

NAVAJO COUNTY PUBLIC DEFENDER NEW MILLENIUM UPGRADE PROJECT

REQUEST FOR FUNDS
SUBMITTED IN RESPONSE TO:

FY 1998 Emerging Issues in Indigent Defense
Management and Technology Solicitation

SUBMITTED TO:

U.S. Department of Justice
Office of Justice Programs, BJA
Att: Martin Kamen
810 Seventh St., NW, 4th Floor
Washington D.C. 20531

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APPLICATION
NARRATIVE

STATEMENT OF THE PROBLEM

Navajo County is the fourth largest county in the State of Arizona, encompassing 9,949 square miles. The distance between its northern and southern boundaries is 210 miles. U.S. Interstate 40 travels the width of Navajo County and drug interdiction arrests involving primarily out-of-state defendants constitute a significant part of the caseload. Sixty-six percent of Navajo County is Indian Reservation land. The county has three (3) major tribes: White Mountain Apache, Navajo and Hopi. The total population, according to the 1995 census is 82,425. Approximately 52% of that population is Native American. Navajo County is purportedly one of the ten poorest counties in the United States. Accurate data is not available, but it is estimated that 95-97% of all felony defendants are appointed counsel to represent them.

The county is divided into six(6) precincts, with the county seat and the Public Defender's Office located in Holbrook. Kayenta Justice Court is approximately 205 miles north of Holbrook. Pinetop Justice Court is approximately 54 miles south of Holbrook. It should be noted that Navajo County does not have county-wide public transportation. Each justice court has one(1) day a week for misdemeanor hearings and felony preliminary hearings and a separate day for trials. Public Defender attorneys are assigned to all six justice courts, three superior court divisions, and, on occasion, the Court of Appeals and the Supreme Court. The Public Defender's Office handles the following cases: offenses triable in Superior or Justice Courts, sanity hearings, extradition hearings, involuntary commitments pursuant to title 36 (Public Health and Safety), juvenile delinquency and incorrigibility proceedings and appeals. As you may well imagine, this causes a great deal of scheduling conflicts. Another scheduling complication is that some in-custody defendants are detained in the Winslow jail located 33 miles from Holbrook and some mental health clients are housed in Show Low, some 45 miles from Holbrook.

The Office has six(6) attorneys, one(1) investigator, one(1) office manager, two(2) legal secretaries and one(1) receptionist. Of the six attorneys, only four have sufficient experience to handle all types of cases. One attorney handles only misdemeanors and non-complicated cases. A second attorney handles some minor felony cases. As a consequence, the felony cases in the six justice courts and the three superior court divisions must be allocated among four attorneys.

A further noteworthy fact is that the Public Defender's Office has been staffed at this same level since at least 1991. The County Attorney's office and the Legal Defender's Office have increased both legal and office staff during that time over the years. The Public Defender's caseload has significantly increased without any increase in staff.

The number of cases in 1991 was 1,644 with 730 of those being felonies. In 1998, the total number of cases escalated to over 2,650 with 1,254 of those being felonies. The Public Defender's budget is funded exclusively by county funds with the sole exception being a small yearly training stipend distributed through the Supreme Court. For the fiscal year of 1997-98, the total office operating budget is \$578,115. For the past six (6) years, Navajo County has operated on a zero-growth budget. According to county fiscal analysis, the next two years are even bleaker financially.

At present, our caseload is slowed by lack of an efficient case management computer program, lack of funds to upgrade obsolete computer equipment and programs and lack of funds to purchase other technologies such as a fax machine. Our telephone system is aged, and the attorneys do not have speaker phones or the technology to tape record telephonic interviews. We have no electronic calendaring system to assist in scheduling appearances and conflicts. Our current case management program is loaded on two(2) computers. Only two people at any given time have access to the information entered into the program. We use the program to open and close every case assigned to us. We also keep track of all conflict cases with this program. Secretaries must take turns entering the data. This causes delays in other duties and makes them unavailable to answer phones, work with their attorneys and deal with the public. It is clear that only by utilizing technological advances, will this office be able to continue to effectively and efficiently represent indigent clients. Navajo County does not have the financial resources to acquire that technological capability.

GOALS AND OBJECTIVES

GOALS:

Grant moneys would be utilized to optimize the attorney's and the support staff's time and effort in case preparation and processing. Computer case management hardware and software with network and calendaring capabilities would be purchased. Attorneys and staff would be trained to access data and calendaring information to minimize client, court and other scheduling conflicts. A FAX machine would be purchased to expedite transmission of information between courts, clients, law enforcement, witnesses, other relevant agencies and other necessary individuals. Telephones with speaker capability and individual tape recorders with phone monitoring apparatus would be purchased for each attorney to assist in phone interviews. An Audio-Video duplicating machine would be purchased to enable the attorneys to provide clients with copies of the state's audio and video evidence tapes.

OBJECTIVES:

Increase the productivity of each attorney and related staff by freeing up case tracking time.

Improve communications with the public, courts and defendants.

Provide equipment that can be used to access the Internet and other sources of information.

Decrease time spent on interviews and conferences.

PROJECT STRATEGY

A. CASE MANAGEMENT: At the present time, as case assignments are received by the office from the courts, the receptionist is required to log the paperwork in by hand in a log book. The paperwork is then routed to the Public Defender who assigns the case to an attorney depending upon the case's complexity and geographical origin. The paperwork is then routed to the attorney's secretary for conflict check, opening, client letters and calendaring in the secretary's calendar. The file then goes to the assigned attorney for further review and calendaring by the attorney. Depending on the availability of the individuals in this rotation and their other job assignments, this process can take up to three days. With an appropriate case management system, this entire process could be done at one data entry station, thereby reducing the routing and handling of the paperwork. It could also allow the secretaries and attorneys to immediately identify calendaring conflicts and make the necessary adjustments.

B. FAX MACHINE: The Public Defender's Office has access to one (1) FAX machine located in Administration, which is located downstairs and at the far end of the county complex. There is no provision for confidentiality and a trip to send or pick up a FAX takes a person away from their duty station anywhere from 15 to 30 minutes, depending upon the circumstances. A FAX located in the Public Defender's Office would assure confidentiality of client communications, psychological and medical reports as well as other materials. It would also assist in time management. The FAX would be located in the secretarial area and would be available to all office staff.

C. SPEAKER PHONES: Speaker phones for the attorneys and the investigator would assist in telephonic witness interviews, conferences and settlement negotiations with other agencies. The attorneys and the investigator would each receive this equipment.

D. TAPE RECORDERS WITH TELEPHONE MONITORING: This apparatus for the attorneys and investigator would also assist in the matters delineated in subsection C.

E. AUDIO-VIDEO DUPLICATING MACHINES: This equipment would be placed under the care and control of the investigator. Since many law enforcement agencies use video and audio equipment to document arrest and crime scenes and to effectively advise and represent a client, it is necessary to provide copies of that evidence to the client for his or her review. At the present time, only the prosecutor's office has duplicating capability. Although they are generally cooperative in providing this service, it can take several weeks to accomplish this task.

F. COMPUTERS: Would allow each attorney to have a State-of-the-Art computer that would be able to operate the new case management system as well as access the Internet for valuable case information.

IMPLEMENTATION PLAN

The implementation plan for this request is very simple: 1) Order the equipment, 2) Order the software, 3) When it arrives, plug in the equipment and install the software. There is sufficient room for all of the equipment requested and there is a telephone line available for the FAX machine.

ADDITIONAL RESOURCE COMMITMENTS

Navajo County will provide the necessary support for computer initializing and installation of the new software. In addition, any wiring necessary for either the computers, telephones or FAX machine will be provided.

PROGRAM EVALUATION

At the present time, the office keeps daily statistics, tabulated monthly on the opening and closing of all cases. Those statistics will be monitored and charted to determine any net increases of total monthly closings of cases. Additionally, one of the criteria for selecting a new management system will be its ability to track significant dates/ hearings and provide data reports for better time management of the case. Another criteria for selection of the case management system will be its capability for sorting cases by offense category and classification to determine if personnel resources would be better utilized by assigning cases according to offense category/classification rather than geographical area. Further, the individual attorneys and office staff will be required to review and critique all procedures.

PROJECT MANAGEMENT STRUCTURE

This is a request for equipment and software only. There will not be any change in how the Public Defender's Office will be managed. The equipment will make the office easier to manage because the office will be more efficient and productive.

ORGANIZATIONAL CAPABILITY

Navajo County is the recipient of numerous federal and state grants and is very well equipped to perform all of the accounting and reporting required by the grant. All purchases made with the grant funds will be made through the existing central purchasing system of the county. All rules and requirements for other county purchases will be followed when purchasing the equipment funded by this grant.

ADMINISTRATIVE REQUIREMENTS

LEVEL OF LOCAL PARTICIPATION

Navajo County will provide "in-kind" services that will include all installation of the equipment, wiring that may be necessary and outside telephone lines. In addition, all maintenance and upkeep will be provided.

GRANT FUNDS MUST SUPPLEMENT AND NOT SUPPLANT

Due to the budgetary constraints being faced by Navajo County, these funds will supplement the Public Defender's Office. If these funds are not received, this equipment will not be purchased. (See letter from the Chairman of the Board of Supervisors-Exhibit A)

SINGLE POINT OF CONTACT

The Application for Federal Assistance, SF-424 has been submitted to the Arizona State Clearing House. Copy is attached as Exhibit B.

AUDIT REQUIREMENT

Navajo County is subject to an annual audit which is the responsibility of the Arizona Auditor General. This audit meets all of the requirements prescribed in OMB Circular A-133.

CERTIFICATIONS

Attached to this Application are signed copies of:

1. Assurances, Attachment SF-424-Exhibit C
2. Certifications regarding lobbying; Debarment; Suspension and other Responsibility Matters; and Drug-Free Workplace Requirements (Form 4061/6) Exhibit D.

CIVIL RIGHTS

Navajo County complies with all nondiscrimination requirements contained in various Federal Laws. (See signed copy of Assurances)

REPORTING REQUIREMENTS

Navajo County will comply with all reporting requirements of the grant.

SUSPENSION OR TERMINATION OF FUNDING

Navajo County recognizes that failure to abide by the terms of the grant can result in termination of funding.

BUDGET INFORMATION - Non-Construction Programs

Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)
1. BJA Discretionary Grant	16.580	\$	\$	\$35,000.00	\$	\$35,000.00
2.						
3.						
4.						
5. Totals -		\$	\$	\$	\$	\$
6. Object Class Categories		GRANT PROGRAM, FUNCTION OR ACTIVITY				Total (5)
		(1) Discretionary Grant	(2)	(3)	(4)	
a. Personnel		\$	\$	\$	\$	
b. Fringe Benefits						
c. Travel						\$35,000.00
d. Equipment		\$35,000.00				
e. Supplies						
f. Contractual						
g. Construction						
h. Other						\$35,000.00
i. Total Direct Charges (sum of 6a-6h)		\$35,000.00				
j. Indirect Charges		-0-				-0-
k. TOTALS (sum of 6i and 6j)		\$35,000.00	\$	\$	\$	\$35,000.00
7. Program Income		\$ None	\$	\$	\$	None

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Standard Form 424A (Rev. 7-97)
Prescribed by OMB Circular A-102

(a) Grant Program	(b) Applicant	(c) State	(d) Other Sources	(e) TOTALS
8. None	\$	\$	\$	\$
9.				
10.				
11.				
12. TOTAL (sum of lines 8-11)	\$	\$	\$	\$

	Total for 1st Year	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
13. Federal	\$35,000.00	\$ 35,000.00	\$	\$	\$
14. Non-Federal					
15. TOTAL (sum of lines 13 and 14)	\$ 35,000.00	\$ 35,000.00	\$	\$	\$

(a) Grant Program	FUTURE FUNDING PERIODS (Years)			
	(b) First	(c) Second	(d) Third	(e) Fourth
16. None	\$	\$	\$	\$
17.				
18.				
19.				
20. TOTAL (sum of lines 16-19)	\$	\$	\$	\$

21. Direct Charges: _____ 22. Indirect Charges: _____

23. Remarks: _____

D. Equipment-List non-expendable items that are to be purchased. Non-expendable equipment is tangible property having a useful life of more than two years and an acquisition cost of \$5,000 or more per unit. (Note: Organization's own capitalization policy may be used for items costing less than \$5,000). Expendable items should be included either in the "Supplies" category or in the "Other" category. Applicants should consider the benefits of purchasing versus leasing equipment, especially high cost equipment subject to rapid technical advances. Rented or leased equipment should be included in the "Contractual" category. Explain how the procurement method is to be used.

Item	Computation	Cost
Case Management Software	(11x 1,636.36)	18,000.00
5-MX Computers	(5x 1,007.000)	5,025.00
Server and Network		2,500.00
ser Printer		2,500.00
FAX Machine		1,283.00
Speaker Phones	(7x 495.00)	3,465.00
Tape Recorders w/ telephone hook-up		840.00
Video Duplicating Machine		875.00
Cassette Duplicating Systems		592.00
		TOTAL
		<u>35,000.00</u>

Budget Summary - When you have completed the budget worksheet, transfer the totals for each category to the spaces below. Compute the total direct costs and the total project costs. Indicate the amount of Federal requested and the amount of non-Federal funds that will support the project.

Budget Category	Amount
A. Personnel	_____
B. Fringe Benefits	_____
C. Travel	_____
D. Equipment	\$35,000.00
E. Supplies	_____
F. Construction	_____
G. Consultants/Contracts	_____
H. Other	_____
Total Direct Costs	_____
L. Indirect Costs	_____
TOTAL PROJECT COSTS	\$35,000.00

Federal Request \$35,000.00

Non-Federal Amount _____