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Subject: Comment on Proposed Standards

The State Defender Office, Legal Aid and Defender Association, Inc. , represents 25 % of the indigent clients charged with felonies in the 3d Circuit Court for Wayne County. We currently do this with a staff of sixteen lawyers. Our budget of 1.98 million dollars has been frozen since the year 2000. We have lost four lawyers and five full-time investigators during this time. Our investigation is performed by a private contractor for an annual fee of \$21,000. With this background, I offer the following comments:

1. The training can be met. Wayne County has a mandatory training program for all lawyers accepting assignments. This is the Criminal Advocacy Program which offers 10-11 training sessions every fall. The sessions are usually an hour and a half in length. My office also does four training sessions in-house. One attorney is sent to the CDAM trial college every August.
2. Due to staffing issues, we are currently only able to meet this standard on specially assigned cases, usually life offenses. We would need additional lawyers to do a confidential interview prior to the probable cause conference in every case. In most low level felony cases, this occurs at the probable cause conference in the court hallway or lock-up.
3. I have previously mentioned our current ability to investigate. This standard cannot be met without funding being provided. Currently, we only investigate in cases that appear to be headed to trial.
4. Wayne County appoints an attorney after the arraignment on the complaint and warrant. The first court appearance by an attorney is at the new probable cause conference prior to the preliminary examination. My office partnered this year with 3d Circuit Court, the Wayne County Sheriff's Office, Community Corrections, and MDOC in an application for a MacArthur Grant to address this issue. The grant would have addressed the early release or diversion of mentally ill clients as well as providing for counsel at the arraignment on the warrant. Our grant application was denied. Wayne County is facing huge deficit issues. I have been informed by Chief Judge Colombo that any funding increase is out of the question.

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