

CADDO PARISH COMMISSION

505 TRAVIS STREET, GOVERNMENT PLAZA

PUBLIC NOTICE

APPROPRIATIONS COMMITTEE

October 17, 2022

3:00 p.m.

1. APPROPRIATIONS (NGO) COMMITTEE ROLL CALL:

Lyndon B. Johnson, Chair

Mario Chavez

Ken Epperson, Sr.

Stormy Gage-Watts

Todd Hopkins

Ed Lazarus

Roy Burrell

John E. Atkins, President

2. INVOCATION:

3. PLEDGE OF ALLEGIANCE:

Veterans and active military members saluting during recitation of the Pledge of Allegiance would be appropriate, should you wish to do so.

4. AGENDA ADDITIONS:

5. PUBLIC COMMENTS:

Citizens who wish to address the Committee please fill out a comment card located in the chamber foyer, and return to the Chairman or the Clerk of the Commission. Citizens may also fill out & submit a [COMMENT CARD ONLINE HERE](#) prior to the meeting. Individual comments are limited to 3 minutes

6. NEW BUSINESS:

6.I. Discuss Public Defender Office Funding

Documents:

[AGENDA - 08_04_2022.PDF](#)
[22664.PDF](#)

6.II. Discussion Southern University Foundation

6.III. Additional Discussion Of Appropriations In Current Year Budget And 2023 Budget

7. ADJOURN:

CADDO PARISH COMMISSION

505 TRAVIS STREET, GOVERNMENT PLAZA

PUBLIC NOTICE

APPROPRIATIONS COMMITTEE

August 4, 2022

3:00 p.m.

1. APPROPRIATIONS (NGO) COMMITTEE ROLL CALL:

Lyndon B. Johnson, Chair

Mario Chavez

Ken Epperson, Sr.

Stormy Gage-Watts

Todd Hopkins

Ed Lazarus

Roy Burrell

John E. Atkins, President

2. INVOCATION:

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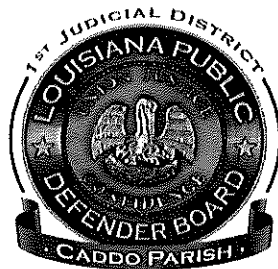
6. NEW BUSINESS:

6.I. Discuss Funding Of The Caddo Public Defender's Office

Documents:

[PUBLI DEFENDERS LETTER.PDF](#)

7. ADJOURN:



OFFICE OF THE
DISTRICT PUBLIC DEFENDER

MICHELLE M. ANDREPONT
DISTRICT PUBLIC DEFENDER

July 6, 2022

Via email to jpyoung@caddo.org
Hon. John-Paul Young
Caddo Parish Commissioner
District 4
505 Travis Street, Suite 110
Shreveport, LA 71101

RE: Caddo Parish District Public Defender's Office funding

Dear Commissioner Young:

This letter is in response to your request for information from me regarding funding for the Caddo Parish District Public Defender's Office. Our office provides counsel in the First Judicial District Court for Caddo Parish, in Caddo Parish Juvenile Court, and in Shreveport City Court. I would estimate that our office represents seventy-five to eighty-five percent (75% - 85%) of the defendants in criminal court. In fact, the Caddo Parish District Public Defender Office is one of the largest and busiest public defender offices in the entire state.

Our office functions with an annual budget of approximately three point six million dollars (\$3.6M). Compare that to the Caddo Parish District Attorney Office's total budget which is currently more than ten million dollars (\$10M), of which six point four million dollars (\$6.4M) was provided by the Caddo Parish Commission's budget in 2022. Six point two million dollars (\$6.2M) was in statutory charges and there is no such provision for any such allocations to the Public Defender Office. During this same time, the Caddo Parish Commission budgeted zero dollars (\$0) for public defense.

For the criminal justice system to work properly, there must be some leveling of funding between the district attorneys and the public defenders. I am requesting that the leveling start now with the inclusion of my office in funding or in-kind contributions, specifically including office space at no cost or truly little cost.

The public defense system in Louisiana is funded, in large part, by conviction and user fees which are not collected when court is not in session or when persons are unable to pay. We are the only state in the nation that funds public defense in this manner. The conviction and user fees my office received in the past fiscal year has averaged around seventy-two thousand seven hundred seventy-five dollars (\$72,775) per month. This is a decrease in the pre-COVID collections which

were averaging nearly one hundred nine thousand dollars (\$109,000) per month. I believe this decrease is caused by our clients' inability to pay their fines and court costs during this troubling economic time.

Commissioner Young, you asked what funding from the Commission would mean for my office. Any funding would be used to assist us in defending the citizens of Caddo Parish. I would do several things with the additional monies. First, I would hire additional personnel to help reduce caseload to a more manageable range. In this past Legislative Session, the Louisiana Legislature awarded the Caddo Parish District Attorney's Office eight (8) additional warrants for Assistant District Attorneys. In response, my office now needs additional Assistant District Public Defenders. So, I would first hire additional attorneys.

Next, I would increase salaries for my current personnel and for the future hires. Since I took over as District Public Defender on February 20, 2020, I have experienced a huge turnover in attorneys, both full-time and contract. In fact, I have had to replace nearly fifty (50) attorneys in this amount of time. This is, in part, attributed to the busy court schedule in Caddo Parish and, in part, to the low pay in this jurisdiction. Each time I lose an attorney, whether full-time or part-time, there is a delay in moving their cases forward as a new attorney must step in, develop a relationship with the client, and become familiar with the case.

As I am sure you are aware, Caddo Parish has five (5) sections of criminal court operating daily. In nearby jurisdictions, they do not have criminal court every day. Therefore, attorneys come to Caddo to gain experience and then leave for neighboring jurisdictions where they can obtain a contract and only go to court a handful of days in a month, rather than multiple days every week. Salary increases would allow me to hire and retain more personnel and to maintain continuity of representation. This would be a huge benefit for the citizens we represent.

Third, I would use some of the funds to provide additional training opportunities for our Assistant District Public Defenders. At the present time, I ask all attorneys to attend free Continuing Legal Education seminars, whenever possible. I would love to be able to send them to additional trainings. However, this costs money for registration, travel, lodging, meals, etc. Additional training opportunities always improve the representation we provide to our clients.

A Judicial District the size of Caddo warrants true local funding, and I am, hereby, requesting funding from the Caddo Parish Commission. Without adequate funding, the Public Defender Office cannot function well. Without the Public Defender Office, the criminal justice system will collapse. Any assistance the Commission may directly or indirectly provide would be greatly appreciated.

I am available to discuss this matter should you wish to speak with me. My direct line at the office is 318-841-1626 and my cell phone number is 318-347-8532. Thank you for your assistance. I look forward to hearing from you.

Sincerely,


Michelle M. AndrePont

MINUTES OF THE MEETING OF THE
CADDO PARISH COMMISSION'S
APPROPRIATIONS COMMITTEE
HELD ON THE 4TH DAY OF AUGUST, 2022

The Caddo Parish Appropriations Committee met in legal session on the above date, at 3:00 p.m., in the 1st Floor Conference Room, with Mr. Johnson, Chairman, presiding, and the following members in attendance: Commissioners Atkins, Burrell, Chavez, Johnson, and Lazarus (5). ABSENT: Commissioners Epperson, Hopkins and Gage-Watts (3).

The Invocation and Pledge of Allegiance were bypassed.

NEW BUSINESS

- *Discuss Funding of the Caddo Public Defender's Office*

Michelle M. AndrePont from the Caddo Public Defender's Office explained that their office operates on a proposed and adopted budget for 2022 of \$3.6 million. She said that the District Attorney's Office has a budget over \$10 million. Mrs. AndrePont explained that Caddo Parish has over 20,000 filed cases annually and the Caddo Public Defender's Office handles 16,300 of those filed cases. She pointed out that the Caddo Public Defender's Office handles their case load at one-third of the District Attorney's budget. Mrs. AndrePont further explained that since her appointment as the District Public Defender in February 2000, she has experienced high turnover of attorneys because their office can not pay to retain them. Mrs. AndrePont had increased the starting salary from \$45,000 to \$50,000 to encourage applicants, but would lose them to neighboring jurisdictions. She explained a case of a recently graduated young attorney that left the Caddo Parish Public Defender's Office after four months of practice. That young attorney went to practice in Lafayette for a \$10,000 annual salary increase. After more than a year in Lafayette, the young attorney had an \$8,000 raise. Mrs. AndrePont stated that in that young attorney's second year of practice, they were making \$63,000 per year. Whereas, the Caddo Defender's Office pays an attorney with 25 years of experience \$65,000 per year. Mrs. AndrePont stated that her office would hire personnel with additional funding from the Parish. She explained that the Caddo Public Defender's Office pays 8% of their salary into retirement and covers 75% of their health insurance premiums. Therefore, to hire an attorney with an annual salary of \$50,000 it would cost the Caddo Public Defender's Office about \$60,000 per year. Mrs. AndrePont stated that when an attorney retires from the Public Defender's Office their entire case load are reassigned to a new attorney, which delays the process. She also stated that with additional attorneys and staff cases could be worked quicker, but external factors, such as cooperation with the District Attorney, contributes to the pace. Mrs. AndrePont stated that the Caddo Public Defender's Office is one of the top seven in the state. She explained that the State of Louisiana has a tiered funding system. New Orleans, Baton Rouge and Lafayette receives the highest level of state funding and the Caddo Public Defender's Office is in the second tier along with Jefferson, St. Tammany and one other. Mrs. AndrePont explained that Caddo Parish tries the most criminal cases and criminal jury trials in the state. Mrs. AndrePont stated that the Caddo Public Defender's Office currently pays the second highest rent in the state for Public Defender Offices. She explained that the Baton Rouge Defender's Office rents office space in its City Hall for free, but the New Orleans Defender's Office pays more rent than the Caddo Public Defender's Office in the state. Mrs. AndrePont stated that conviction and user fees are the Caddo Public Defender's Office's primary source of funding and Louisiana is the only state that funds this way. She explained that another source of funding is a \$45 assessment fee when someone pays court costs, but their office will not receive that \$45 assessment fee if their client does not get convicted. The Caddo Public Defender's Office could receive partial payments for multiple cases. Mrs. AndrePont stated that the Caddo Public Defender's Office is rank 37 out of 42 in the Judicial District reporting of remittances and that is mostly due to a poor population that is unable to pay their court costs. Mrs. AndrePont said that the Caddo Public Defender's Office is a political subdivision and they are seeking assistance in representing their client's and their rights.

Mr. Johnson wanted to know what is the specific request. Mrs. AndrePont responded that hiring six employees would cost approximately \$360,000 at \$60,000 per person. Mrs. AndrePont stated that the Caddo Defender's Office's deferred spending includes staff training. Mr. Johnson also wanted to know if their request would be made every year. Mrs. AndrePont acknowledged that a request would be made every year.

Mr. Johnson asked Mrs. Bryant if the Parish had any office space available. Mrs. AndrePont stated that the Caddo Public Defender's Office would need office space that could accommodate 40 staff. Mrs. Bryant stated that the Parish does not have the space to accommodate 40 people right now. Mrs. Bryant pointed out that the Parish has provided in-kind services for the Public Defender's Office, which included payroll, bill processing, health insurance, audits, etc., but the previous Public Defender had elected to no longer use those services. Mr. Johnson requested a value for the Parish to do those services for the Public Defender's Office.

Mrs. Bryant also pointed out that the Commission does not have a fund to take on a half million dollar ongoing request. She explained that the Commission has to fund the deficit in the criminal court system and that criminal justice takes majority of the budget.

Mr. Atkins wanted to know if the Defender's Office is outsourcing their back office support. Mrs. AndrePont responded that their office uses APS to process their payroll and an Office Manager employee. Mrs. Bryant requested that the Defender's Office provide their health insurance costs.

Mr. Chavez wanted to know what determines the state funding levels. Mrs. AndrePont responded that the state determines funding level based on the difference between overall expenditures and local remittances. Mrs. AndrePont said that those factors tell the State how much of the District Assistance Fund a Defender's Office may receive. She explained that New Orleans receives over \$6 million from their City-Parish, Baton Rouge receives about \$850,000 from their City-Parish plus their provided office space, and Lafayette does not receive any local funding. Mrs. AndrePont suggested that the lobbyist contact the Public Defender board and the State Public Defender Ramie Starnes. Mr. Chavez suggested that the Parish's lobbyist corresponds with Mrs. AndrePont to work on upgrading the state's funding level of the Caddo Defender's Office.

Mr. Chavez wanted to know where the Caddo Defender's Office is currently renting their office space. Mrs. AndrePont responded that they are located in the Beck Building and their five-year lease is up for re-negotiation in year 2025. She expressed appreciation for any help the Parish could do with the Caddo Defender's Office's office space situation. Mr. Chavez also wanted to know how does the Caddo Defender's Office receive payment if a client does not pay their court costs. Mrs. AndrePont explained that their office receives \$2 on every bond that is posted, \$45 from the special assessed costs, and a large source from the Shreveport City Court, \$40 application fee when a bond is made. She further explained that she has asked the smaller Mayor's Court to assess a \$20 fee and \$10 of that fee would be sent to the Caddo Defender's Office, but all of the Mayor's Courts have declined to do so. Mrs. AndrePont stated that their office receives about \$2,000 per month in bond application fees. She explained that the Court can assess partial reimbursement fee of \$3000 on a misdemeanor and \$500 on a felony, but most of the Caddo Defender's Office's clients are unable to pay partial reimbursements. Mrs. AndrePont The Caddo Defender's Office receives money on bond forfeiture and they receive 25% of the annual fees assessed to bondsman when surety bonds are set.

Mr. Chavez stated that the Caddo Defender's Office is grossly underpaid and suggested that the Parish research how other states operate their Public Defender's Offices. He reiterated that the Parish lobbyist should work to get adequate funding for the Caddo Public Defender's Office.

Mr. Burrell wanted to know if a millage or tax could help their fund. Mrs. AndrePont responded that there aren't any other jurisdictions that has done. Mrs. Bryant said that the Defender's Office client base is what makes it difficult to get that type of tax pay. Mr. Burrell stated that setting up a special tax category and putting the right message out there could help.

Attorney Bernstein stated that there would need to be more research on if the Commission could put it on the ballot.

Mr. Jackson suggested the vacant floor at the courthouse could be repurposed for the Caddo Defender's Office. Mrs. Bryant stated that the floor had many suitors. She said that based on a recent survey the vacant floor would need renovations that was quoted for more than \$2 million.

Mr. Chavez wanted to know if the Caddo Defender's Office could break their five-year lease. Mrs. Bryant responded that construction might not be done in time.

Mr. Johnson requested Administration to calculate the value of doing the same services the Parish historically did for the Caddo Defender's Office and present it at the next meeting.

Mr. Atkins reminded Administration to get the lobbyist to work on improving state funding for the Caddo Defender's Office.

Mrs. AndrePont stated that last year the Supreme Court counted the Caddo Defender's Office had 1067 cases more than Baton Rouge. However, Baton Rouge has an operating budget of \$5.3 million and the Caddo Defender's Office has a \$3.6 million budget.

At this time, there was no further discussion to come before the Committee, so the meeting adjourned at 3:29 p.m.



Linda J. Montgomery
Administrative Specialist I