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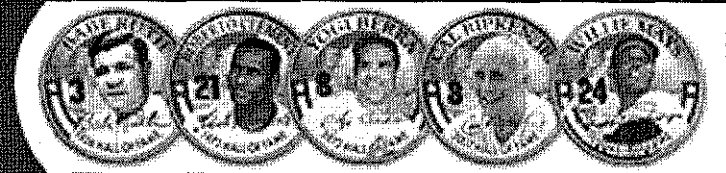


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Public defenders face budget ax

By Dan Meisler
DAILY PRESS & ARGUS

Money for court-appointed lawyers for poor defendants may be cut in 2007 under a budget proposal being considered by county officials.

On Wednesday, the Livingston County Board of Commissioners Public Safety, Judiciary and Emergency Services Subcommittee approved a proposal based on requests from court officials and revisions by county administrative staff that would cut \$91,500 from spending on public defenders and attorneys' fees for indigent defendants.

However, Financial Officer Belinda Peters noted that the cuts could come from other areas of the courts' budgets.

She pointed out that the courts have been paying the five firms under contract for public defender services more than the contracted amount in previous years. For example, the Howell firm of James D.A. Buttrey received \$309,168 from the county in 2005 to handle 456 cases as public defender, whereas its contract called for a minimum caseload of 400.

Peggy Toms, administrator of Livingston County Circuit Court, said the contracts intentionally contain a low number of guaranteed cases so that the county doesn't end up paying for more than it needs. The firms are paid on a per-case basis, ranging from \$721 to \$610, often depending on the complexity of the court procedures.

But the problem with trying to cut back on that spending is that three of the five public defender firms have three-year contracts that run through the end of 2007, Toms said. The other two contracts are expiring at the end of this year.



"The only thing I can see we can do is look at the contracts that are coming up for bid," she said.

The county is obligated by law to provide lawyers for defendants who can't afford them. Peters, who suggested the cuts, said she wasn't saying that the county shouldn't provide the service.

Toms said the county has been "blessed" by the high quality of the firms providing public defender services, and that there have been very few cases brought against the county for giving inadequate representation to poor defendants.

Mark Gatesman — a lawyer with the Howell firm of Gatesman & Spickard, which handled 167 public defender cases in the first eight months of this year — said he hadn't heard about the possible budget cuts.

"We do the service because we've negotiated with the county to provide it, and we enjoy the trial work," he said.

Gatesman wouldn't comment on whether he would consider renegotiating the contract before it expires, or other possible measures to cut costs.

He said the public defending makes up less than half of his firm's workload.

ets of around \$9.6 million — for the district, circuit, probate and juvenile courts — was approved by the nts a 2.7 percent increase, Peters said. It still must be considered by the Finance Committee and the ners.


dgets approved Wednesday included \$65,000 paid to a visiting judge, which would be accounted for by ocket between existing judges, according to budget documents.

budget proposal, already sent to the Finance Committee, calls for a 1.7 percent spending increase, nillion. Most of that is in personnel costs.


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