



# Durham County Office of the Public Defender

***NOTHING BUT GOOD TROUBLE***



# History of Durham County Public Defender Office

1. The Durham County Public Defender Office was established in 1990 with eight Assistant Public Defenders.
2. There have been three Chief Public Defenders in the history of Durham County :
  - ▶ Robert Brown Jr.
  - ▶ Lawrence M. Campbell
  - ▶ Dawn Y. Baxton
3. The Public Defender is appointed to a four(4) year term by the Senior Resident Superior Court Judge.





# Funding for Durham County Public Defender Office

## 1. Pursuant to North Carolina General Statute 7A-302, the county has the duty to provide physical facilities for the Public Defender Office:

- ▶ Since 1990, the Durham County Public Defender Office has been located in the Durham County Courthouse.
- ▶ Duty to provide physical facilities also includes providing adequate storage space for confidential files that are required by the Rules of Professional Responsibility to be retained.

## 2. State of North Carolina:

- ▶ In 2001, the General Assembly created Indigent Defense Services (IDS) to oversee legal representation of indigent persons and others entitled to counsel in North Carolina.
- ▶ IDS advocates for adequate funding for existing Public Defender Offices, the creation of new Public Defender Offices, and adequate rates for Private Assigned Counsel (PAC).





# Durham County Public Defender Office Structure





# Current Staffing of Durham County Public Defender Office

## 1. Twenty-five attorneys

- ▶ Chief Public Defender and 22 Assistant Public Defenders (funded by NC)
- ▶ Two Assistant Public Defenders (funded by Durham County)

## 2. Six Legal Assistants

## 3. Two Investigators

## 4. One Interpreter

## 5. One Social Worker



# Areas of Representation

1. All traffic offenses where there is possible exposure to incarceration:
  - ▶ Driving While Impaired
  - ▶ Driving While License Revoked
  - ▶ Driving While License Revoked Impaired Driving
2. All misdemeanor and felony offenses where there is possible exposure to incarceration
3. Juvenile Cases
4. Abuse, Neglect and Dependency Cases



# Areas of Representation

- 5. Persons Involuntarily Committed
- 6. Military Child Support Cases
- 7. Civil Domestic Matters (Contempt)
- 8. Post Release Violations



# Areas of Representation

- 9. First appearances to argue for pretrial release or bond modifications (positions funded by the County)
- 10. Mental Health Court
- 11. Drug Treatment Court
- 12. Safe Babies Court (Collaborate with Stakeholders)





# Additional Representation Provided

- ▶ 13 . Maintain a list of Private Assigned Counsel to be appointed to represent persons regarding:
  - ▶ Special Proceedings
  - ▶ Child Support Proceedings
  - ▶ Estates
  - ▶ Family Law Contempt
  - ▶ Conflict Cases in Criminal, Juvenile, and Abuse, Neglect and Dependency Court
  - ▶ Motions for Appropriate Relief





# Challenges

1. Inadequate workspace for support staff due to the implementation of ecourts and extra equipment needed to perform tasks effectively.
2. Inadequate physical and digital storage capacity for mandatory file retention.
3. How to effectively and efficiently address the likely increase of incarcerated clients due to the recently enacted crime bill.





# Durham County Public Defender Office

## Questions?

