



**Annual Report of the
Commission on Indigent Defense Services**

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**Submitted to the
North Carolina General Assembly
Pursuant to G.S. 7A-498.9**

March 15, 2025

IDS OFFICE OF INDIGENT
DEFENSE SERVICES
SAFEGUARDING JUSTICE



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Commission on Indigent Defense Services

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The Honorable Dorothy Hairston Mitchell

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Mr. John Nieman

Retired Chief Public Defender
Appointed by NC Public Defender Association

Ms. Stacey Rubain

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Appointed by the North Carolina State Bar

Our Statutory Charge

The Office of Indigent Defense Services is required to:

- *enhance oversight of the delivery of counsel and related services provided at State expense;*
- *improve the quality of representation and ensure the independence of counsel;*
- *establish uniform policies and procedures for the delivery of services;*
- *generate reliable statistical information to evaluate the services provided and funds expended; and*
- *deliver services in the most cost-effective manner without sacrificing quality representation.*

IDS Administration meets its statutory mission with a remarkably lean staff. Working closely with the IDS Commission, the IDS Executive Director and Staff continuously evaluate cost and effectiveness of existing policies to ensure that quality representation is provided in a fiscally responsible manner.

In addition to oversight and policy work, IDS provides direct support to public defense attorneys through regional defenders, forensic resource counsel, and contract consulting attorneys.

SAFEGUARDINGJUSTICE

IDS Organizational Structure



About Us¹

The 13-member volunteer **Commission on Indigent Defense Services** (The Commission) was established by the General Assembly in 2000. Since that time, it has offered oversight and guidance to the Office of Indigent Defense Services (IDS) and the North Carolina public defense community through periods of both growth and austerity. The Commission and its various committees develop and improve programs by which IDS provides legal representation to indigent persons.

Indigent Defense Services administers the North Carolina public defense system, provides administrative support to the local Public Defender and Statewide Defender Offices; administers the PAC fund; and administers individually negotiated and large-scale contracts for services.

Before January 2024, **Public Defender Offices** in 19 Defender Districts (20 Judicial Districts) provided criminal and non-criminal trial level defense to eligible people. The 2023 Appropriations Act established eight new defender districts to further expand the reach of public

defense across the state. Chief Public Defenders for each district are appointed through a statutory process by the Senior Resident Superior Court Judge to serve four-year terms. Chief PDs and Assistant PDs are state-employed defenders.

Five **Statewide Defender Offices** provide oversight and supervision in specialized areas of the law. The Chiefs of each office are appointed by the Commission to serve four-year terms. They administer rosters of specialized attorneys; supervise in-house attorneys; and work with legislators, court actors, and other stakeholder groups on court improvement initiatives. The Chief and their Assistants are state-employed defenders.

North Carolina Prisoner Legal Services is a non-profit, public service law firm that provides legal advice and assistance to people incarcerated in the state in response to the United States Supreme Court decision in *Bounds v. Smith*, 430 U.S. 817 (1977). IDS contracts with NCPLS to fulfill North Carolina’s constitutional obligation to provide inmates with

access to court.

Private Assigned Counsel, often referred to as “PAC,” are private attorneys who agree to accept appointment for eligible clients for an hourly rate or other arrangement. They are independent contractors. In districts/counties without a public defender, IDS must rely on local volunteer bar committees to enforce the standards for performance and qualifications set forth in IDS’s Uniform Appointment Plans.

IDS employs two **Regional Defenders** who provide guidance, consultations, training and additional support to attorneys who are part of the Managed Assigned Counsel (MAC), also referred to as IDS Contract Counsel.

IDS Contract Counsel refers to a subset of PAC who contract with IDS to cover specified case types with payment at a set rate. IDS administers both a contract system for criminal defense cases in 18 counties and some individually negotiated contracts statewide for criminal and parent defense cases. IDS Contract Counsel are also referred to as Managed Assigned Counsel (MAC).

¹This section describes what public defense in North Carolina looks like as of March 15, 2025.



Legislative Requests

IDS Budget Expansion Requests for the 2025-27 Biennium

The Office of Indigent Defense Services (IDS) requests the General Assembly's consideration of the following budget expansion items. These investments will ensure legal representation statewide, fulfill North Carolina's constitutional obligations, improve court efficiency, and leverage new technology to manage costs.

One-Time Private Assigned Counsel (PAC) Funding

**Non-recurring: FY 2025-26: \$15M |
FY 2026-27: \$10M**

The last biennium's funding shift to establish eight new public defender offices created a shortfall in PAC funding. Because most attorneys bill upon case completion, recent PAC expenses stem from cases assigned before expansion.

To bridge this gap, IDS requests a one-time appropriation to cover projected private counsel costs. While the biennial budget allocates \$69M to PAC, actual trends indicate a need closer to \$90M annually. Conflicts of interest will continue to require

PAC in approximately 25% of cases.

Key drivers of PAC demand:

- Transition to new public defender offices
- Increasing capital cases
- COVID-19 backlog
- Additional attorney time per case due to eCourts implementation

Increase Private Assigned Counsel (PAC) Rates

**Recurring: FY 2025-26: \$45.08M |
FY 2026-27: \$45.08M**

Non-recurring: FY 2025-26: \$684K

PAC rates have only increased once since 2011 and remain below inflation-adjusted levels of \$105–\$150

per hour. Low rates hinder attorney recruitment and retention, leading to longer pretrial detentions, delayed trials, and reduced defense quality.

Proposed hourly rates:

- District Court: \$100
- Superior Court: \$115
- Capital Cases: \$130

In the past two years, 500 attorneys have exited the PAC roster, reducing participation from 1,900 to 1,300. Without rate adjustments, court-appointed representation will continue to decline.

Additional Staff for Existing Public Defender Offices

Recurring: FY 2025-26: \$4.91M |

FY 2026-27: \$4.91M

Non-recurring: FY 2025-26: \$188K

To handle increased caseloads and reduce reliance on PAC, IDS requests 40 new positions across 13 public defender offices. This includes expanding regional conflict coverage in Districts 1, 2, and 3, where shortages persist.

Establish Three New Public Defender Offices

Recurring: FY 2025-26: \$7.6M |

FY 2026-27: \$7.6M

Non-recurring: FY 2025-26: \$348K

New public defender offices in Davie/Davidson, Randolph, and Rowan counties will enhance defense consistency and reduce PAC reliance. These locations were selected due to strong local judicial and bar support.

Positions Requested:

- Public Defenders: 3
- Assistant Public Defenders: 31
- Chief Investigators: 3
- Social Workers: 3
- Administrative Assistants: 3
- Legal Assistants: 15

Total FTEs: 58

Two IDS Administrative Positions

Recurring: FY 2025-26: \$351K |

FY 2026-27: \$342K

Non-recurring: FY 2025-26: \$8.7K

New staff will improve recruitment, retention, and contract management:

- Recruitment & Retention Coordinator: Expands attorney hiring and placement efforts.
- Contract & Vendor Administrator: Manages attorney contracts, audits PAC attorneys, and oversees digital discovery initiatives.

Funding also includes \$53K for a digital discovery pilot and \$30 per user for defenderData licensing (182 licenses).

Shift Financial Services Staff to Appropriations

Recurring: FY 2025-26: \$546K |

FY 2026-27: \$546K

Six IDS financial services staff currently funded through court-ordered recoupments and Set-off Debt collections should be funded through appropriations. This shift would free up PAC funds for direct defense services and prevent staffing disruptions caused by unpredictable collections.

Expansion of Statewide Defender Offices

Recurring: FY 2025-26: \$1.57M |

FY 2026-27: \$1.57M

Non-recurring: FY 2025-26: \$57.5K

IDS seeks 15 new positions across three offices to address rising caseloads and private counsel shortages:

- Appellate Defender: Reduces delays in assigning appellate counsel.
- Capital Defender: Supports increased homicide caseload (up 50% since 2018).
- Special Counsel: Ensures involuntary commitment hearings meet 7-day statutory deadlines.

Lease Costs for Office of Special Counsel

**Recurring: FY 2025-26: \$297K |
FY 2026-27: \$297K**

The Office of Special Counsel must relocate due to DHHS vacating its current site. Estimated lease costs are \$28.50 per square foot for 10,416 square feet. The state could avoid this expense by securing alternative office space.

Digital Discovery (Axon Justice Licenses)

**Recurring: FY 2025-26: \$530K |
FY 2026-27: \$530K**

Attorneys must store digital evidence for six years per Bar rules. IDS seeks Axon Justice licenses for 500 users across Public Defender and Capital Defender offices. This will:

- Improve case preparation
- Align IDS technology with District Attorney offices
- Reduce trial delays



Indigency Determination Pilot Project

**Recurring: FY 2025-26: \$38K |
FY 2026-27: \$38K**

Non-recurring: FY 2025-26: \$53K

This project will streamline court-appointed counsel determinations using courthouse tablets and a web-based application. Improved data accuracy will reduce:

- Manual errors in indigency screening
- Unnecessary appointments
- Mistaken tax refund intercepts

Public Defender Conference Travel Costs

**Recurring: FY 2025-26: \$201K |
FY 2026-27: \$201K**

Currently, lapsed salary funds determine travel allocations for the annual Public Defender Conference. Dedicated funding would ensure consistent attendance and training.

Recent attendance trends:

- 2022: 255 participants
- 2023: 264 participants
- 2024: 283 participants

Sightings from the 2024 Annual Spring Public Defender Conference in Winston-Salem.



Actions to Improve Cost-Effectiveness and Quality of Indigent Defense Services

Reducing the Growth of Attorney Deserts

Since FY23, the number of Private Assigned Counsel (PAC) attorneys available for court-appointed cases has declined sharply, with statewide rosters losing over 500 members—a 26% decrease since then and a 42% decrease from FY17-18. Forty-eight counties in North Carolina have fewer than one attorney per 1,000 residents, leaving many areas without enough lawyers to meet the demand for public defense. IDS refers to these regions with too few PAC attorneys as “attorney deserts.”

Attorney shortages and attorney deserts overburden the remaining PAC attorneys, accelerating attrition and straining the justice system. They compromise the constitutional right to adequate legal representation. Failing to incentivize attorneys financially who practice in these areas further worsens the issue.

Attorney shortages are not new, but they have worsened as many experienced attorneys who have traditionally handled indigent cases retire. To ensure the continued availability of qualified counsel statewide, IDS has prioritized implementing recommendations from Chief Justice Martin’s Commission on the Administration of Law and Justice. In its 2017 report, the Commission advocated for expanding the institutional public defender system while simultaneously strengthening and supporting the private assigned counsel (PAC) system.

A robust PAC system is essential not only to meet constitutional defense obligations but also to sustain a pipeline of skilled criminal defense attorneys in every county. Ensuring that private attorneys can afford to take indigent cases—while maintaining viable private practices—reduces reliance on state-funded counsel and expands access to representation.

To achieve these goals, IDS is requesting both a PAC rate increase and additional cost-effective incentives that will allow attorneys who accept assigned cases to develop sustainable practices. Additionally, IDS is evaluating necessary changes to the Uniform Appointment Plan to ensure effective attorney recruitment and retention, particularly in regions experiencing severe attorney shortages.

1. Public Defender Expansion

The 2023 North Carolina Appropriations Act significantly improved indigent defense by creating eight new public defender offices. Seven opened in January 2024, with the final office launching on July 1, 2024.

Public defender districts use a mix of salaried and PAC attorneys to handle their heavy caseloads more effectively, improving both cost control and efficiency. Public defender offices take time to get up and running; this process includes recruiting, hiring, and training staff, and gradually taking on cases. While the PAC fund demand will decrease over time as these offices take on more cases, the reduction is not immediate, making the financial strain acute in the short term. However, PAC demand has already declined in the offices that staffed up first. The sidebar spotlight on Brunswick County—the first new office to open—highlights the efficiencies gained when an office is fully staffed and handling cases at capacity.

In the eight new public defender districts, most PAC cases originated before the offices opened. IDS must pay for both PAC and public defenders, as PAC attorney cases remain with them unless and until the assigned attorney joins the public defender office. When PAC attorneys join PD offices, they are encouraged to bring the cases to which they already have been appointed with them as long as it does not create a conflict.

Spotlight on...

Public Defender District 15

The 2023 Appropriations Act designated Public Defender District 15 as the first of eight new Public Defender (PD) offices. While the office serves Brunswick, Bladen, and Columbus Counties, this spotlight focuses on Brunswick because it was the first fully operational county. The office's current impact extends beyond Brunswick County because several of Chief Ward's assistants now handle indigent defense cases in Columbus and Bladen Counties. Jacob Ward was sworn in as Chief Public Defender in November 2023 and went right to work building his team. The office opened in December 2024, transforming local indigent defense.



Group photo the Brunswick County Office staff. Defender District 15 serves Bladen, Brunswick and Columbus counties.



“Early buy-in and strong partnerships made this office work. IDS was flexible, and we figured it out together.”

Jacob Ward, Chief Public Defender

“The addition of the 15th District PD’s Office has been a huge benefit to indigent clients, the bar, our community, and the judicial system as a whole. It has led to a more efficient and effective system of indigent defense and better coordination with IDS. The stakeholders of this district made a big ask of the General Assembly in creating this office, and we are forever grateful for this wonderful resource they have provided.”

Scott Ussery, Chief District Court Judge, District 15

Cost Savings & Efficiency

Within a year, PAC costs in Brunswick County dropped 74%—from \$148,000 (January 2023) to \$38,00 (January 2025)—showcasing the financial impact of a PD office.

Keys to Success

- Stakeholder Support: Support from judges, the DA, the Clerk’s Office, and the County.
- Strategic Hiring: Staff recruited before launch for immediate impact.
- Courthouse Office Space: Improved access and efficiency.
- Balanced Staffing: Attorney-for-attorney match with the DA’s office.

Impact on Justice

- 80% of indigent cases are handled, including all adult criminal cases, juvenile defense, parent representation, most civil commitments, and conflict guardianship cases in Brunswick County.
- Stronger oversight of PAC - As the Chair of the Committee on Indigent Appointments, Chief

Public Defender Jacob Ward takes a “boots on the ground” approach to providing support and oversight of Private Assigned Counsel in District 15. Amongst other advantages, this approach helps IDS monitor PAC availability and billing more effectively. Further, Ward and his staff have partnered with IDS to bring free CLE training to his office and his local PAC, to help ensure quality defense for all.

Looking Forward

Brunswick County’s model proves that time, leadership, and local support drive successful PD offices, though initial challenges included staffing delays, office space constraints, and adapting to a higher-than-expected case volume.



“This position has provided information and resource guides to candidates on the community and cultural resources available in District 43, a district serving multi-counties in rural areas. This district also encompasses the largest geographic areas of all the public defender offices and serves two counties considered as legal deserts.”

Janna Allison, Chief PD for Defender District 43, on working with the IDS Recruitment Coordinator



Talent Identification, Recruitment and Retention

NC IOLTA Grant Renewal and Final Year of Funding

In January 2025, North Carolina Interest on Lawyers’ Trust Accounts (NC IOLTA) renewed its grant to fund the IDS Recruitment and Training Coordinator (Recruiting Coordinator) position, marking the third and final year of IOLTA-funded support. The \$160,000 grant position remains critical to addressing and mitigating attorney deserts by recruiting and training new attorneys to serve as private assigned counsel

(PAC) and to join local public defender programs in underserved communities. Because this is the last year of IOLTA funding, sustaining these efforts will require alternative funding sources to continue the progress made in strengthening the indigent defense attorney pipeline.

Completed Activities

- Talent Identification: Built a database of 374 law students and undergraduates graduating between 2024-2027 to track potential hires. Coordinated with North Carolina law schools to strengthen student internship pipelines and provided orientation on the application process to 18 students.
- Recruitment: Expanded outreach to law schools nationwide by attending 13 career fairs and law school events, connecting with 154 potential candidates, and distributing recruitment materials to bar exam takers. Implemented new recruitment tools, leading to 67 candidate applications sent to local public defender (PD) offices.
- Retention: Developed and implemented specialized onboarding and support programs, including a two-day new Chief Public Defender training, monthly support sessions for PD leadership and staff, and one-on-one retention strategy guidance for new multi-county PD offices. Supported ongoing training initiatives with UNC-SOG to enhance recruitment and retention for PD, MAC, and PAC attorneys.

Planned Activities

- Collaborate with NC IOLTA to expand student internship funding for use by private attorneys providing indigent defense services.
- Continue working with public defender offices to enhance internship programs as a recruitment tool.
- Expand training opportunities to improve the quality and effectiveness of indigent defense counsel.

Pilot Programs

IDS would like to pilot several incentive programs based on the results of an IDS statewide survey of attorneys conducted between September and October 2024. While the primary reason attorneys

stop doing indigent work is the low rates North Carolina pays appointed counsel, IDS would like to assess the effectiveness of several incentives to recruit and keep new and returning private counsel. These incentives are designed to attract lawyers to practice in attorney deserts. They also provide a cost-effective strategy for IDS to attract attorneys who might otherwise focus only on more lucrative retained or federal criminal defense work.

IDS proposes two exciting pilot projects meant to assist in recruitment and retention:

- Electronic Discovery Subsidy
- Differential Pay

Software Subsidy Pilot for PAC Attorneys

To address the financial burden of digital evidence management on PAC attorneys, IDS proposes a Software Subsidy Pilot to assess the impact of providing Axon Justice licenses to a select group of PAC attorneys. The pilot will evaluate attorney retention, efficiency, and case management improvements from using Axon Justice’s transcription tools and synchronized body camera footage review.

Pilot Implementation & Estimated Costs

- Scope: A 50-attorney pilot over 24 months.
- Cost: If Axon matches CODA’s pricing, IDS estimates a cost of \$75 per PAC per month, totaling \$100,000 for the pilot.
- Administrative Support: License management requires ongoing oversight. While a full rollout would necessitate a dedicated staff member, existing personnel could manage a limited pilot, though this may strain resources.
- Expected Benefits
- Retention: Reduces financial barriers and enhances job satisfaction.
- Improved Representation: Expands access to effective defense in attorney deserts.
- Efficiency Gains: Saves time on administrative tasks, reducing billable hours.

By launching this pilot, IDS can evaluate the feasibility of subsidizing digital evidence management for PAC attorneys, improving the sustainability and quality of indigent defense services statewide. Investing in digital infrastructure ensures fair, efficient, and modernized

defense practice in the digital era.

Differential Pay Pilot: Expanding Attorney Access in High-Need Areas

To address critical attorney shortages in underserved regions, Indigent Defense Services (IDS) proposes launching a Differential Pay Pilot if additional PAC funding is secured for FY25-26. This program would test whether bonus pay—either as a percentage increase or fixed per-case stipend—can attract and retain attorneys in attorney deserts.

Why Differential Pay?

Similar strategies have proven effective in healthcare, education, and law enforcement by incentivizing professionals to work in high-need areas. A targeted compensation boost could help stabilize attorney availability where traditional incentives have failed.

Pilot Structure

- Target Areas: Two or three judicial districts with the greatest need, focusing on rural counties without Public Defender offices.
- Clear Guidelines: Defined eligibility criteria and accountability measures to ensure effectiveness.
- Evaluation and Scalability: IDS will assess attorney participation, case coverage, and overall impact to determine long-term feasibility.

By investing in differential pay, IDS can increase access to justice, support struggling judicial districts, and ensure indigent defendants receive quality legal representation.

Contract Services Overhaul: Transitioning to a More Effective System

In December 2022, Indigent Defense Services (IDS) retired the unit-based Request for Proposals (RFP) system, developed in response to a 2013 legislative mandate for experimentation with contracts, and replaced it with the Managed Assigned Counsel program or “MAC.” While detailed statistical data is still being gathered, IDS anticipates that shifting back to hourly-based payments will lead to more accurate,

timely reporting and an increase in recoupment receipts.

As of March 1, 2025, IDS had executed MAC contracts with 154 attorneys, compared to 108 attorneys under the previous RFP system at the end of FY22. This increase has expanded indigent defense coverage and improved caseload distribution, enhancing service quality for clients. This growth suggests that the MAC system is attracting more attorneys and expanding indigent defense coverage more than the traditional roster model. However, we still need to expand coverage in some rural areas to meet the full demand because recruitment remains challenging.

In 2023 and 2024, IDS strategically expanded the MAC program to address the most pressing case types and underserved areas. For example, IDS extended MAC contracts in parent defense to Guilford County and civil contempt session work in Mecklenburg County, as a way to keep attorneys on the rosters after they alerted local judicial officials that they intended to remove themselves.

At this time, IDS does not intend to expand MAC until it has had sufficient time to gather and review data. However, the transition to the defenderData program has provided IDS with an unprecedented ability to audit attorney billing time. For example, IDS can now track attorney court wait time and time spent across multiple cases in a day. This increased insight may help IDS and the Judicial Branch address courtroom inefficiencies that inflate spending on indigent defense.

Completed Activities

- **Technology Upgrade:** Deployed customizable contract management software to provide attorneys with a one-stop platform for tracking hours and case-related expenses.
- **Roster Expansion:** Developed a roster expansion program for adult criminal cases to support and oversee less-experienced attorneys seeking roster inclusion, ensuring they receive necessary mentorship and training to meet IDS standards. This initiative improves the quality of representation by helping attorneys develop essential skills before handling complex cases independently.
- **Developed Billing Guidelines:** To ensure responsible fiscal management, IDS collaborated with its Commission to create billing guidelines

for reviewing and approving attorney payment requests in defender data.

Planned Activities:

- **Ongoing MAC Expansion:** IDS will continue evaluating program effectiveness and attorney participation to determine further expansion opportunities.
- **Revise Billing Guidelines:** IDS will continuously monitor the Billing Guidelines for the MAC Program, conducting formal reviews on a scheduled basis to ensure fiscal accountability for attorneys and the agency.



“OASIS has greatly sped up the time it takes to get paid. It takes me approximately 3 minutes to enter a fee app on the OASIS website and I get my check 5 weeks earlier!”

Quote from a Mecklenburg County
PAC Attorney on OASIS

Adapting to New Technology

Modernizing an Antiquated Billing System

In FY24, IDS experienced significant delays in the ability to process approved fee applications because of system integration challenges and workflow adjustments required by the transition to eCourts and the launch of the state’s new financial system. In response, IDS developed the Online Attorney State Invoice System, or “OASIS,” to streamline invoicing and payment

processes. Built in-house by IDS for approximately \$6,000, OASIS has increased fee application processing speed by 72%.

What is OASIS?

OASIS is the Online Attorney State Invoice System. It is an internally developed, secure, web-based invoicing system for PAC attorneys to electronically invoice IDS promptly after their fee applications are uploaded into the eCourts File & Serve platform and accepted by the clerk.

The process is straightforward:

1. The attorney files a fee application and serves it on IDS using eCourts File & Serve.
2. The attorney submits a corresponding invoice in OASIS.
3. IDS retrieves invoice data electronically in bulk, performs an audit of the corresponding fee applications, and approves payments.

Process Streamlining: The OASIS system provides faster and more reliable receipt of fee applications, which must go through several hands and several steps before reaching IDS. Fee applications are now served directly on IDS as soon as they are filed, with the matching OASIS invoice, and they are paid within 30-45 days. Delays in front end processing, including lost fee applications, no longer delay or prevent payment.

If a discrepancy arises between the amount the attorney invoiced and the amount later awarded by the judge, IDS works with the attorney to resolve the issue. These discrepancies are rare and typically occur when the judge awards a lower fee than the attorney requested.

Digitization: The OASIS invoice digitizes the data needed to issue payment, putting it in exactly the format needed in the state accounting system (NCFS). This creates efficiencies by eliminating the time needed by staff to re-type data from scanned paper fee applications onto the payment spreadsheets.

Receipting: OASIS provides a receipt of all cases and amounts invoiced directly to the attorney upon submission, providing an automatic tracking and receipt system. This reduces time spent by IDS and clerk staff fielding phone calls and emails from

attorneys inquiring whether their fee applications have been received or sent to IDS by the clerk, and time spent researching those cases.

Return Automation: OASIS creates cost saving efficiencies by automating fee app returns, providing automatic emails to attorneys with the reason for rejected payment and detailed instructions to correct the issue and re-see payment. This eliminates the formerly manual process of sending rejection notices.

IDS launched OASIS on April 8, 2024, beginning with a field test for seven PAC attorneys. An incremental rollout began on June 6, 2024, as the system was studied and improved. As of this writing, OASIS is operating in 16 counties and will be launched in all non-MAC counties by December 2025.

The OASIS rollout schedule aligns with NCAOC's eCourts deployment schedule, with a phased timeline that prioritizes counties based on their eCourts activation dates. This phased approach allows attorneys and judicial officials time to acclimate to eCourts with which OASIS works in tandem. This metered rollout schedule also helps mitigate additional strain on IDS staff, ensuring each transition to OASIS goes smoothly. Each launch involves its own specific communications plan, interactive training on the OASIS system, and a credentialing process for PAC to acquire access to the new billing system.

Learn More: For additional information about OASIS, including the full rollout schedule, training materials, and user support resources, visit <https://www.ncids.org/oasis/>.

Implementing OASIS and defenderData provides an unprecedented level of data and financial transparency for IDS. Together, these systems equip IDS with greater insight into attorney billing trends, case workflows, and overall cash flow management. Both defenderData and OASIS offer real-time, structured invoicing systems that enhance our ability to track payments, project expenditures, and identify emerging cost patterns. This improved visibility will allow IDS to better manage its financial obligations and ensure timely payments to PAC attorneys.



Staff from the Robeson County Public Defender Office visited their counterparts over in Mecklenburg County to experience and acclimate to eCourts, prior to the launch there. Mecklenburg County was an eCourts pilot county.

Increased Reliance on Digital Discovery and the Need for Cost-Effective Storage Solutions

Public defenders and PAC must manage increasing volumes of digital discovery, including police body camera footage, dashcam video, interrogation recordings, phone records, electronic communications, and extensive metadata. Under the Sixth Amendment, criminal defendants have the right to the effective assistance of counsel, which includes an attorney's duty to adequately review discovery to provide a competent defense. State Bar ethics rules further require attorneys to review all discovery materials in criminal cases, ensuring they fulfill their professional obligations. Additionally, attorneys must retain these files for six years, creating a significant storage burden. The costs of secure digital storage—particularly cloud-based solutions—continue to rise, placing financial strain on attorneys working at IDS rates.

While all 1,100 prosecutors statewide have Axon Justice licenses, public defenders lack equivalent access due to funding constraints. For public defenders, Axon Justice is the preferred evidence management platform due to its direct integration with law enforcement, advanced transcription capabilities, and ability to synchronize multiple body camera angles. While some PD offices currently use an older version (Evidence.com), this system sunsets in March 2027. New PD offices must obtain Axon Justice, an essential but costly tool.

To ensure parity and efficiency in indigent defense, IDS seeks an appropriation to provide public defenders, assistant public defenders, investigators, and Office of

the Capital Defender staff with Axon Justice licenses. Integrating IDS licenses into the existing Conference of District Attorneys (CODA) contract with Axon will achieve this at a comparable cost.

Completed Work

- Negotiated cost reduction from \$12 million to \$3.2 million.
- Eliminated \$80,000 in training and setup costs.
- Increased available licenses for new PD offices from 30 to 45.
- Secured cost parity with CODA rates.
- Obtained CODA Commission and Director approval to integrate IDS licenses into the CODA contract.

Planned Work

- Stagger additional licenses based on appropriations.
- Authorize an IDS staff member to oversee PD accounts.
- Expand access to PAC attorneys through a proposed pilot program.

Unlike public defenders, PAC attorneys operate without institutional IT support and must absorb overhead costs that are not case-specific. One of the most pressing financial burdens they face is the cost of securely storing and managing digital discovery, which has become an essential component of modern criminal defense. To address this issue, IDS is requesting funding for the Electronic Discovery Subsidy pilot program, as detailed earlier in this report. This initiative aims to offset storage costs for PAC attorneys, ensuring they have the necessary resources to handle digital evidence effectively while continuing to serve clients in underserved areas.

Grant and Federal Funding Update

Since FY21, Indigent Defense Services (IDS) and the Office of the Parent Defender (OPD) have collaborated with the North Carolina Department of Health and Human Services (DHHS) pursuant to a Memorandum of Understanding (MOU) that allows OPD to access limited federal funding for case-related services, such as increasing the use of social workers in child welfare cases. The first disbursement pursuant to the MOU occurred in January 2022. *(For a detailed discussion of recoupment pursuant to the MOU see the “IV-E Revenue” on page 18 of this report.)*

Note: The Commission on Indigent Defense Services considered projected receipts under IDS’s MOU with DHHS when implementing the long-overdue rate increase in 2022, as these funds were expected to offset some costs associated with the increase. However, due to the uncertain nature of federal funding, it is unlikely that the Commission will continue to rely on federal funds for future rate adjustments.

Throughout FY24, OJD continued work on an extensive evaluation of juvenile defense delivery across North Carolina, supported by an award from the US Office of Juvenile Justice and Delinquency Prevention. This effort began in FY22, when OJD identified critical areas of need and took steps to expand contract defense for juveniles in under-resourced regions. The office also developed and deployed new resources to support juvenile defenders. In October 2024, the OJD was granted a no cost extension to expand its work with under-resourced juvenile populations into additional jurisdictions.

Cost Control Measures

Increased Auditing Capabilities

For the first time, IDS has real-time oversight of indigent defense expenditures. This marks a major advancement from the outdated, decentralized paper system of the past. With the implementation of new technology including defenderData and OASIS, IDS can now track attorney billing, monitor court waiting times, and analyze time allocation across cases with unprecedented precision. These tools enhance fiscal accountability, identify courtroom inefficiencies driving costs, and provide critical data to improve

resource allocation. Additionally, IDS can now assess the financial impact of eCourts on attorney expenses, ensuring data-driven funding decisions that support a sustainable indigent defense system.

Beyond these technological advancements, the expansion of the public defender system further strengthens financial and operational oversight. Public defenders, with their direct involvement in local caseloads, serve as a critical frontline for identifying anomalies in PAC demand—such as unexpected spikes in assigned counsel usage, billing irregularities, or inefficiencies in case distribution—that might otherwise take weeks or months to detect at the central office. This embedded, on-the-ground monitoring enhances IDS’s ability to ensure PAC funding is used effectively and equitably, reinforcing fiscal responsibility while maintaining high-quality indigent defense services.

Reducing Unnecessary Indigent Defense Costs and Court Burdens by Decriminalizing Some Class 3 Misdemeanors

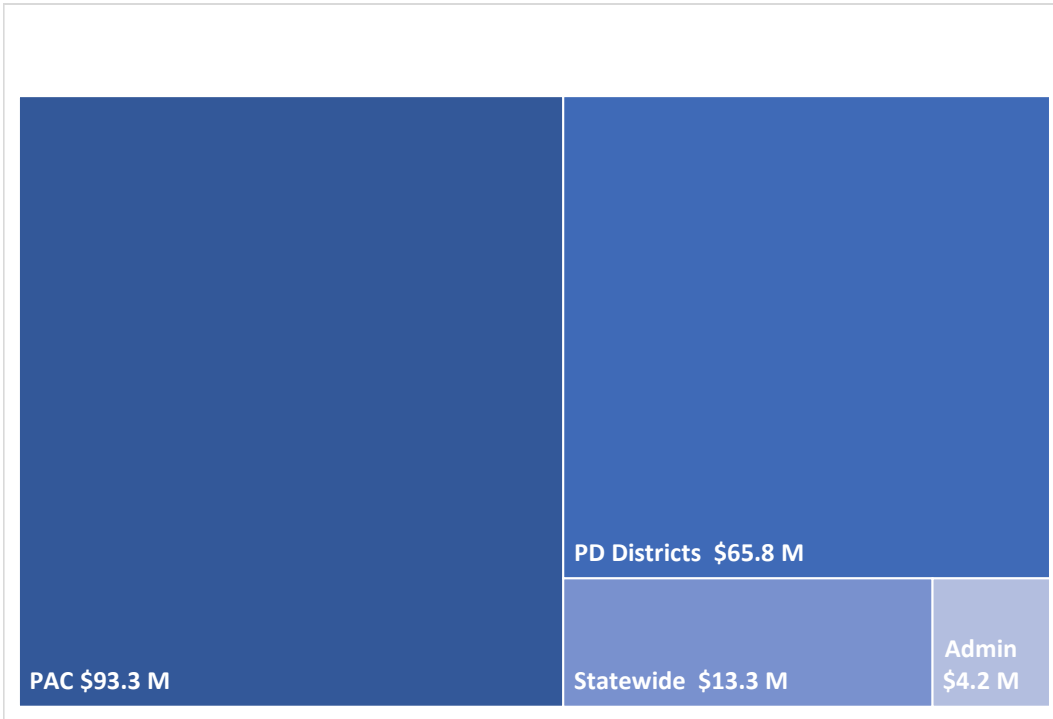
Under N.C. Gen. Stat. § 7A-451, defendants charged with Class 3 misdemeanors are entitled to court-appointed counsel at state expense if they face the possibility of incarceration. While most Class 3 misdemeanors do not result in jail time, individuals with a qualifying prior record level may be sentenced to incarceration, triggering a constitutional right to appointed counsel.

Determining whether a defendant qualifies for appointed counsel requires a review of prior convictions, a process that is both time intensive for busy district courts and susceptible to error. When prior records are miscalculated or unavailable at first appearance, defendants may be inappropriately appointed attorneys at IDS expense, increasing costs for both IDS and private attorneys, who later discover the appointment was unauthorized.

By decriminalizing non-DWI traffic-related Class 3 misdemeanors, the General Assembly could streamline judicial resources and cut indigent defense costs. This shift would not only preserve IDS funds for cases where counsel is truly required but also streamline district court operations by removing the administrative burden of prior record verification.

Volume and Cost of Cases Handled by Assigned Counsel or Public Defenders

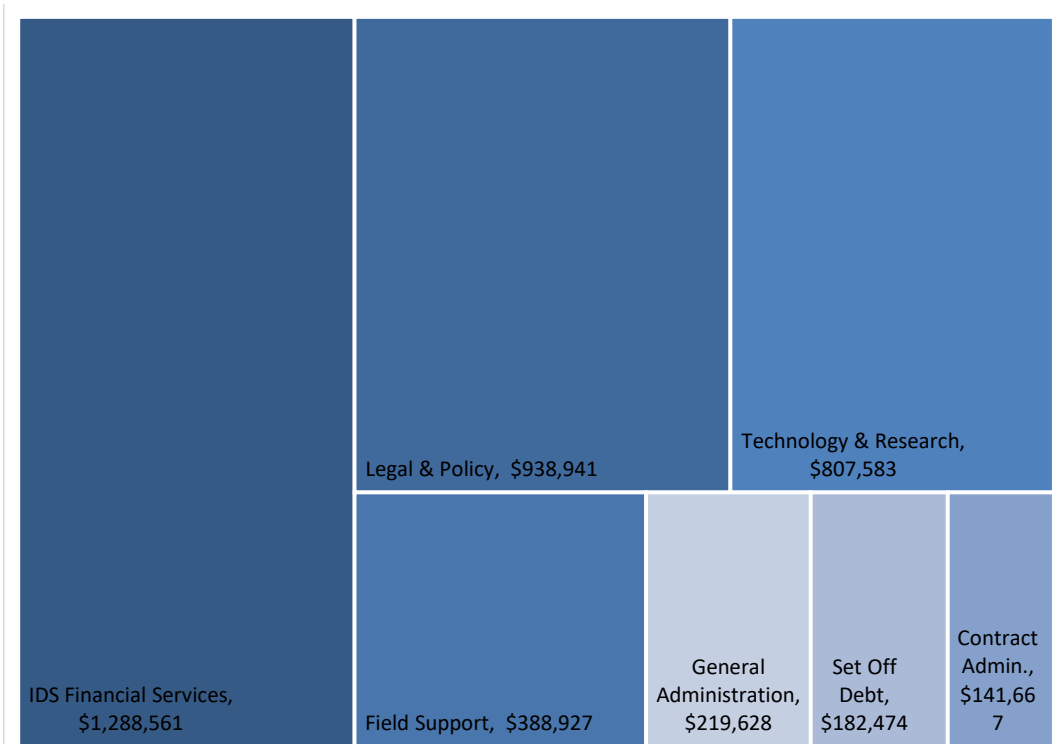
FY2024 Expenditures



Total IDS Expenditures for FY24: \$176,638,0034

Private Assigned Counsel	52.3%
PD Districts	37.3%
Statewide Defenders	8%
Administration	2.4%

IDS Administration



For FY24, IDS spent \$3.9 million, or just over 2.4 percent of its total budget on administration.

IDS Financial Services	\$1,288,561
Legal & Policy	\$938,941
Field Support	\$388,927
Technology & Research	\$807,583
Contract Admin.	\$141,667
Set Off Debt	\$182,474
General Administration	\$219,628

FY2024 Expenditures (Continued)

IDS Financial Services Staff are responsible for attorney and other vendor payments, as well as recoupment of money owed to the agency. In FY24, IDS Financial Services:

- IDS paid fee applications to 1,370 unique PAC attorneys around the State, including hourly rosters, flat-fee programs, and contract defenders.
- Processed 131,600 fee applications.

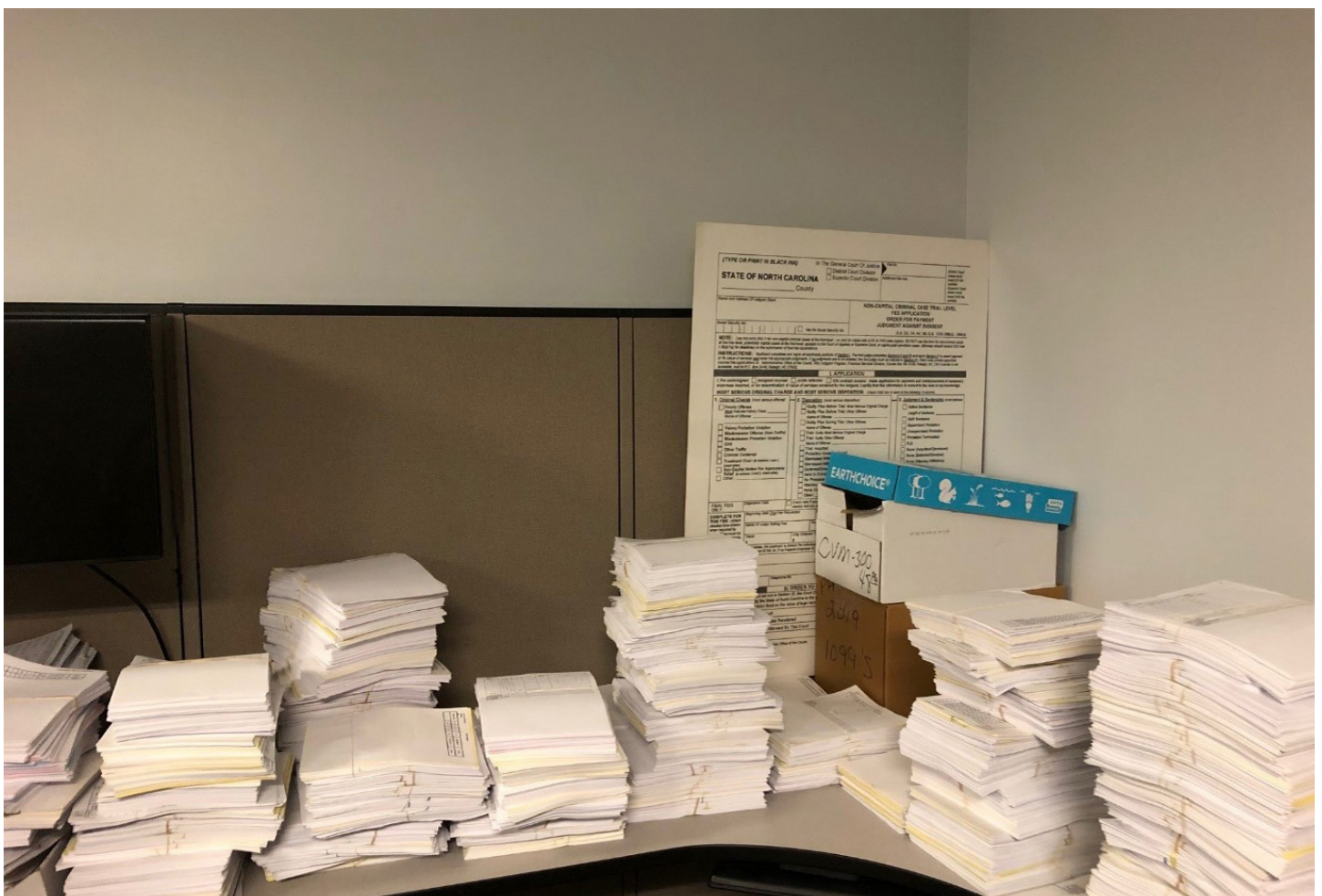
- Set 2,228 fee awards for attorney fee applications in potentially capital cases and appeals, including interim and final fees.

In the fall of 2024, the NCAOC issued the results of its fifth annual Internal Controls Audit of IDS pursuant to G.S. 7A-498.2(d). As in prior years, all internal controls tested by NC AOC were determined to be “Effective,” the highest rating possible.

PAC Demand

Number of Fee Applications Processed by IDS FY22-24

FY	PAC Fee Applications	Capital Attorneys	Expert Fee Applications	Capital Experts	Total
Total 2022	119,424	1,018	1,322	1,636	123,400
Total 2023	114,333	1,225	1,804	2,180	119,542
Total 2024	124,476	2,228	1,868	3,028	131,600



Projecting FY2025

Existing Challenges

Indigent defense resources will continue to be strained by such issues as resolving the current backlog of cases, the increased cost of capital cases, the increase in continuances due to inadequate PAC rosters, the increased numbers of civil commitment cases, and the need to update outdated technology.

New Challenges:

Historically, IDS has relied on data generated by the legacy court system to fulfill its statutory mandate to deliver services effectively and cost-efficiently. As noted earlier in this report, IDS is working with the NCAOC, public defender staff, and private assigned counsel to adapt to eCourts.

Reports from the field suggest that the implementation of eCourts has significantly increased the time attorneys must spend on district court casework. It remains to be seen whether this increase in time expenditure is a permanent function of eCourts or if it will return to pre- eCourts levels as attorneys and judicial staff adapt. However, new tools such as defenderData and OASIS will allow IDS to track attorney court wait time and time spent across multiple cases in a day. This increased insight may help the agency address courtroom inefficiencies that inflate spending on indigent defense.

IDS's Debt Setoff Program , which intercepted over \$5.4 million dollars last year, also relied on these legacy systems to provide accurate information to DOR for collection purposes and to provide timely and accurate information to generate statutorily required notices and to credit existing judgments with the intercepted funds. From February 2023 to May 2024, there was no automated SOD functionality in eCourts.

IDS was unable to perform SOD manually but was able to custom program in-house an automated SOD system that, with some manual work, performed all functions except for the application of intercepts to judgments.

IDS could not program that, because that process would require access to programs in eCourts, which is exclusive to the eCourts vendor, Tyler Technologies. However, IDS did provide spreadsheet data to the clerks so that the clerks could hand-key the credits. This temporary in-house solution prevented the loss of \$1,270,907.27 in funds for that time.

In May 2024, Tyler completed work on its SOD Module. However, the SOD module in eCourts unveiled in spring 2024 had an error rate of 30-40%. This does not prevent intercepts but jeopardizes the timely transmission of statutorily required notices from being sent. Further, it prevents intercepted funds from being applied to judgments sometimes causing duplicate intercepts to be made. AOC submitted a service request to Tyler to repair this issue. The status of this request is uncertain at this time. It is expected that any new technological initiative will have some challenges and IDS continues to work with NCAOC to resolve these issues as it moves forward with expanding eCourts statewide.

SOD collections are made on civil judgments for attorney fees; however, IDS staff noticed and NC AOC Internal Audit confirmed that that a significant number of ESOD eligible judgements were not always indicated as such in eCourts. eCourts requires that each civil judgment for attorney fees be designated as Eligible for Set Off Debt (ESOD) in eCourts, which requires several steps on the part of the clerk, for each judgment entered into eCourts. The legacy system that eCourts replaced, VCAP, did not require any additional steps by the clerk to make the judgment "collectible", so this a new problem, and one of unknown present and future impact. NCAOC internal audit has raised awareness of this issue in its educational materials.

Trends show that collections from eCourt counties have lagged collections from legacy counties per capita. It remains to be seen whether the transition of VCAP data to eCourts has resulted in a permanent loss to our ability to use SOD to collect judgments originally docketed in the legacy system.

PAC Demand

In FY23, PAC expenditures saw a sharp rise of 12.2% compared to FY22. This upward trend continued in FY24, with PAC spending reaching an all-time high of \$93.3 million—an increase of \$10 million (12%) over the previous record set in FY23. IDS projects PAC fund spending to be approximately \$91 million for FY25. The sharp spike in demand has multiple causes including clearing court backlogs, increased attorney time per case related to eCourts, a rise in homicide cases, and the January 2022 rate increase. IDS expects to see a greater offset in PAC demand in FY25, as the new public

defender offices reach full staffing capacity.

Budget and Policy Impacts

As previously forecasted, IDS anticipates a shortfall and roll-over debt as early as the current fiscal year. While the unpredictable nature of fiscal demands, which are subject to pressures outside of IDS control, complicates forecasting, IDS currently anticipates a shortfall of \$5 to \$7 million, with PAC funds exhausted in early June. This would result in roll-over debt equal to the amount of the shortfall.

Revenue Collection

IDS relies on multiple revenue streams to support its operations, including both receipts and recoupment. Receipts refer primarily to funds collected through the General Court of Justice Fee (GCJF), a portion of court costs designated for indigent defense funding.

Recoupments, on the other hand, include revenue generated from court-ordered judgments for attorneys' fees and appointment fees. These recoupments are collected through direct payments made to clerks

of court and probation offices, as well as intercepts of state income tax and NC Education Lottery funds processed through the Department of Revenue's Setoff Debt Program.

Reimbursements include federal Title IV-E funding for IDS's costs for legal representation for the parent of a child in foster care. Costs must be approved by the NC DHHS and the federal Children's Bureau.

	FY21	FY22	FY23	FY24	FY25 (YTD)
FMS Recoupment					
Attorney Fees - as ordered	\$4,227,308	\$4,473,146	\$4,179,453	\$3,772,828	\$2,477,370
Appointment Fees	\$927,297	\$1,003,245	\$955,286	\$927,353	\$604,434
	(\$55 to IDS; \$5 to tech fund as of 12/1/2020)	(\$70 to IDS; \$5 to tech fund)			
Set Off Debt Recoupment					
Intercepted Tax Refunds or Lottery Winnings	\$4,569,001	\$4,414,445	\$5,625,521	\$5,439,159	\$899,981
Criminal Court Fees					
General Court of Justice Fee	\$414,665	\$1,664,161	\$2,892,582	\$2,882,096	\$1,843,660
	(\$2 as of 1/1/2020)	(\$5 as of 2/1/2022)			
IV-E Reimbursement					
	\$-	\$327,852	\$1,745,545	\$1,370,838	\$2,213,243
Total Revenues	\$10,138,271	\$11,882,849	\$15,398,387	\$14,392,274	\$8,038,688

The following section provides an overview of these revenue sources and their impact on IDS funding.

Criminal Court Fee Revenue

IDS first received funding through the General Court of Justice Fee (GCJF) in FY21. Under G.S. 7A-304(a), as amended by Session Law 2020-83, Section 10.1(b), a new \$2 fee was imposed on every criminal case in superior or district court, including infractions, where the defendant was convicted, entered a plea of guilty or nolo contendere, or when costs were assessed against the prosecuting witness.

Effective February 1, 2022, Session Law 2021-180, Section 16.15(a) amended G.S. 7A-304(a) to increase this fee from \$2 to \$5. As reflected in Table 1 (above), this change led to a five-month period of increased criminal court fee revenue in FY22. In FY23, the first full fiscal year with the higher fee in effect, GCJF revenues rose from \$1.7 million to \$2.9 million, a 73.8% increase. FY24 remained relatively steady and for FY25 we continue to forecast steady collections with potential for slight growth.

Additionally, G.S. 7A-455.1, as amended by Session Law 2020-83, Section 10.1, increased the attorney appointment fee from \$60 to \$75. Of this amount, \$70 is allocated to the PAC Fund, while \$5 is directed to the Court Information Technology Fund. In FY22, the first full fiscal year with the increased fee, this adjustment led to an 8.2% increase in IDS receipts. However, revenues from this source declined by 4.8% in FY23, and the downward trend continued in FY24 with a decrease of \$27,933 (2.9%).

Recoupment and Setoff Debt

At \$10.1 million, IDS saw a decrease in recoupment collected of around 6.5% in FY24. The previous year's recoupment was \$10.8 million. Recoupment is all money IDS recoups for attorneys' and appointment fees ordered by the court. It includes payments through probation, the clerks of court, and the setoff debt program. It does not include receipts such as General Court of Justice Fees.

IDS continues to work closely with NCAOC to monitor the timely application of intercepts to the applicable judgements, on a county-by-county basis. Further, NCAOC and its eCourts vendor, Tyler Technologies,

continue to work toward establishing a setoff debt functionality.

IV-E Revenue

On December 21, 2018, the U.S. Department of Health and Human Services' Children's Bureau announced a revision to the Child Welfare Policy Manual, allowing states to receive federal Title IV-E funding to reimburse administrative costs for independent legal representation by an attorney for a child in foster care or at risk of entering foster care, as well as their parent.

In FY22, IDS began receiving Title IV-E funds from the Children's Bureau through the North Carolina Department of Health and Human Services to support an interdisciplinary model of parent representation. This initiative aimed to reduce the length of time children spend in foster care, facilitate meaningful family visitation, and ensure that families received effective services leading to lasting reunifications. Additionally, these funds were used to increase rates for private assigned counsel representing parents, effective January 2022. The Office of Parent Defender also hired contract administration staff in the later months of FY22 to manage IV-E eligible projects.

In FY23, IDS collected \$2.07 million in revenue from the IV-E reimbursements. \$1.2 million was used to offset the \$10 an hour rate increase from \$55 and hour to \$65 an hour for private assigned counsel in cases involving children in foster care and pay contract social workers assisting private assigned counsel with parental rights cases. An additional \$250,000 was used to pay for program staff and the support they provide to attorneys handling these cases. In FY24, \$2.14 million was collected and the same amounts were utilized to offset the rate increase and cover program costs. In FY25, collections are expected to exceed \$2.2 million.

While Title IV-E funding has provided critical support for parent representation, its long-term availability remains uncertain. Changes in federal policy, funding priorities, or administrative rules could impact future reimbursement levels, potentially affecting IDS's ability to sustain current service levels and rates. Continued monitoring and contingency planning will be necessary to ensure stability in this area.

Plans for Changes in Rules, Standards or Regulations

Indigency Screening Pilot Program

The transition to eCourts has exposed a long-standing issue: thousands of incorrect Social Security numbers are attached to civil judgments for attorneys’ fees in criminal cases. Each tax season, IDS receives calls from wrongfully intercepted taxpayers whose SSNs were incorrectly recorded due to illegible handwriting, data entry errors, or incorrect information provided by applicants.

Under the legacy system, IDS staff could correct errors and issue refunds quickly. Now, eCourts requires a multi-step process involving IDS, the clerk’s office, and the AOC help desk—significantly increasing the workload for state employees and delaying resolution for affected individuals.

This problem is preventable. IDS is requesting funding to develop an online indigency affidavit that would

collect and verify SSNs, driver’s license numbers, or tax IDs in real time through commercial verification services. The system would generate a redacted PDF for eCourts, ensuring accurate records for future recoupment by the Department of Revenue.

Additionally, the online affidavit would require applicants to acknowledge their repayment obligation before proceeding, addressing a common issue where individuals fail to understand their financial responsibility.

This simple front-end fix would reduce errors, improve efficiency, and help prevent wrongful tax intercepts.



Estimated Costs

Hardware/ software/ service	Estimated Cost
Tablets (50 units)	\$25,000
Web App Development	\$20,000
Installation & Training	\$8,000
Maintenance (1 year)	\$8,000
	\$91,000

Expected Benefits

- Cost Savings – Prevents wrongful intercepts and improves fund recovery.
- Improved Accuracy – Reduces human error in SSN collection.
- Operational Efficiency – Streamlines indigency verification and eases court staff workload.
- Reduced Liability – Prevents wrongful tax refund seizures, limiting IDS’s and NC AOC’s financial risk.



IDS hosted an in-person training on the new defenderData software for the MAC program.

Revised Billing Guidelines for the Managed Assigned Counsel (MAC) Program

IDS promulgated “Billing Review Guidelines for the Managed Assigned Counsel Program” (Guidelines) in the fall of 2024. The purpose of the Guidelines is to provide clear, consistent, and transparent standards for reviewing and approving attorney fee and expense submissions under the Managed Assigned Counsel (MAC) Program.

The Guidelines are designed to ensure fiscal responsibility and efficient use of taxpayer funds while supporting high-quality legal representation for indigent clients. These guidelines establish clear billing standards, oversight measures, and review protocols to prevent overbilling, ensure appropriate compensation for attorneys, and maintain accountability in public defense spending.

As stewards of taxpayer dollars, IDS must balance the need for fair attorney compensation with prudent financial management. To that end, the Guidelines are

designed to help safeguard public funds by identifying billing anomalies, setting reasonable work-hour thresholds, and requiring documentation for high-hour claims.

Recognizing the evolving needs of indigent defense, IDS staff and the Commission regularly review and update these guidelines—both on a scheduled basis and as needed—to improve their effectiveness. Ongoing evaluation ensures that policies remain fair, transparent, and aligned with best practices in legal service delivery and financial oversight.

Roster Expansion Program

Expand the pipeline of qualified attorneys by providing structured oversight, mentorship, and training for less-experienced counsel seeking roster inclusion. This initiative strengthens attorney retention and development, particularly in underserved areas, by equipping attorneys with the necessary skills and support to handle complex cases effectively. To sustain these efforts and ensure long-term success, adjustments to the Uniform Appointment Plans may be necessary.

Other Plans

Developing Caseload Standards

Pursuant to G.S. 7A-498.5(c)(3), the Commission on Indigent Defense Services is required to develop standards for public defenders and appointed counsel caseload.

Completed Activities

- Compiled research on indigent defense workload studies in other states and at the national level.
- Presented to the IDS Commission on indigent defense workload standards.
- Convened an Indigent Defense Workload Standards Advisory Committee to begin work on a North Carolina centric workload study for both state-employed defenders and private assigned counsel.

Planned Activities

- Work with the newly created committee to review workload standards, to include a review of existing research, and ultimately make recommendations to the IDS Commission for adoption.

Establishing Standardized Policies to Guide Public Defender Offices

Public Defender expansion has highlighted the need for standardized policies to be consistently applied to all new and existing Public Defender offices.

Ongoing Activities

- Conduct comprehensive assessment of existing policies and procedures, with focus on identifying gaps where new policies are needed.
- Work with newly created Public Defender offices to onboard/orient staff, locate appropriate space, and procure appropriate resources.
- Note and triage emergent issues and needs as they arise.

Planned Activities

- Debrief the new office onboarding process and create internal procedures and guidance documents to streamline new office stand-up workplans.
- Assess Public Defender office technology needs and work to align them with the IDS budget.

Appendices

Appendix A is a one-page summary of IDS's most critical Long Session Legislative Budget Requests.

For a list of State and Chief Public Defenders by district, see Appendix B.

To see where Local Defender Programs are located throughout the state, see the Appendix C.

For detailed descriptions of the Statewide Defender Offices see Appendix D.

For Recoupment numbers by county, see Appendix E.

For an accounting of expenditures and demand for MAC and private assigned counsel, see Appendix F.



NC Supreme Court Chief Justice Paul Newby presents his annual Award on Professionalism at the Spring PD Conference each year.

Appendix A

Proposal	Why	How
Develop an Electronic Indigency Affidavit	To modernize collection of and verification of information improve recoupment efforts	IDS will create a web-based form that can be filled out in the courtroom or jail, by the client tablet/device. Defendants identify verified and defendants are informed of future recoupment if convicted, improving decision-making for courts and for the persons charged.
Incentivize PAC who are Doing the Work	To increase availability of Private Assigned Counsel (PAC) in “attorney deserts”	IDS will pilot differential wages for PAC in areas with the most extreme lawyer shortages; IDS will pilot access to <i>Axon Justice</i> ® for PAC who bill at least 400 hours of indigent work.
Increase PAC Rates	To appropriately compensate attorneys for indigent work and to entice PAC to (re)join rosters	IDS will propose a base rate increase (across the board) that is adjusted for inflation and is on par with the current cost of living.
Measured Expansion of PD Offices across the State	To ensure the long-term availability of defense counsel in areas of need	IDS will recommend three (3) new PD offices in districts with requests initiated by stakeholders and with strong local support.
Adequately Staff Existing PD Offices	To ensure all clients are represented by defenders who have manageable caseloads and to ensure efficient operations of the courts.	IDS will prioritize adding staff in existing PD offices that have experienced increases in caseloads since inception. IDS will expand regional coverage to address roster shortages and to handle conflicts.
Modernize IDS Operations	To enhance oversight of taxpayer resources; To better audit attorney payments; To ensure offices statewide attract and retain quality talent	IDS will add a <i>Contracts Administrator</i> position to become more efficient, using the newly developed fee app technology. IDS will seek to fund the <i>IDS Attorney Recruitment and Training Coordinator</i> position full-time (previously funded by a North Carolina State Bar IOLTA grant).

Appendix B

State Defenders

G. Glenn Gerding
Appellate Defender

Glenn.Gerding@nccourts.org
☆☆☆

J. Chad Perry
Chief Special Counsel

J.C.Perry@nccourts.org

Robert Sharpe, Jr.
Capital Defender

Robert.E.Sharpe@nccourts.org
☆☆☆

Wendy C. Sotolongo
Parent Defender

Wendy.C.Sotolongo@nccourts.org

Eric Zogry
Juvenile Defender

Eric.J.Zogry@nccourts.org
☆☆☆

District Public Defenders

Thomas P. Routten

Defender District 1: Camden,
Chowan, Currituck, Dare, Gates,
Pasquotank, Perquimans

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☆☆☆

Laura N. Gibson

Defender District 2: Beaufort, Hyde,
Martin, Tyrrell, Washington

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Robert C. Kemp III

Defender District 3: Pitt

Robert.C.Kemp@nccourts.org
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Joshua W. Willey, Jr.

Defender District 4: Carteret, Craven,
Pamlico

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Niccoya Dobson

Defender District 5: Duplin,
Jones, Sampson

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Jennifer Harjo

Defender District 6:
New Hanover, Pender

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Tonza D. Ruffin

Defender District 7: Bertie, Halifax,
Hertford, Northampton

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Deonte' L. Thomas

Defender District 10: Wake

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A. Traynham Dorn

Defender District 13: Johnston

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Cynthia Page Black

Defender District 14: Cumberland

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Jacob D. Ward

Defender District 15: Bladen,
Brunswick, Columbus

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Dawn Y. Baxton

Defender District 16: Durham

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Ricky W. Champion

Defender District 17: Alamance

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Woodrena D. Baker-Harrell

Defender District 18:
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Jack Moody

Defender District 20: Robeson

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Phillip A. Elkins

Defender District 21: Hoke, Scotland

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Jennifer L. Rierson

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Kevin P. Tully

Defender District 26: Mecklenburg

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Randolph M. Lee

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Paul James

Defender District 31: Forsyth

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Seth Johnson

Defender District 32:
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Rocky Lutz

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Samuel A. Snead

Defender District 40: Buncombe

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Laura A. Powell

Defender District 41:
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Beth W. Stang

Defender District 42: Henderson,
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Janna D. Allison

Defender District 43: Cherokee, Clay,
Graham, Haywood, Jackson,
Macon, Swain

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☆☆☆

Appendix C

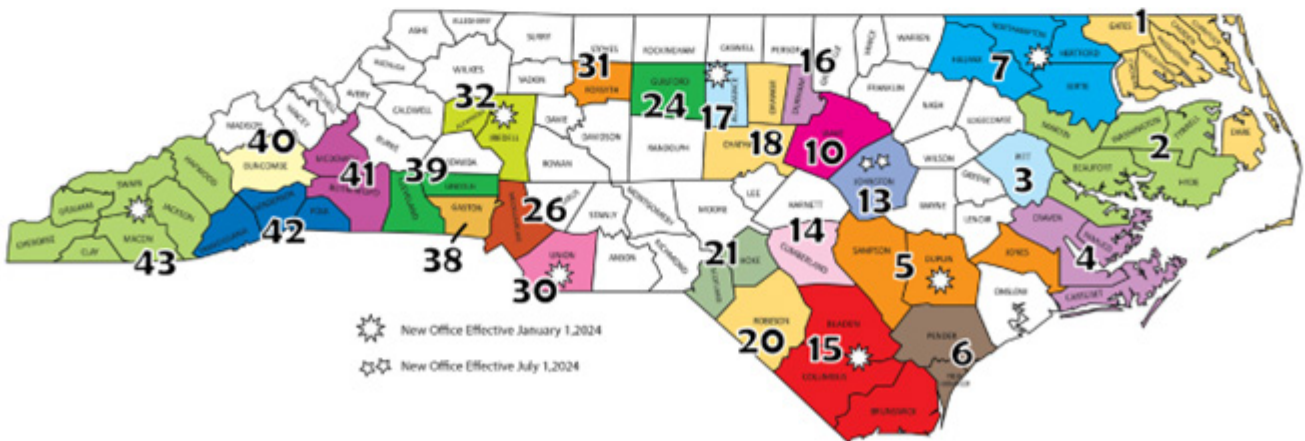
Public Defender Districts

Last Updated February 2023



IDS OFFICE OF INDIGENT DEFENSE SERVICES
SAFEGUARDING JUSTICE

Public Defender Districts



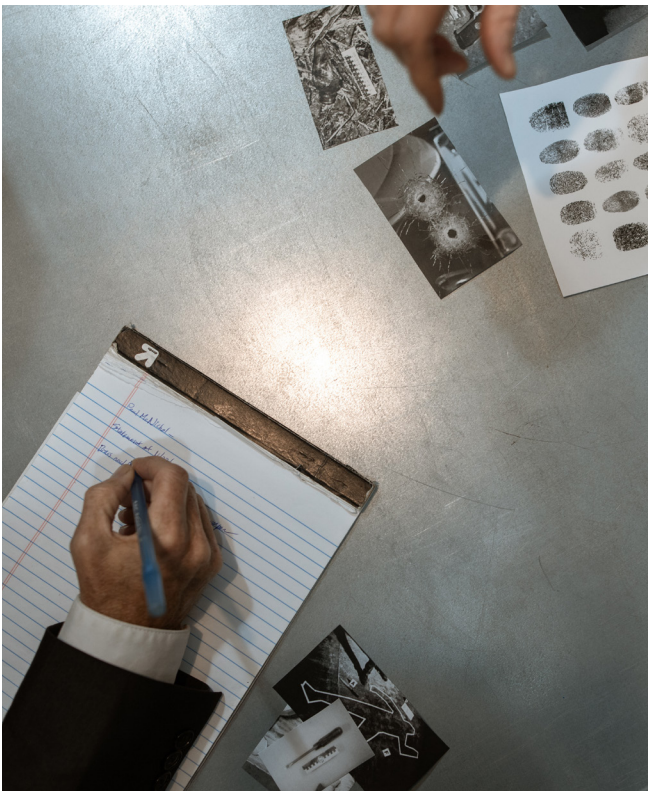
Appendix D

Statewide Specialized Defenders

Five **Statewide Defender Offices** provide oversight and supervision in specialized areas of the law. The Chiefs of each office are appointed by the Commission to serve four-year terms. They administer rosters of specialized attorneys; supervise in-house attorneys; and work with legislators, court actors, and other stakeholder groups on court improvement initiatives. The Chief and their Assistants are state-employed defenders.

In addition to screening applicants, all statewide defender offices provide advice and support on highly specialized areas of law to the nearly 2,000 PAC across the state. The Chiefs in each of the statewide defender offices also work closely with other state agencies and stakeholder groups to develop policies and draft proposed legislation affecting their clients, their offices, and IDS.

- Office of the Appellate Defender
- Office of the Capital Defender
- Office of the Juvenile Defender
- Office of the Parent Defender
- Office of Special Counsel



Office of the Appellate Defender

The Office of the Appellate Defender (OAD) represents indigent adult and juvenile clients on appeal after a criminal conviction and when the State appeals a trial court ruling. OAD strives to provide each client with competent, zealous, and cost-effective representation.

Appellate Defender	1
Deputy Appellate Defender	1
Assistant Appellate Defenders	19
Private Assigned Attorney Roster	

In FY24, OAD	
Appointments made to AAD	300
Cases closed by OAD	290
Appointments made to PAC	373

In addition to direct representation of clients on appeal, OAD monitors and mentors appellate roster counsel, consults with and provides briefs and litigation guides to trial and appellate counsel, and trains public defenders and private assigned counsel at continuing legal education courses around the state throughout the year.



Appendix D

(Continued)

Office of the Capital Defender	
The Office of the Capital Defender (OCD) represents indigent adult clients charged with potentially capital cases at the trial level. OCD strives to provide each client with competent, zealous, and cost-effective representation.	
Capital Defender	1
Deputy Capital Defender	1
Assistant Capital Defenders	15
Durham	4
Buncombe	1
Forsyth	3
Nash	1
New Hanover	2
Robeson	4
In FY24, OCD	
Cases closed by ACD	41
All cases worked	188
Average case load per ACD	12.53

Office of the Parent Defender	
The Office of the Parent Defender provides and promotes high quality legal representation for parents affected by the child welfare system (DSS) and parents facing contempt in child support and other civil proceedings.	
Parent Defender	1
Staff Attorneys	3
Private Assigned Attorney Roster	76
In FY24, OPD	
Appellate appointments made (in office)	77
Appellate appointments made to PAC	169
Number of cases disposed (in office)	35
Trial level PAC contracts executed	76
In FY2023, OPD, through IDS, and NC DHHS executed a memorandum of understanding allowing DHHS to reimburse a portion of IDS spending on parent defense and parent defense case related expenses.	
In FY2023, OPD, through IDS, and NC DHHS executed a memorandum of understanding allowing DHHS to reimburse a portion of IDS spending on parent defense and parent defense case related expenses.	
FY21	\$327,852
FY22	\$826,984
FY23	\$2.1 million
FY24	\$2.14 million

Office of the Juvenile Defender	
OJD's mission is to provide services and support to juvenile defense attorneys, evaluate the current system of representation through observation of court, speaking with court officials and make recommendations as needed, while also elevating the stature of juvenile delinquency representation and working with juvenile justice advocates to promote positive change in the juvenile justice system.	
Juvenile Defender	1
Assistant Juvenile Defenders	2
Buncombe	1
Iredell	1
Project Attorney (Buncombe)	
In FY24, OJD	
Number of cases disposed (in office)	45

Office of Special Counsel		
People facing involuntary commitment have a right to counsel because a commitment represents a significant infringement on a respondent's liberty interest. In North Carolina, respondents facing involuntary commitment who have not arranged private counsel are represented by Special Counsel or an appointed attorney.		
Chief Special Counsel	1	
Staff Attorneys	8	
In FY24, OSC attorneys and PAC disposed of		
Office Location	Attorneys	Dispositions
Raleigh ¹	5	8,005
Broughton (Burke)	1	646
Central Regional (Granville) ¹	1	1681
Cherry (Wayne)	1	828

Appendix E

FY2023-2024 Recoupment Data*					
County	Setoff Debt**	County	Setoff Debt**	County	Setoff Debt**
Alamance	\$ 21,296	Gaston	\$ 75,471	Orange	\$ 2,570
Alexander	\$ 29,810	Gates	\$ 3,767	Pamlico	DATA UNAVAILABLE
Alleghany	\$ 4,573	Graham	DATA UNAVAILABLE	Pasquotank	\$ 18,518
Anson	DATA UNAVAILABLE	Granville	\$ 4,117	Pender	DATA UNAVAILABLE
Ashe	\$ 13,636	Greene	\$ 17,185	Perquimans	\$ 4,767
Avery	\$ 4,737	Guilford	\$ 19,781	Person	\$ 4,320
Beaufort	\$ 27,808	Halifax	\$ 70,846	Pitt	\$ 156,415
Bertie	\$ 10,450	Harnett	\$ 41,717	Polk	DATA UNAVAILABLE
Bladen	DATA UNAVAILABLE	Haywood	DATA UNAVAILABLE	Randolph	DATA UNAVAILABLE
Brunswick	DATA UNAVAILABLE	Henderson	DATA UNAVAILABLE	Richmond	DATA UNAVAILABLE
Buncombe	DATA UNAVAILABLE	Hertford	\$ 17,753	Robeson	DATA UNAVAILABLE
Burke	\$ 79,981	Hoke	DATA UNAVAILABLE	Rockingham	\$ 83,977
Cabarrus	DATA UNAVAILABLE	Hyde	\$ 388	Rowan	\$ 125,106
Caldwell	\$ 91,791	Iredell	\$ 88,515	Rutherford	\$ 55,383
Camden	\$ 3,702	Jackson	DATA UNAVAILABLE	Sampson	DATA UNAVAILABLE
Carteret	DATA UNAVAILABLE	Johnston	\$ 73,559	Scotland	DATA UNAVAILABLE
Caswell	\$ 12,982	Jones	DATA UNAVAILABLE	Stanly	DATA UNAVAILABLE
Catawba	\$ 136,333	Lee	\$ 32,015	Stokes	\$ 21,819
Chatham	\$ 1,038	Lenoir	\$ 70,455	Surry	\$ 51,063
Cherokee	DATA UNAVAILABLE	Lincoln	\$ 62,697	Swain	DATA UNAVAILABLE
Chowan	\$ 8,208	Macon	DATA UNAVAILABLE	Transylvania	DATA UNAVAILABLE
Clay	DATA UNAVAILABLE	Madison	\$ 6,713	Tyrrell	\$ 3,168
Cleveland	\$ 90,693	Martin	\$ 6,913	Union	DATA UNAVAILABLE
Columbus	DATA UNAVAILABLE	McDowell	\$ 46,031	Vance	\$ 7,299
Craven	DATA UNAVAILABLE	Mecklenburg	\$ 63,908	Warren	DATA UNAVAILABLE
Cumberland	DATA UNAVAILABLE	Mitchell	\$ 7,978	Washington	DATA UNAVAILABLE
Currituck	\$ 8,800	Montgomery	DATA UNAVAILABLE	Watauga	\$ 18,480
Dare	\$ 23,131	Moore	DATA UNAVAILABLE	Wake	\$ 161,346
Davidson	\$ 180,785	Nash	\$ 62,846	Warren	\$ 1,611
Davie	\$ 22,220	New Hanover	DATA UNAVAILABLE	Washington	\$ 4,044
Duplin	DATA UNAVAILABLE	Northampton	\$ 9,433	Wayne	\$ 109,396
Durham	\$ 5,416	Onslow	DATA UNAVAILABLE	Wilkes	\$ 50,935
Edgecombe	\$ 33,882			Wilson	\$ 51,005
Forsyth	\$ 157,968			Yadkin	\$ 31,192
Franklin	\$ 7,896			Yancey	\$ 8,461

Total from Available Counties	\$	2,730,097
Actual Amount IDS Received Through SOD***	\$	5,625,521

Note:

*AOC provided these county data to IDS using their VCAP and eCourt systems. IDS is unable to verify the accuracy of these data.

**When missing data are made available by AOC, IDS will supplement this table.

***Data source for actual amount received is NCFSS, the State accounting system.

Appendix F

FY2023-2024 PAC/MAC Demand by County					
County	Expenditures	County	Expenditures	County	Expenditures
Alamance	\$ 992,272.45	Gaston	\$ 1,095,654.93	Orange	\$ 367,583.21
Alexander	\$ 286,870.57	Gates	\$ 32,546.34	Pamlico	\$ 99,084.69
Alleghany	\$ 100,707.25	Graham	\$ 206,479.67	Pasquotank	\$ 252,296.95
Anson	\$ 416,512.07	Granville	\$ 162,568.89	Pender	\$ 670,184.62
Ashe	\$ 165,648.69	Greene	\$ 202,639.68	Perquimans	\$ 40,793.59
Avery	\$ 238,946.22	Guilford	\$ 3,457,462.59	Person	\$ 173,383.17
Beaufort	\$ 540,468.99	Halifax	\$ 1,206,308.03	Pitt	\$ 1,325,657.20
Bertie	\$ 444,484.36	Harnett	\$ 726,715.25	Polk	\$ 174,897.01
Bladen	\$ 788,175.07	Haywood	\$ 1,055,112.38	Randolph	\$ 1,504,415.69
Brunswick	\$ 1,510,977.43	Henderson	\$ 656,211.24	Richmond	\$ 1,124,938.16
Buncombe	\$ 1,811,435.39	Hertford	\$ 369,510.14	Robeson	\$ 3,280,471.02
Burke	\$ 1,008,519.49	Hoke	\$ 436,498.64	Rockingham	\$ 1,086,933.99
Cabarrus	\$ 1,472,596.22	Hyde	\$ 30,218.59	Rowan	\$ 1,609,345.96
Caldwell	\$ 1,025,395.19	Iredell	\$ 1,519,483.93	Rutherford	\$ 529,997.44
Camden	\$ 16,379.50	Jackson	\$ 570,199.41	Sampson	\$ 727,021.16
Carteret	\$ 314,567.25	Johnston	\$ 1,217,683.69	Scotland	\$ 566,365.93
Caswell	\$ 145,659.81	Jones	\$ 98,473.81	Stanly	\$ 824,033.89
Catawba	\$ 1,684,669.44	Lee	\$ 306,652.43	Stokes	\$ 426,460.30
Chatham	\$ 345,897.62	Lenoir	\$ 932,382.22	Surry	\$ 769,927.07
Cherokee	\$ 421,589.39	Lincoln	\$ 356,884.38	Swain	\$ 443,941.42
Chowan	\$ 150,480.74	Macon	\$ 429,092.11	Transylvania	\$ 222,004.16
Clay	\$ 153,947.32	Madison	\$ 146,044.67	Tyrrell	\$ 60,182.60
Cleveland	\$ 939,423.94	Martin	\$ 246,224.02	Union	\$ 1,937,996.36
Columbus	\$ 1,460,214.59	Mcdowell	\$ 291,906.87	Vance	\$ 494,650.39
Craven	\$ 922,730.72	Mecklenburg	\$ 7,274,495.01	Wake	\$ 2,832,070.13
Cumberland	\$ 2,006,042.43	Mitchell	\$ 216,933.74	Warren	\$ 55,178.25
Currituck	\$ 58,953.54	Montgomery	\$ 338,349.14	Washington	\$ 168,971.53
Dare	\$ 158,544.10	Moore	\$ 1,220,676.78	Watauga	\$ 494,951.67
Davidson	\$ 1,325,407.88	Nash	\$ 768,731.66	Wayne	\$ 902,610.39
Davie	\$ 283,120.13	New Hanover	\$ 1,797,985.15	Wilkes	\$ 589,480.03
Duplin	\$ 779,672.77	Northampton	\$ 334,843.37	Wilson	\$ 1,082,055.89
Durham	\$ 1,013,066.00	Onslow	\$ 1,853,344.65	Yadkin	\$ 278,212.11
Edgecombe	\$ 625,043.97			Yancey	\$ 221,643.74
Forsyth	\$ 1,688,147.82			MAC*	\$ 9,783,713.78
Franklin	\$ 253,978.01				
				Total	\$ 90,230,313.27

Note: *This represents the total payment to MAC contractors who are primarily located in 18 counties.

§ 7A-498.9.

Annual report on Office of Indigent Defense Services. The Office of Indigent Defense Services shall report to the Chairs of the Joint Legislative Oversight Committee on Justice and Public Safety and to the Chairs of the House of Representatives and Senate Committees on Justice and Public Safety by March 15 of each year on the following: (1) The volume and cost of cases handled in each district by assigned counsel or public defenders; (2) Actions taken by the Office to improve the cost-effectiveness and quality of indigent defense services, including the capital case program; (3) Plans for changes in rules, standards, or regulations in the upcoming year; and (4) Any recommended changes in law or funding procedures that would assist the Office in improving the management of funds expended for indigent defense services, including any recommendations concerning the feasibility and desirability of establishing regional public defender offices. (2014-100, s. 18B.1(j); 2015-241, s. 18B.1.)

Safeguarding individual liberty and the Constitution by equipping the North Carolina public defense community with the resources it needs to achieve fair and just outcomes for clients
