

# Public Defender (Dept. 44)

**Mission Statement:** *Dedicated to providing quality legal representation in criminal and related proceedings to indigent defendants.*

**Department Created By:** *Illinois State Statute (55 ILCS 5/3-4000) Counties Code.*

**Classification:** **Judicial**

**Background:** The office of the Public Defender was created by State legislature based on the right to counsel and to due process guaranteed by the Constitution of the United States and the State of Illinois. Public Defenders are licensed attorneys appointed by the court to represent indigent defendants in criminal cases.

## Functions: MANDATED BY STATE STATUTE

- **Legal Defense:** The Public Defender provides legal defense for felony, misdemeanor and juvenile delinquency cases. The General Assembly recognizes that quality legal representation in criminal and related proceedings is a fundamental right of the people of the State of Illinois and that there should be no distinction in the availability of quality legal representation based upon a person's inability to pay. Therefore, it is the intent of the General Assembly to provide for effective county public defender systems throughout the State and encourage the active and substantial participation of the private bar in representation of indigent defendants.
- **Juvenile Court:** The Public Defender provides legal counsel at the juvenile court for children in abuse, dependency and neglect petitions.
- **Representation:** The Public Defender is also appointed to represent people subject to involuntary commitment, contempt, paternity action and extradition proceedings.

## 2024 Highlights

- Assigned to and disposed of over **4,000** criminal defendants and on track to resolve over **7,000** criminal charges during 2024, assisting the Circuit Court in reducing and managing the case load of the Courts.
- Pro-actively worked in reducing recidivism and long-term caseloads by facilitating qualifying defendants into the Drug Court, Mental Health Court, DUI Court, and Domestic Violence Court.
- Currently manages 85% cases in Drug Court, 75% cases in Mental Health Court, and 18% cases in DUI court ultimately providing cost savings to the judicial system and the taxpayers of the County.
- As an active contributing partner to the specialty courts, the department considers the graduation of 75% of PD Mental Health Court cases, 18% of PD Drug Court cases, and 6% in DUI court cases as an indication of success for the services provided by the Public Defender Department.

## 2025 Goals

- Maintain relations with other Justice partners in the reduction of recidivism and long-term caseloads by facilitating qualifying candidates to the Drug Court, Mental Health Court, DUI Court, and Domestic Violence Court.
- In addition to the Public Defender's E Defender case management system, we continue to learn and excel in the new Approach the Bench software with the State's Attorney and the Circuit Clerk to exchange additional information electronically. Making the overall justice system more efficient by communicating and submitting documents digitally. This is at no cost to the taxpayer.
- Stay active in our focus, with the implementation of the Pretrial Fairness Act, and its impact on the court system.

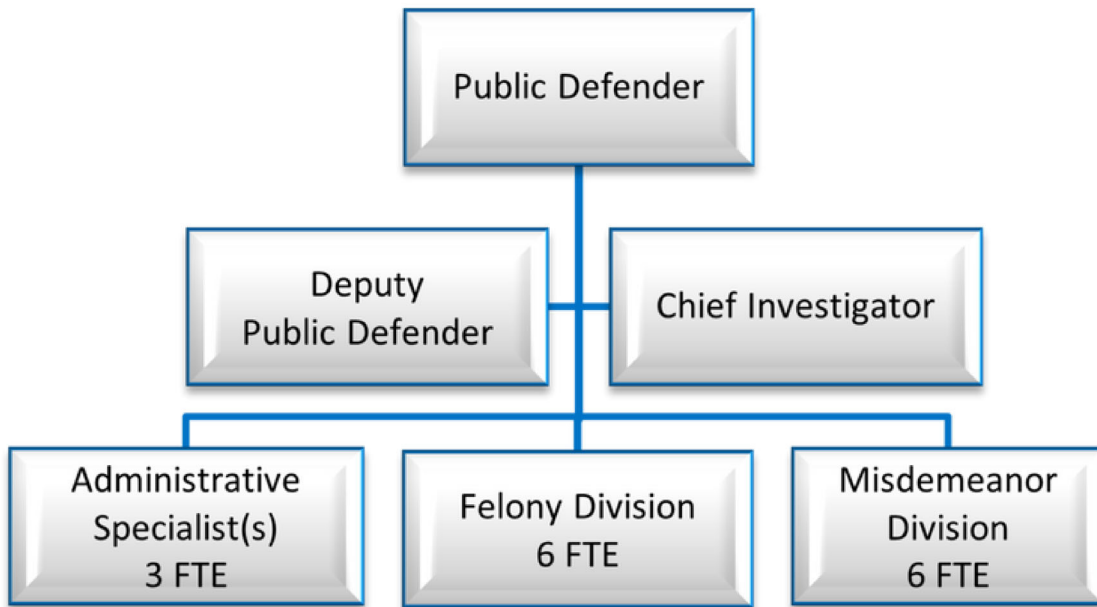
## Performance Measures

Performance Indicators:	2023 Actual	2024 Projected	2024 Mid-Year	2025 Projected
Court Appointed Defendants	4,502	4,700	1,931	5,000
Disposed Number of Adult Felonies	1,905	2,000	850	2,000
Disposed Number of Adult Misdemeanors	5,235	6,000	2,535	6,000
Disposed Number of Juveniles	386	400	110	450
Disposed "Other" Appointed Matters (i.e, Paternity, Contempt, Involuntary Commitment, Extraditions, etc.)	41	50	15	60
Investigations in Field	4,700	4,500	2,200	5,000
Investigator Client Interviews	4,500	6,000	2,500	4,700

## Full Time Equivalents History

Job Title	2022-23	2023-24	2024-25
	FTE	FTE	FTE
Public Defender	1.00	1.00	1.00
Deputy Chief Public Defender	1.00	1.00	1.00
Lead Assistant Public Defender	-	3.00	3.00
Supervisor Public Defender	1.00	1.00	1.00
Principal Public Defender	3.00	3.00	3.00
Senior Assistant Public Defender	1.00	1.00	1.00
Assistant Public Defender	6.00	4.00	4.00
Investigator	1.00	1.00	1.00
Legal Administrative Supervisor	-	1.00	1.00
Legal Administrative Specialist II	1.00	-	-
Legal Administrative Specialist I	2.00	2.00	2.00
<b>Total Dept 44 - Public Defender</b>	<b>17.00</b>	<b>18.00</b>	<b>18.00</b>

## Organizational Chart



**County of McHenry**  
**2025 Proposed Budget**  
**44 - Public Defender**

Category	FY2022 Actual	FY2023 Actual	FY2024 Appropriated	FY2024 Actual (YTD)	FY2025 Budgeted
<i>General Fund</i>					
80 - Fees & Charges for Service Total	7,103	8,318	20,000	1,757	20,000
94 - Governmental Total	112,905	115,997	117,091	155,619	125,018
<b>General Fund Revenue</b>	<b>120,008</b>	<b>124,315</b>	<b>137,091</b>	<b>157,375</b>	<b>145,018</b>
30 - Personnel Total	1,212,991	1,373,072	1,378,840	995,718	1,662,315
40 - Contractual Total	7,219	8,880	12,584	2,197	12,959
50 - Commodities Total	7,828	14,258	12,699	7,471	13,299
<b>General Fund Expense</b>	<b>1,228,037</b>	<b>1,396,210</b>	<b>1,404,123</b>	<b>1,005,386</b>	<b>1,688,573</b>
<i>Public Defender Automation Fund</i>					
80 - Fees & Charges for Service Total	3,630	3,803	3,600	2,186	3,600
91 - Utilization of Fund Balance Total	-	-	-	-	11,000
95 - Interest Earnings Total	136	639	136	505	400
<b>Public Defender Auto Revenue</b>	<b>3,766</b>	<b>4,442</b>	<b>3,736</b>	<b>2,691</b>	<b>15,000</b>
50 - Commodities Total	-	-	-	-	15,000
68 - Fund Balance Enhancement Total	-	-	3,736	-	-
<b>Public Defender Auto Expense</b>	<b>-</b>	<b>-</b>	<b>3,736</b>	<b>-</b>	<b>15,000</b>

**To View Interactive Budget (both Financial and Non Financial Information)**

<https://mchenrycountyil.openbook.questica.com/#/spotlight/efe8db06-7ac6-45bc-9f0f-845fa5d1f6d0>

## FY 2025 POSITION HOURS CHANGE

**ACTION REQUESTED:**

RECLASSIFICATION

SALARY ADJUSTMENT

DEPARTMENT PUBLIC DEFENDER

DIVISION  

CURRENT GRADE 4

PROPOSED GRADE 5

CURRENT CLASSIFICATION LEGAL ADMINISTRATIVE SPECIALIST 1

PROPOSED CLASSIFICATION/CHANGE LEGAL ADMINIISTRATIVE SPECIALIST 2

ANNUAL SCHEDULED HOURS (required for calculation):

CURRENT 1950 PROPOSED 1950

**RECLASSIFICATION/SALARY INCREASE - HOURLY SALARY**

EMPLOYEE RECLASSIFIED: 7836

<i><b>CURRENT CLASSIFICATION</b></i>		Rate of Pay			Rate of Pay	
REG	PT	\$0.00	REG	FT	\$23.17	\$45,181.50
SLEP	PT	\$0.00	SLEP	FT	\$0.00	\$0.00

**PROPOSED CLASSIFICATION**

REG	PT	\$0.00	REG	FT	\$24.48	\$47,736.00
SLEP	PT	\$0.00	SLEP	FT	\$0.00	\$0.00

ANNUAL IMPACT \$2,554.50

**ADDITIONAL SALARY COSTS**

FICA		\$195.42
IMRF		\$156.53
IMRF SLEP		\$0.00

HEALTH CARE COSTS \$0.00

ADDITIONAL COSTS (computer, phone, equipment, etc.): \$0.00

TOTAL \$2,906.45

FUNDING SOURCE:  

APPROPRIATE EXISTING SPACE FOR POSITION  YES  NO

**COMMENTS/JUSTIFICATION:**

When the Legal Assistant Supervisor is unavailable this Legal Assistant Specialist is responsible for managing the professional staff (legal assistants, data integrity manager, and records specialist) for civil and criminal cases. This Legal Assistant Specialist reports to the Public Defender and will work closely with civil and criminal Attorneys. The typical workload involves the Legal Assistant Specialist's time dedicated to training, supervision, and oversight of the work of the professional staff and dedicated to managing a workload of legal assistant responsibilities.

DEPARTMENT HEAD SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_