



The Board of Indigents' Defense Services

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Some BIDS Facts:

- ▶ 85 % of adult felony criminal defendants require appointed counsel in the State of Kansas.
- ▶ Every attorney appointed on an adult felony case in Kansas is provided by BIDS
- ▶ Two Systems:
 - ▶ State-wide Network of Public Defender Offices
 - ▶ Appointed Private Counsel paid for by BIDS

Assigned Counsel Program

APPOINTMENTS LISTS
&
CONTRACT COUNSEL

Public Defender Offices

STATE-WIDE
NETWORK OF OFFICES

Board Authority

- ▶ K.S.A. 22-4522:
- ▶ “The state board of indigents’ defense services shall:
- ▶ (b) establish, in each county or combination of counties designated by the board, a system of appointed counsel, contractual arrangements for providing contract counsel or public defender offices, or any combination thereof, on a full- or part-time basis, for the delivery of legal services for indigent persons accused of felonies;”

K.S.A. 22-4522

- ▶ Subsection (g):
- ▶ The Board shall:
- ▶ “hold a hearing before changing the system for providing legal services for indigent persons accused of felonies in any county or judicial district if such a hearing is requested by two or more members of the board.”

Douglas County

SYSTEM:
PRIVATE ATTORNEY
APPOINTMENT LIST

Cost of Douglas County Appointed Counsel Vouchers FY 2015-2020

Year	Number of Cases	Total Cost	Cost Per Case
FY 2020*	659	\$778,491.03	\$1,181.32
FY 2019	736	\$828,762.37	\$1,126.04
FY 2018	644	\$614,462.21	\$954.13
FY 2017	589	\$635,838.96	\$1,079.52
FY2016	634	\$593,528.94	\$936.17
FY 2015	542	\$438,243.88	\$808.57

*The last quarter of FY 2020 saw extended court closures due to COVID-19, resulting in substantially fewer actual cases closed during that timeframe than were originally projected.

Considerations for the Board

- Immediate relative costs of private appointments vs. public defender
- Down the line cost of both systems (IAC Claims, Wrongful Convictions, etc.)
- Funding availability and sources
- Community interest and support
- Agency priorities



Considerations for the Community

- What benefits would a change bring to your local system?
- What are the drawbacks to making a change?

The Process

MAKE A REQUEST
TO THE BOARD

The Process

- ▶ Approach the Board with interest in a review of whether a public defender office is appropriate for your judicial district.
- ▶ At least two Board Members must vote to hold a hearing prior to making any changes.
- ▶ BIDS Administration would work up a cost benefit analysis for the Board.
- ▶ The Board would hold a public hearing on the issue.
- ▶ The Board would then consider the question at a public Board meeting and vote on whether to pursue a change to the local system.
- ▶ The Board would have to secure sufficient funding to support the change.

Final Thoughts

- ▶ Any proposed change is going to take time to implement.
- ▶ Any proposed change is going to need to be sufficiently funded.
- ▶ Even where we have multiple public defender offices, the county still must maintain a robust local appointments list.
- ▶ Even where we have multiple public defender offices and contract counsel in place, the appointments panel are regularly utilized due to public defender office caseload controls.



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