐	³ ☐
b. Attorney cost recoupment after representation is ended (whether partial or full)	¹ ☐	² ☐	³ ☐

Section E. Office Resources

E1. Does your office have policies in the following areas? (Mark (X) only one choice per row.)

	Yes, written policy	Yes, unwritten or informal policy	No policy
a. Attorney caseload limits	☐	☐	☐
b. Attorney qualifications to take cases	☐	☐	☐
c. Attorney supervision and/or mentoring	☐	☐	☐
d. Case file maintenance (e.g., timeliness of case closing, completeness of notes)	☐	☐	☐
e. Client contact (e.g., frequency throughout the case)	☐	☐	☐
f. Continuity (or 'verticality') of representation throughout case	☐	☐	☐
g. Determining a conflict of interest	☐	☐	☐
h. Information security	☐	☐	☐
i. Performance reviews for attorney staff	☐	☐	☐
j. Performance reviews for non-attorney staff	☐	☐	☐
k. Remote work	☐	☐	☐
l. Training of attorneys	☐	☐	☐
m. Training of social workers	☐	☐	☐
n. Training of investigators	☐	☐	☐
o. Use of social workers	☐	☐	☐
p. Use of investigators	☐	☐	☐

E2. Does your office provide either in-house Continuing Legal Education (CLE) for attorneys, or funding for attorneys to obtain CLE elsewhere? (Mark (X) only one choice per row.)

	Provided	Not provided	Don't know
a. In-house CLE	☐	☐	☐
b. Funding for attorneys to obtain CLE elsewhere	☐	☐	☐

E3. Does your office provide either in-house Continuing Education Units (CEUs) for social workers, or funding for social workers to obtain CEUs elsewhere? (Mark (X) only one choice per row.)

	Provided	Not provided	Don't know
a. In-house CEU	☐	☐	☐
b. Funding for attorneys to obtain CEU elsewhere	☐	☐	☐

E4. Does your office pay bar membership fees for staff attorneys? (Mark (X) only one.)

- 1 ☐ Yes
 2 ☐ No
 3 ☐ Don't know

E5. Does your office use an electronic case management system (CMS)? Case management systems are software packages that allow attorneys to keep track of data on clients and cases. For the purposes of this question, word-processing documents and spreadsheets (such as Excel) do not constitute a CMS. (Mark (X) only one.)

- 1 ☐ Yes
 2 ☐ No
 3 ☐ Don't know

E6. Do you have any system in your office that would allow you to report the following data? (Mark (X) only one choice per row.)

	Data are easily reportable	Data would be difficult to report (e.g., time consuming and/or labor-intensive)	Could not report (e.g., data not available or accessible)
a. The office's total caseload	☐	☐	☐
b. The number of cases in which an attorney used the services of an investigator	☐	☐	☐
c. The number of cases in which an attorney used the services of a social worker	☐	☐	☐
d. The number of cases in which an attorney used the services of an expert witness	☐	☐	☐
e. Number of cases by disposition (e.g., how many ended in dismissal, conviction, acquittal)	☐	☐	☐
f. The cost of providing representation in all cases	☐	☐	☐
g. Demographic data on attorneys and other employees	☐	☐	☐
h. Demographic data on clients	☐	☐	☐

E7. Do you have any system in your office that does the following? (Mark (X) only one choice per row.)

	Yes, and it meets our office's needs	Yes, but it doesn't meet our office's needs	No such system
a. Automatically transcribes speech in video evidence to text	☐	☐	☐
b. Generates form letters or emails for me to send to clients	☐	☐	☐
c. Identifies conflicts of interest by checking names of parties in existing cases	☐	☐	☐
d. Organizes client appointments and court dates into a calendar showing attorneys where they need to be	☐	☐	☐
e. Sends text message reminders to clients for court dates	☐	☐	☐
f. Sends text message reminders to clients for appointments at my office	☐	☐	☐
g. Stores all documents related to a case for easy reference	☐	☐	☐
h. Stores all communication related to a case for easy reference	☐	☐	☐
i. Tracks the amount of time that attorneys spend on a case	☐	☐	☐

E8. What is the current volume of digital/electronic evidence that your office processed in FY 2023?

(Mark (X) only one.)

- ¹ ☐ 10 gigabytes or less
² ☐ More than 10 but less than 100 gigabytes
³ ☐ More than 100 but less than 500 gigabytes
⁴ ☐ More than 500 gigabytes but less than 1 terabyte
⁵ ☐ Greater than 1 terabyte but less than 10 terabytes
⁶ ☐ Greater than 10 terabytes
⁷ ☐ Don't know

Time survey completed: _____

Number of individuals consulted with: _____

Notes (Optional)

Question numbers that were burdensome.

Question numbers that required other staff members' input.

Question numbers that were unclear.

Other feedback on survey.

Appendix B

Contact Scripts to Participate in CPDO Pretest and Cognitive Interviews

I. Initial email to office leader to recruit CPDO cognitive test participants:

Dear [NAME OF OFFICE LEADER],

Greetings! We are reaching out to request your office's participation in a pretest of the *Census of Public Defender Offices* (CPDO) survey. The CPDO survey was developed in consultation with public defense leaders to collect important information on general office information including expenditures, staffing, caseloads, eligibility standards, and office resources. This census is being conducted on behalf of the U.S. Department of Justice's Bureau of Justice Statistics (BJS) by a team of researchers from NORC at the University of Chicago (NORC), the National Association for Public Defense (NAPD), the Urban Institute, and the Deason Criminal Justice Reform Center.

Your office is one of 20 offices invited to participate in the pretest. Feedback from public defenders working in varying types of offices is vital to developing a census questionnaire that captures timely and accurate information. We hope that you, or your delegate, will participate in the following pretest activities:

- Complete the approximately 60-minute CPDO questionnaire.
- Note questions that are unclear, those that need multiple staff to provide a response to and those that are a high time burden.
- Participate in a 45-60 minute debriefing phone call about 7-10 days after completing the CPDO questionnaire where you will be asked about your feedback on the questionnaire.

This is the cognitive test portion of the census project, and it is important that we ensure the questions are easy to understand, response options are adequate, and questions are not overly burdensome prior to the full implementation of the census next year. If no substantive changes are made to the survey, we will make every effort to incorporate the data you provide into the full dataset and limit future contact for the full collection. This is voluntary, though we hope that you will agree to participate.

To participate in the pretest, please respond to this email with your consent. A member of our team will follow-up with instructions and the survey so you can begin the process.

We are grateful for your support!

Thank you,

Bill Adams, Urban Institute
CPDO Project Team

II. Call to office leader to recruit CPDO cog test participants when unresponsive to email outreach

Hello, may I please speak with (INSERT CHIEF PD NAME)?

Hello, my name is _____ and I'm calling from NORC/Urban Institute/NAPD/Deason. About two weeks ago, we emailed you requesting your participation in a pretest of the *Census of Public Defender Offices*. Did you receive that email?

No, I did not receive that email.

Ok, let me give you some background on the census and then I'll confirm your email. The Census of Public Defender Offices is being conducted on behalf of the U.S. Department of Justice's Bureau of Justice Statistics (BJS) by a team of researchers from NORC at the University of Chicago (NORC), the National Association for Public Defense (NAPD), the Urban Institute, and the Deason Criminal Justice Reform Center. This survey was developed in consultation with public defense leaders to collect important information on general office information including expenditures, staffing, caseloads, eligibility standards, and office resources. Can you confirm that your email is [INSERT CHIEF PD EMAIL ADDRESS]?

Are you interested in pretesting the survey for us?

No, I cannot participate.

No problem at all. Thank you.

Yes, I can participate.

Great! To participate in the pretest, we would need you to:

- Complete the CPDO questionnaire which will take about 60 minutes.
- Provide feedback on any questions that are unclear, those that need multiple staff to provide a response to and those that are a high time burden.
- Participate in a 45-60 minute debriefing phone call about 7-10 days after completing the CPDO questionnaire where you will be asked about your feedback on the questionnaire.

A member of our team will follow-up with instructions and the survey so you can begin the process. As a reminder, your participation in this survey is voluntary and confidential. Your responses will not be shared with anyone outside of our research team, and you can refuse to answer questions or stop the survey at any time.

Also, we will make every effort to incorporate the data you provide into the full dataset and limit future contact for the full collection.

Thank you for your time!

Yes, I did receive that email.

Great! Are you interested in pretesting the survey for us?

No, I cannot participate.

No problem at all. Thank you.

Yes, I can participate.

Thank you. A member of our team will follow-up with instructions and the survey so you can begin the process. As a reminder, your participation in this survey is voluntary and confidential. Your responses will not be shared with anyone outside of our research team, and you can refuse to answer questions or stop the survey at any time.

Also, we will make every effort to incorporate the data you provide into the full dataset and limit future contact for the full collection.

Thank you for your time!

III. Personalized email to respondent containing census and instructions

Dear [RESPONDENT NAME],

Thank you for agreeing to take and provide feedback on the Census of Public Defender Offices (CPDO) survey! We are grateful for your time and certain that your input will make the questionnaire better.

We request that you do the following:

- Complete the attached survey (should take approximately 60 minutes) by one of the following methods:
 - Complete the survey by highlighting your answers in Adobe, if you are able to, and return via email. Print out the survey, complete by hand, scan and return to CPDO@norc.org via email.
 - Complete the hard copy of the survey that will arrive at your office in the next week and return either via scanning and emailing to CPDO@norc.org or through the provided self-addressed stamped envelope.
- As you are completing the survey, **please note any questions that are unclear, those that need multiple staff to provide a response to, and those that are a high time burden in the notes section provided at the end of the survey.**
- Track and record how long it takes you to complete the survey. Please include the time needed for any consultation in that time calculation.

Should you find a question too difficult to answer, please make a note of the question, why it is difficult to answer, and the estimated time it would take to answer. Please note that an online and paper version of the survey will be available for the full implementation but at this time, we are focusing on the content only and have attached the PDF version for your completion. If you fill out the survey as completely as possible, we will make every effort to incorporate the data you provide into the full dataset and limit future contact for the full collection.

Once we receive your completed response, we will follow-up to schedule a time to discuss the questionnaire, which we estimate will take approximately 45-60 minutes of your time. We need to receive your completed questionnaire by **[specify date]**.

Thank you,
Bill Adams, Urban Institute
CPDO Project Team

Appendix C
CPDO Pretest Cognitive Interview Script

Cognitive test debriefing interview phone script

Hello, my name is _____ and I'm calling from NORC/Urban Institute/NAPD/Deason about the Bureau of Justice Statistics' *Census of Public Defender Offices* questionnaire that you recently completed.

Is this still a good time to talk? *[If not, reschedule while on the phone!]*

Great, so let me walk you through the basic process of how the debriefing will work. We'll go through the major sections of the census, and for each section, I'll ask you if there were any particular questions in that section that you thought had issues with: clarity or wording, response choices, or the level of difficulty with providing the information requested.

We will also talk about how long it took you to complete the census and review your responses to the feedback questions. With your permission, we may be able to use this version of the survey to count as your response and will only send you a follow-up for any questions you did not complete or that were significantly revised during this process.

Record permission: Yes, use this response

No, send me the full survey again

With your permission, I would like to audio-record our conversation. This will allow me to concentrate on what you are saying instead of relying on notes I take while you're talking. I'll use the recording to help me write a summary of our conversation. It will not be used for any other purpose.

If you are willing to take part in the study and allow me to audio-record our conversation, please provide your verbal approval before we continue.

Do you have any questions before we proceed?

CENSUS QUESTION REVIEW

We will go through each section of the census, and probe to see if there were:

- Any questions that were unclear or confusing or any terminology that needed to be better defined,
- Any response options that were unclear, confusing, overlapping, or missing
- Any requested information that was not available and could not be reasonably provided. **If not able to provide:** What steps would be necessary to get the information? How long do you think that would take?

Inquiries on Specific Questions

- **Screening questions** – were all of these questions worded clearly? Did you need to review any definitions? If so, were definitions clear?
- **Section A generally** – did you encounter any specific challenges with the questions in this section such as inadequate response options, overly time consuming or unclear wording?
- Questions A2 on primary office. Do we need to include “don't know” on this question? Why or why not?
- A3 if office is a conflict office. Do we need to include “don't know” on this question? Why or why not?

- A5 on state-level oversight. Do we need to include “don’t know” on this question? Why or why not?
- A6 on oversight other than state-level. Do we need to include “don’t know” on this question? Why or why not?
- A7 (role of oversight other than state-level. Do we need to include “don’t know” on this question? Why or why not?
- A12 on funding sources. How hard was this question to answer? If you found the question challenging, why?
- **Section B generally** –Are staffing numbers readily available for you or did you need to take several steps to aggregate your staffing numbers?
- **B2** on attorney gender. How does your office categorize non-binary attorneys? Similarly, how does your office categorize transgender attorneys? If we add a third option of “non-binary or another gender” would you need to revise the numbers you provided on gender breakdown of your attorneys?
- **B2** - Is this question clear? Are you able to provide the information? What is the difficulty of providing the information? How did you report this information? Any other concerns about the accuracy or ability to report this information?
- **B3** on attorney race. Is this question clear? Are you able to provide the information? What is the difficulty of providing the information? How did you report this information? Any other concerns about the accuracy or ability to provide this information?
- **B4** on ‘litigating attorneys’ that carry a caseload. Is this question clear? Are you able to provide the information? What is the difficulty of providing the information? Any other comments?
- **B5** on attorneys working at the office more than three years. Is this question clear? Are you able to provide the information? What is the difficulty of providing the information? Any other comments?
- **B6** on attorney salaries: Are you able to provide the information? What is the difficulty of providing the information? Would it have helped to allow you to estimate these numbers? Any other comments?
- **B7** on attorneys that recently left. Is this question clear? Are you able to provide the information? What is the difficulty of providing the information? Any other comments?
- **B8** on vacant positions. Is this question clear? Are you able to provide the information? What is the difficulty of providing the information? Any other comments?
- **Section C generally** – how difficult is it to provide case information?
- **C2** on how you count cases. Is this question clear?
- **C3** on caseloads. Is this question clear? Are you able to provide the information? What is the difficulty of providing the information? Any other comments?

- **Section D generally** – how difficult is it to describe eligibility for services?
- **D2** on eligibility determination. Is this question clear? Are any eligibility standards not listed here that your office uses?
- **D4** on eligibility threshold. Is this question clear?
- **Section E generally** – how difficult is it to provide information about policies and technology?
- **E1** on policies. Is this question clear?
- **E6** on ability to report data. Is this question clear? Are you able to provide the information? What is the difficulty of providing the information? Any other comments?
- **E8** on tech capabilities. Is this question clear?
- **E9** on gigabytes of evidence handled. Is this question clear? Are you able to provide the information? What is the difficulty of providing the information? Any other comments?

OVERALL GENERAL QUESTIONS

- [If respondent did not record the start and stop time for the survey] How long did the census take you to complete?
- Did you need to share the census questionnaire with others in or outside of your office to complete any of the questions? If so, how many other staff members needed to provide information for the instrument? What were the roles of the other staff members needed to provide information for the instrument?
- Which questions were particularly hard to answer? Which questions took the longest? Why did those questions take the longest?
- Were there any questions that were not appropriate or not applicable to your office?
- Which section/questions would produce the data that is the most interesting to you?
- Are there any important topics that do not currently appear on the census that you would recommend including? If so, why?
- Are there any other improvements to the census that you would recommend that we make?
- In your opinion, how long should we give public defender offices to complete the census before following up with them?

In your opinion, what mode of communication would be most effective in following up to remind respondents to complete the census? Phone call, text, email, or regular mail?

Thank you so much for the time you've dedicated to reviewing and improving the CPDO instrument. If you think of anything else you'd like to note about the survey, please don't hesitate to reach back out to me via phone or email. Thank you again.



U.S. Department of Justice

Office of Justice Programs

Bureau of Justice Statistics

Washington, D.C. 20531

[Date]

Attachment 7

(NAME), (TITLE)
(AGENCYNAME)
(ADDR)
(CITY), (STATE) (ZIP)

Dear (NAME),

I am writing to request your participation in the **Census of Public Defender Offices (CPDO)** data collection, sponsored by the U.S. Department of Justice's Bureau of Justice Statistics (BJS). In partnership with the National Association for Public Defense (NAPD), NORC at the University of Chicago, the Urban Institute, and the Deason Criminal Justice Reform Center, BJS is administering the CPDO to collect data on public defense providers. The CPDO will generate a nationwide census of public defense offices and capture key aspects of office operations for the first time in sixteen years.

Your participation in the CPDO is vital. The data will provide office leaders like yourself with key metrics, including general office information, expenditures, staffing, caseloads, and eligibility standards, to support efforts for improved resources. Additionally, it will offer transparency across jurisdictions, allowing you to see how other offices are structured and operate. When testing the CPDO instrument with leaders from a diverse range of offices, there was a clear sense of communal support and strong curiosity about how other offices operate, are funded, and function.

Next week, you will receive an invitation via email to complete the survey from BJS's CPDO data collection agent, NORC at the University of Chicago. This invitation will include a link to your office survey that can be shared with other personnel in your office who may be better informed to complete certain sections.

BJS is authorized to conduct this data collection (34 U.S.C. § 10132) and may only use the information it collects for statistical or research purposes (34 U.S.C. § 10134). BJS may not publicly release data in a way that could reasonably identify a specific private person (34 U.S.C. § 10231). Any person who violates these provisions may be punished by a fine up to \$10,000, in addition to any other penalties imposed by law. Further, per the Cybersecurity Enhancement Act of 2015 (6 U.S.C. § 151), federal information systems are protected from malicious activities. The [BJS Data Protection Guidelines](#) provide information on how protects data.

A brief project overview is attached to this letter. If you have technical questions regarding the CPDO data collection or need assistance with the survey, please contact the NORC project team at CPDO@norc.org or (866) 582-4052. If you have general comments about BJS or CPDO, please contact Ryan Kling, BJS project manager at Ryan.Kling@usdoj.gov or (202) 704-0076. BJS appreciates your generous cooperation and partnership in supporting this important effort.

Sincerely,

Kevin M. Scott
Acting Director

Attachment 8



[INSERT MAILING INFORMATION]

To the Office of [INSERT],

We are writing today to ask your office to participate in the Bureau of Justice Statistics (BJS)'s Census of Public Defender Offices (CPDO). BJS is the principal statistical agency of the Department of Justice and is responsible for collecting data on the justice system. The National Association for Public Defense (NAPD) is a partner on this project and was closely involved in the development of the CPDO survey questions.

The CPDO will provide updated information to policymakers, researchers and the public that will increase the body of knowledge about public defender offices. Information generated by the CPDO will include:

- 1) how many public defenders and public defender offices there are in the country,
- 2) how many cases those offices are handling, and the staffing and resources they have for those cases,
- 3) up to date information on attorney salaries, the burden of digital evidence, and recruitment and retention challenges.

The CPDO was created with the help of public defender leaders across the U.S. Your responses, and those of your colleagues across the country, will allow an incredible scope of information to be collected and published at the national level for only the second time. Prosecutor offices are being surveyed through a different survey and it is critical that comprehensive public defense data is also collected.

Completing the questionnaire should take approximately 60 minutes. You may delegate the entire survey or a subset of questions to knowledgeable staff within your office. To delegate the entire form, please share the online census link and office PIN with your colleague. To delegate a subset of questions, select the *delegate* button within the online census to provide the name and email of your colleague and they will be sent an email with a request to complete the questions. The web survey automatically saves your responses after each question. This allows you to close the survey and pick up right where you left off at a later time. To begin the survey, follow the steps below. If your office has any further questions, please contact NORC using the information below.



Thank you for the services that you provide to your clients daily, and for your support of this research effort on the legal representation of people unable to afford a lawyer.

Sincerely and on behalf of our project team,

KP Friess
Development & Engagement Director, NAPD

**WANT MORE
INFORMATION?**

Call Us
(866) 582-4052

Email Us
CPDO@norc.org

Visit Us Online
[Census of Public Defender Offices
\(2023\) | NORC at the University of
Chicago](#)

Attachment 9a



Census of Public Defender Offices

Dear <<NAME>>,

This message is follow-up to our recent conversation inviting your office, <<P_NAME>>, to participate in the Census of Public Defender Offices (CPDO). Completing the survey should take approximately 60 minutes. It can be completed by any knowledgeable staff member about caseloads, staff, budget and policies within your office. Participation is voluntary.

Please go to: www.cpdo.norc.org and enter the PIN for your office: <<PIN>> to complete the CPDO online.

If you have any questions, please contact us at (866) 582-4052 or CPDO@norc.org.

We appreciate your time.

Sincerely,

The CPDO team

<<P_SUID>>

Attachment 9b



Dear <<NAME>>,

NORC at the University of Chicago in partnership with the National Association for Public Defense (NAPD) is conducting the 2024 Census of Public Defender Offices (CPDO), sponsored by the Bureau of Justice Statistics (BJS).

[N_FNAME.TEXT] started the survey but was not able to answer some of the questions posed to them in the survey and has nominated you as someone who might be able to answer these questions instead. These questions are located in the following sections of the survey:

[N_SECTION4(1).Text]

[N_SECTION4(2).Text]

[N_SECTION4(3).Text]

[N_SECTION4(4).Text]

[N_SECTION4(5).Text]

To access the survey, please go to: www.cpdo.norc.org and enter the PIN for your office: <<PIN>>

If you have any questions, please contact us at (866) 582-4052 or CPDO@norc.org.

We appreciate your time.

Sincerely,

The CPDO team

<<P_SUID>>

Attachment 10a



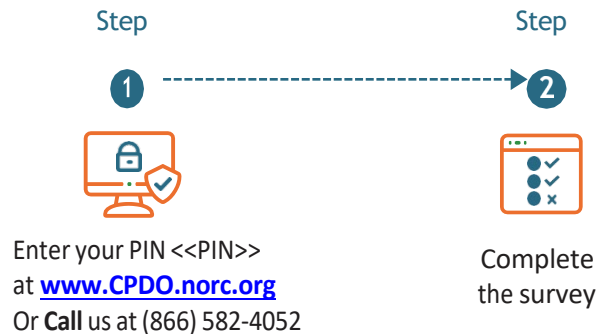
Dear [NAME],

Did you know...

- In 2007, County-based offices employed a median of 7 litigating public defenders.
- Fifteen state-administered programs in 2007 exceeded the maximum recommended number of felony and misdemeanor cases per attorney.

The 2024 Census of Public Defender Offices (CPDO) is underway and we need your help by participating in this survey! The last collection for CPDO was in 2007. Your responses help by responding to the 2024 CPDO survey so we have accurate updated information on public defender offices across the nation.

Instructions on how to respond to the survey are below. **Please respond by <insert date two weeks after email date>.** The web survey will save your responses as you respond to each question. This allows you to close the survey and pick up right where you left off at a later time. You may also delegate the survey to knowledgeable staff within your office by selecting the *delegate* button within the online census and providing the name and email of your colleague. The delegate will be sent a link to the subset of questions you would like them to complete. The following steps can be used to complete the web survey:



The CPDO is sponsored by the Bureau of Justice Statistics (BJS), the statistical agency of the U.S. Department of Justice, and is conducted by the NORC at the University of Chicago and endorsed by the National Association for Public Defense (NAPD). Please do not hesitate to reach out to the CPDO team with any questions about your participation in this important data collection.

Thank you.

Sincerely,

The CPDO Team

WANT MORE INFORMATION?

Call Us
(866) 582-4052

Email Us
CPDO@norc.org

Visit Us Online
[Census of Public Defender Offices \(2023\) | NORC at the University of Chicago](#)

Attachment 10b



Dear [NAME],

The 2024 Census of Public Defender Offices (CPDO) is in progress and we need your help by participating in this survey!

Did you know...

- County-based public defender offices received more than 4 million cases and spent nearly \$1.5 billion in operating expenditures in 2007.
- In 2007, 40% of all county-based public defender offices had no investigators on staff.

The last collection for CPDO was in 2007. We need your help by responding to the 2024 CPDO survey so we have accurate updated information on public defender offices across the nation. **Please respond by <insert date two weeks after email date>.**

Instructions on how to respond to the survey are below. The web survey automatically saves your responses after each question. This allows you to close the survey and pick up right where you left off at a later time. You may provide estimates, as needed, and may delegate the survey to knowledgeable staff within your office by selecting the *delegate* button within the online census and providing the name and email of your colleague. The delegate will be sent a link to the subset of questions you would like them to complete. The following steps can be used to complete the web survey:



The CPDO is sponsored by the Bureau of Justice Statistics (BJS), the statistical agency of the U.S. Department of Justice, and is conducted by the NORC at the University of Chicago and endorsed by the National Association for Public Defense (NAPD). Please do not hesitate to reach out to the CPDO team with any questions about your participation in this important data collection.

Thank you.

Sincerely

The CPDO Team

**WANT MORE
INFORMATION?**

Call Us
(866) 582-4052

Email Us
CPDO@norc.org

Visit Us Online
[Census of Public Defender Offices
\(2023\) | NORC at the University of
Chicago](#)

Dear [NAME],

Reminder – We need your office to complete the CPDO!

Data collection for the 2024 Census of Public Defender Offices (CPDO) is still underway and we're waiting for your response to this important survey.

The following steps can be used to complete the web survey:



Please respond by <insert date>. The web survey will save each answer as you move through the census. This allows you to close the survey and pick up right where you left off at a later time. Estimates can be entered into the form, as needed, and you may delegate the census to knowledgeable staff within your office by selecting the *delegate* button within the online census and providing the name and email of your colleague. The delegate will be sent a link to the subset of questions you would like them to complete.

The CPDO is sponsored by the Bureau of Justice Statistics (BJS), the statistical agency of the U.S. Department of Justice, and is conducted by the NORC at the University of Chicago and endorsed by the National Association for Public Defense (NAPD). Please do not hesitate to reach out to the CPDO team with any questions about your participation in this important data collection.

Thank you.

Sincerely,

The CPDO Team

WANT MORE INFORMATION?

Call Us
(866) 582-4052

Email Us
CPDO@norc.org

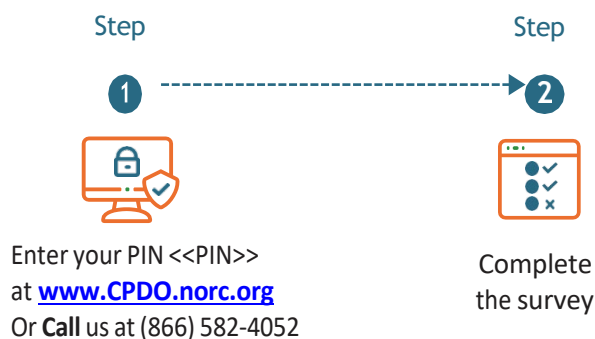
Visit Us Online
[Census of Public Defender Offices
\(2023\) | NORC at the University of
Chicago](#)

Dear [NAME],

Please complete the census! Your response is important!

As of today, we have not received your responses to the 2024 CPDO. Your participation is critical to our ability to have a complete census of all public defender offices across the nation. Instructions on how to respond to the survey are below. **Please respond by <insert date>.** Please do not hesitate to reach out to the CPDO team to provide assistance with your participation.

The following steps can be used to complete the web survey:



The web survey will save each answer as you move through the census. Therefore, you may close the survey and pick up right where you left off at a later time. Estimates can be entered into the form, as needed, and you may delegate the census to knowledgeable staff within your office by selecting the *delegate* button within the online census and providing the name and email of your colleague. The delegate will be sent a link to the subset of questions you would like them to complete.

Thank you.

Sincerely,

The CPDO Team

WANT MORE INFORMATION?

Call Us
(866) 582-4052

Email Us
CPDO@norc.org

Visit Us Online
[Census of Public Defender Offices
\(2023\) | NORC at the University of
Chicago](#)

Attachment 10e



Dear [NAME],

Your response matters!

The 2024 Census of Public Defender Offices (CPDO), sponsored by the Bureau of Justice Statistics (BJS), U.S. Department of Justice and conducted by the NORC at the University of Chicago with endorsement by the National Association for Public Defense (NAPD), is in progress.

Our goal is to receive completed census information from all public defender offices. As of <<insert DATE>>, we have received responses from XX% of offices. Please see our weekly progress in the chart below:

[INSERT CHART]

We hope that your office will complete the CPDO web survey:



The web survey will save each answer as you move through the census. This allows you to close the survey and pick up right where you left off at a later time. Estimates can be entered into the form, as needed, and you may delegate the census to knowledgeable staff within your office by selecting the *delegate* button within the online census and providing the name and email of your colleague. The delegate will be sent a link to the subset of questions you would like them to complete.

Thank you.

Sincerely,

The CPDO Team

WANT MORE INFORMATION?

Call Us
(866) 582-4052

Email Us
CPDO@norc.org

Visit Us Online
[Census of Public Defender Offices \(2023\) | NORC at the University of Chicago](#)

Attachment 11



Census of Public Defender Offices

[INSERT MAILING INFORMATION]

To the Office of [INSERT],

Your response matters to the public defense community!

Did you know...

- In 2007, there were a total of 15,016 public defenders in the U.S.
- State-administered programs had a median attrition rate of 10% for attorneys in 2007.

The 2024 Census of Public Defender Offices, sponsored by the Bureau of Justice Statistics (BJS), U.S. Department of Justice and conducted by the NORC at the University of Chicago with endorsement by the National Association for Public Defense (NAPD), is currently collecting data from over 1,000 public defender offices in the United States and Territories. The previous Census collected data from 2007 and updated information is greatly needed by those working as practitioners, advocates, policy makers, and the general public. **Please respond by <insert date three weeks after mail date>.**

We invite your office to complete the enclosed census form. The questions on the form were developed in collaboration with a panel of public defense experts and NAPD so that the information requested collects data on the most important topics of relevance to the field of public defense. The form can be completed by any knowledgeable staff in your office and returned to NORC in the enclosed envelope. Previous testing indicated the survey will take approximately 60 minutes.

If your office prefers to complete the on-line version, instructions for completing the web survey are included on the first page of the form along with your unique pin. If you need assistance or have any questions regarding the census, please contact us at (866) 583-4052 or e-mail at CPDO@norc.org.

Sincerely,

The CPDO Team

Attachment 12

CPDO: Phone Follow Up Script--

Hello, may I please speak with [INSERT CONTACT NAME].

INTERVIEWER: IF R NO LONGER WORKS THERE, ASK FOR PERSON WHO CURRENTLY HOLDS R's POSITION. RECORD UPDATED INFORMATION IN SYSTEM, THEN PROMPT NEW R TO COMPLETE ONLINE, ATTEMPT TO SCHEDULE INTERVIEW OR BEGIN TO COMPLETE ITEMS OVER THE PHONE.

INTERVIEWER: My name is [NAME]. I am calling from NORC on behalf of the Bureau of Justice Statistics regarding the Census of Public Defender Offices. We recently sent you information about the census and I am following up on this correspondence. Do you remember seeing the information about this census?

NO, did not receive form/letter/e-mail:



The Bureau of Justice Statistics funded a Census of Public Defender Offices or the CPDO. The CPDO will provide the public defense community with information about number of offices, public defenders, budgets, and staffing. Your office is invited to participate. You or your designee can complete the census online. If you have an e-mail address, I can send you information about the study including your PIN and password. If you would prefer a hard copy, please let us know.

YES, did receive form/letter/email:



Good! Do you have any questions about the census or who should complete it? You may complete the survey online at www.CPDO.norc.org Or if you prefer, we can also schedule an appointment to complete the form over the phone.

If you have any questions, please call us toll-free at: (866) 582-4052. This number can also be found in the web survey. Please remember to complete the census by <<insert date two weeks past call>>. Thank you in advance for your participation.

CPDO Respondent VM Script

Hello! My name is (NAME) calling from NORC. We are conducting the 2024 Census of Public Defender Offices on behalf of the Bureau of Justice Statistics. You should have received materials about the census and we hope you will participate. Please complete the census by <<insert date two weeks past call>> and contact us with any questions at (866) 582-4052. Thank you!

Administrative Assistant or Secretary's Telephone Line VM Script

Hello! My name is (NAME), calling from NORC. We are conducting the 2024 Census of Public Defender Offices on behalf of the Bureau of Justice Statistics. (RESPONDENT'S NAME) should have received materials about the census and I am calling to check in to confirm that your office received the census invitation. Please contact us with any questions at (866) 582-4052. Thank you!



U.S. Department of Justice

Office of Justice Programs

Bureau of Justice Statistics Attachment 13

Washington, D.C. 20531

[Date]

(NAME), (TITLE)
(AGENCYNAME)
(ADDR)
(CITY), (STATE) (ZIP)

Dear (NAME),

The 2024 **Census of Public Defender Offices (CPDO)** is underway and we have not yet received a response from your office.

The CPDO is an important survey by the U.S. Department of Justice's Bureau of Justice Statistics (BJS) in partnership with the National Association for Public Defense (NAPD), NORC at the University of Chicago, the Urban Institute and the Deason Criminal Justice Reform Center. To provide current information for office leaders, policymakers and researchers, we need data from your office to enhance our understanding of public defender office operations around the country.

Our goals are to identify all public defender offices in the U.S. and Territories and gather information on their funding sources, budgets, caseloads, numbers of attorneys and support staff. These data are critical for identifying gaps in the field of indigent defense. Given recent changes to indigent defense standards and guidelines, there has been a well-noted need for this type of national level data.

As of DATE, **XX%** of your colleagues have responded to the census. However, without the participation of your office, the public defender community will still be without the national level information that is needed to provide a true understanding of the challenges facing indigent defense service providers.

BJS is authorized to conduct this data collection (34 U.S.C. § 10132) and may only use the information it collects for statistical or research purposes (34 U.S.C. § 10134). BJS may not publicly release data in a way that could reasonably identify a specific private person (34 U.S.C. § 10231). Any person who violates these provisions may be punished by a fine up to \$10,000, in addition to any other penalties imposed by law. Further, per the Cybersecurity Enhancement Act of 2015 (6 U.S.C. § 151), federal information systems are protected from malicious activities. The [BJS Data Protection Guidelines](#) provide information on how protects data.

We have enclosed a copy of the census for completion by your office. Instructions for completing the census online are included on the first page of the form. If you need assistance or have any questions regarding the census, please contact the NORC project team at (866) 583-4052 or e-mail at CPDO@norc.org. If you have general comments about BJS or CPDO, please contact Ryan Kling, BJS project manager at Ryan.Kling@usdoj.gov or (202) 704-0076. BJS appreciates your generous cooperation and partnership in supporting this important effort.

Sincerely,

Kevin M. Scott, PhD
Acting Director

Attachment 14



[INSERT MAILING INFORMATION]

To the Office of [INSERT],

The 2024 Census of Public Defender Offices (CPDO), sponsored by the Bureau of Justice Statistics (BJS), U.S. Department of Justice and conducted by the NORC at the University of Chicago with endorsement by the National Association for Public Defense (NAPD), is underway. The previous CPDO collected data with a 2007 reference year and is out of date. Updated information on the role that public defender offices have within the justice system is needed. **Please respond by <insert date three weeks after mailing>.**

We invite your office to participate in the 2024 census!

The survey can be completed using the web survey or via the hardcopy census form mailed to your office a few weeks ago. The web survey will save your responses as you answer each question. You may delegate the survey to any knowledgeable staff within your office by selecting the *delegate* button within the online census and providing the name and email of your colleague. The delegate will be sent a link to the subset of questions you would like them to complete.

The following steps can be used to complete the web survey:



Thank you.

Sincerely,

The CPDO Team

**WANT MORE
INFORMATION?**

Call Us
(866) 582-4052

Email Us
CPDO@norc.org

Visit Us Online
[Census of Public Defender Offices
\(2023\) | NORC at the University of
Chicago](#)

Attachment 15

Initial Script:

Hello, my name is _____ and I'm calling on behalf of NAPD. We are working with the U.S. Department of Justice, Bureau of Justice Statistics on the Census of Public Defender Offices. The census is collecting updated information from public defender offices across the country. I'm calling to check in to see if you received the census invitation via email or the census form via mail and to answer any questions that you might have. RESPOND AS APPROPRIATE FOR THE COMMENT/QUESTION

NO, did not receive form/letter/e-mail:



The Bureau of Justice Statistics funded a Census of Public Defender Offices or the CPDO. The CPDO will provide the public defense community with information about number of offices, public defenders, budgets, and staffing. Your office is invited to participate. You or your designee can complete the census online. If you have an e-mail address, I can send you information about the study including your PIN and password. If you would prefer a hard copy, please let us know.

YES, did receive form/letter/email:



Good! Do you have any questions about the census or who should complete it? You may complete the survey online at www.CPDO.norc.org Or if you prefer, we can also schedule an appointment to complete the form over the phone.

Thank you for your time today. As you move forward with the census, we are happy to help. Our email is CPDO@norc.or or call us at NAPD NUMBER OR NORC NUMBER--(866) 582-4052. Have a good day!

Voicemail Script:

Hello, my name is _____ and I'm calling on behalf of NAPD to check in on the U.S. Department of Justice, Bureau of Justice Statistics' project, the Census of Public Defender Offices. We hope that your office will participate in the census and I'm calling to check to see if there are any questions on the census. Please complete the census by <<insert date two weeks past call>> and contact us with questions at (866) 582-4052. Thank you!

If following up on a prior call or email:

Hello, my name is _____ from NAPD and I'm following up on (our call/my email) regarding the U.S. Department of Justice, Bureau of Justice Statistics' Census of Public Defender Offices project.

- **If leaving voicemail:**

Please give us a call back as soon as you can at NAPD NUMBER OR NORC NUMBER-
-(866) 582-4052. Thank you.

- **If you reach contact:**

We haven't yet received the requested public defender office census from you, and I'm just calling to see whether you have any questions I might be able to address.

Attachment 16

Census of
Public Defender Offices

55 East Monroe Street, 19th Floor, Chicago, IL 60603
(866) 582-4052 | CPDO@norc.org

<<P_SUID>>
<<P_NAME>>
<<P_ADD2>>
<<P_CITY>>, <<P_STATE>> <<P_ZIP>>

Don't miss out on your Last Chance to share your office's experience!



The Census of Public Defender Offices (CPDO) data collection is closing on <insert date two weeks after mailing> and we have not yet received a response from your office.

Your office is invited to participate in a census of public defender offices across the United States and Territories. We hope that you or another knowledgeable person in your office will complete the census. Please send us an email at CPDO@norc.org or call us at (866) 582-4052 to request your office's unique pin for the web survey or to request a hard copy.



CPDO survey closing soon!

To the Office of <<P_ADD1>>,

The National Association for Public Defense (NAPD) encourages your office to complete the Census of Public Defender Offices (CPDO) survey. We are about to close data collection and we hope that your office will complete the survey so that we have a current count of the number of public defender offices and the types of work that they do. NAPD has been involved with the development of the census questions and fully supports the CPDO data collection, we want to ensure all voices are heard and no office is excluded.

Completing the survey should take approximately 60 minutes and may be delegated to one or more knowledgeable staff in your office. Please contact us by calling **(866) 582-4052**, emailing us at CPDO@norc.org, or visiting our website, www.CPDO.norc.org if you want to learn more about the survey and take part.

All surveys need to be completed by <insert date 2 weeks after mailing>, to be included in our final results! To complete the survey, follow the steps on the back or contact us through phone or email.



Sincerely,

The CPDO Team

**WANT MORE
INFORMATION?**

Call Us
(866) 582-4052

Email Us
CPDO@norc.org

Visit Us Online
[Census of Public Defender Offices
\(2023\) | NORC at the University of
Chicago](http://Census of Public Defender Offices (2023) | NORC at the University of Chicago)

Attachment 17



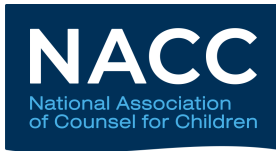
Dear (NAME),

On behalf of the U.S. Department of Justice's Bureau of Justice Statistics (BJS), NORC, NAPD, the Urban Institute, and the Deason Criminal Justice Reform Center, we would like to thank you for your participation in the *Census of Public Defender Offices* (CPDO). We truly appreciate your support in completing the CPDO questionnaire and your willingness to provide information so that policymakers, researchers and the public will have an increased body of knowledge about public defender offices and their operations. BJS will make the results of the CPDO available on their web page: <https://bjs.ojp.gov/data-collection/census-public-defender-offices-cpdo> .

If you have any questions, please do not hesitate to contact us at (866) 582-4052 or by email at CPDO@norc.org.

Sincerely,

The CPDO Team



October 10, 2024

Ryan Kling
 Statistician, Judicial Statistics Unit, Bureau of Justice Statistics
 810 7th Street NW
 Washington, DC 20531
 VIA EMAIL: Ryan.King@USDOJ.GOV

Re: OMB #1121-0095; Proposed eCollection - Reinstatement, With Change, of a Previously Approved Collection: Census of Public Defender Offices

Dear Mr. Kling:

Pursuant to notice published in the Federal Register, the [National Association of Counsel for Children](#) (NACC) submits these comments regarding the proposed information collection tool for the Department of Justice's Census of Public Defender Offices (CPDO). NACC represents a national membership community of attorneys who advocate in child protection courts on behalf of children, parents, kin, and agencies. Our work is guided by our 2023 [Policy Framework](#), which was shaped by NACC's staff, Board of Directors, members and lived experience [Advisory Council](#). We promote [best practices](#) for child protection legal representation, including when that work is housed in public defender offices.

Although foster care court cases are civil in nature, legal representation for these matters is handled by the public defender's office in many jurisdictions.¹ The reinstatement of the CPDO presents an excellent opportunity to gather accurate information on this lesser-known aspect of public defender practice. This is a most opportune moment to revisit data, as [recently available funding under Title IV-E](#) may lead public defenders to increase their practice in this arena.

NACC recommends the following modest additions to the tool:

- **Section C (Caseload)**
 - Do attorneys that represent children in child protection cases also represent those children in delinquency cases? (["Crossover" or "Dual System" Youth](#))
 - In your office, what percentage of an attorney's caseload is dedicated to child protection legal representation – for parents? for children?
- **Section E (Office Resources)**
 - Does your office access federal [Title IV-E funding](#) for legal representation?

¹As of 2022, we are aware of 11 states where this infrastructure was in place for representation of youth in foster care: Connecticut, Idaho, Iowa, Massachusetts, Minnesota, Montana, New Jersey, Oregon, Vermont, West Virginia and Wisconsin.

- Does your office require specialized training for attorneys providing legal representation in child protection matters?

We welcome the opportunity to talk further about the important role of legal [counsel for kids](#). Please feel free to reach out to me using the information below.

Sincerely,

A handwritten signature in black ink, appearing to read "Allison Green", with a long horizontal flourish extending to the right.

Allison Green, JD, CWLS
Legal Director, National Association of Counsel for Children
Allison.Green@NACCchildlaw.org
202-230-9128

From: [Tatiana Ziff](#)
To: [Kling, Ryan \(OJP\)](#)
Subject: [EXTERNAL] Comment for BJS Public Defender Survey
Date: Tuesday, November 12, 2024 4:41:18 PM

Hello Ryan,

This is Tatiana from Partners for Justice, an organization that aims to transform public defense nationally. I was hoping to reach out with a comment about the upcoming BJS national survey of public defenders.

We would encourage the survey to inquire about the scope of client services that a public defender provides clients outside of their immediate criminal legal matter. As recently highlighted by the ABA in their Ten Principles of a Public Defense Delivery System, issued in April 2023, one of the essential components of effective representation is client-centered advocacy rooted in a client's needs and goals. Specifically, the ABA states, "Public Defense Providers should address civil and non-legal issues that are relevant to their clients' cases. Public Defense Providers can offer direct assistance with such issues or establish collaborations with, or provide referrals to civil legal services organizations, social services providers, and other lawyers and non-lawyer professionals." Understanding how public defenders are able to comply with this recommendation can inform how resources can be allocated to meet this need.

The survey question we are proposing could be phrased as such: "Does your office deploy staff to address a client's civil and social service needs that are not directly related to the criminal legal case?"

Please let me know if emailing you this comment is sufficient, or if there is anywhere else I can submit it!

Best,
Tatiana