

OFFICE OF THE STATE PUBLIC DEFENDER
STATE OF WISCONSIN

2023-25 BIENNIAL REPORT

JENNIFER BIAS
STATE PUBLIC DEFENDER

Web Site:

The website address for the Office of the State Public Defender is:
<http://www.wispd.org/>.

During the biennium, SPD's website underwent a major overhaul as part of SPD's larger rebranding effort. The old, 1990s-vintage website was replaced with a sleek, state-of-the-art site that serves as an informational hub for the public, potential and current clients, SPD's private bar partners and SPD staff.

The website is available in English, Hmong and Spanish. Its new design is intuitive and easily navigated.

Awards Received:



During the biennium, Madison Trial Division Attorney Ben Gonring received the Stephen Blue Award from the Dane County Department of Human Services.

The award is named after former Dane County Juvenile Delinquency Services Manager, Stephen Blue. Ben received the award in honor of his outstanding work in the Dane County community and his leadership on important youth justice issues.

Ben graduated with high honors from the University of Notre Dame in May of 1993, earning a B.A. in Government. He received his J.D. from the University of Wisconsin Law School, graduating with honors in December of 1995. Admitted to the Bar in January of

1996, he began working for the Office of the State Public Defender in June of the same year.

Ben has four times been named by *Madison Magazine* one of Dane County's top lawyers in the area of Juvenile Law. Representing children in both delinquency and protective services cases, as well as parents in termination of parental rights cases, he has worked in the youth defense unit of the Madison Trial office his entire career and has been the head of that unit since 2009.

AGENCY PERFORMANCE AND OPERATIONS DURING THE 2023-25 BIENNIUM

Caseloads:

During the 2023-25 biennium, the Wisconsin Office of the State Public Defender (SPD) made 226,520 appointments. Of those, 141,481 were appointed to SPD staff, 78,110 were appointed to private bar attorneys on a rotational basis, and an additional 6,929 cases were appointed to private bar attorneys under the terms of fixed fee contracts.

Contracts with the Private Bar:

The SPD assigns cases to the private bar both under fixed fee contracts and by rotational appointments, as required by Wis. Stat. s.977.08. Fixed fee contracts are paid on a per case basis while rotational appointments are paid on a per hour basis. The SPD entered into 31 fixed-fee contracts for 3,190 misdemeanor cases in FY24 and 28 fixed-fee contracts for 2,865 misdemeanor cases in FY25. Chapter 51 cases are contracted in Milwaukee County on a fixed fee basis. For chapter 51 cases, private bar attorneys were awarded 2 fixed-fee contracts for representation in 200 cases in FY24 and 2 contracts in FY25 for representation in 200 cases. The SPD assigned 40,195 cases in FY24 and 37,915 cases in FY25 to the private bar on a rotational basis.

Collections & Verifications:

State Public Defender collections from clients are received in the following categories: SPD initiated, DOA contract collections, county juvenile recoupment, court ordered payments, and Ch. 51/55 recoupment. The following amounts were received in each category during the biennium:

	2023-2024	2024-2025
SPD Initiated	\$302,842	\$271,789
Court Ordered Attorney Fees	3,944	3,992
Juvenile Recoupment	277,660	212,710
DOA Contractors	127,565	33,411
Ch. 51/55 Payments from Clients	<u>14,902</u>	<u>11,183</u>
Total	\$726,913	\$533,085

Specialty Courts and Diversion Programs:

The SPD has been an active participant in specialty courts and diversion programs since the creation of the first Wisconsin Drug Court in Dane County in 1996. These specialty courts and diversion programs provide evidence-based, cost-effective alternatives to conviction and incarceration for participants.

SPD staff attorneys are active in over 80 specialty courts statewide. They include drug treatment courts, Operating While Intoxicated (OWI) courts, family treatment courts, mental health courts, veterans' courts, and co-occurring disorders courts. SPD staff attorneys are also involved in the planning stages for additional specialty courts. SPD involvement is critical to the success of these courts because research shows the importance of having full participation of collaborative evidence-based and treatment-oriented teams of justice professionals when determining effective interventions for clients. Staff attorneys are also active in diversion programs that allow clients to resolve charges by meeting specified conditions such as participation in programming and payment of restitution.

SPD staff attorneys serve on the board of the Wisconsin Association of Treatment Court Professionals (WATCP), which is the professional organization supporting those who work with specialty courts including judges, prosecutors, probation agents, case managers, and treatment providers.

State Criminal Justice Coordinating Council:

2019 Executive Order #41 and 2023 Executive Order #182 recreated a state-level Criminal Justice Coordinating Council (CJCC). Chaired by the Attorney General and the Secretary of the Department of Corrections, the CJCC has permanent membership including the State Public Defender. The mission of the CJCC is to "promote and facilitate the implementation of effective criminal justice policies and practices that maximize justice and the safety of the public."

The SPD plays a leading role in the implementation of the Treatment Alternatives and Diversion (TAD) grants to specialty courts statewide.

SPD staff attorneys in local offices serve on county-level criminal justice coordinating councils statewide.

**OFFICE OF THE STATE PUBLIC DEFENDER
2023-2025 PROGRAM GOALS AND OBJECTIVES**

Legal Assistance:

- Goal: Continuously improve services to clients.
 - Objective/Activity: Fair treatment and representation of clients.
- Goal: Strengthen public value to clients, the community, other government agencies, other states and nations, and partners.
 - Objective/Activity: Reduce crime by reaching and educating young people before they offend.
- Goal: Continuously improve administrative management.
 - Objective/Activity: Maximize resources to serve eligible clients.

FY 2023- 2025 Goals and Actuals

Prog. No.	Performance Measure	Goal 2024	Actual 2024	Goal 2025	Actual 2025
1.	Court grants attorney withdrawals at client request as a percentage of total trial cases.	2%	2.6%	2%	2.5%
1.	Number of educational contacts with children and youth.	2,000	*	2,000	*
1.	Number of qualified attorneys certified to take cases who accept at least 12 cases per year.	700	801	700	819
1.	Number of cases with greatest risk of penalties handled by staff attorneys.	1,400	1,563	1,400	1,659

Note: Based on fiscal year.

*As a result of the pandemic, the ability to conduct and track educational outreach was permanently disrupted. As a result, we do not have actuals to report and will not include this as a goal for 2026 and 2027.

Specialty Practice Group Coordinators:

The SPD has specialty practice groups for Family Defense, Immigration, Youth Defense, Forensic Sciences, Race and Ethnicity Disparity, Pretrial Motions, and Mental Health cases. These practice groups allow us to share specialized knowledge and expertise more efficiently, by lessening the need for staff and private bar attorneys to “reinvent the wheel” in these complex practice areas.

Each practice group is led by a staff attorney coordinator (or coordinators) who stay abreast of the latest developments in the practice area and share this expertise as an advisor, mentor, and educator. Coordinators assist others in quickly changing areas of legal practice. Each coordinator compiles practice materials, such as motions, briefs, transcripts, case outlines, and research/articles/studies to share with other attorneys. Coordinators also track the legal developments and other details in their practice areas. Attorneys contact them as needed when they are preparing a client’s case or have a question in a new or undeveloped area of the law.

Practice group coordinators support the SPD's training initiatives, including presentations at the annual conference. They also conduct or assist with expert examinations during motion hearings and trials. Furthermore, these coordinators train various stakeholders at conferences and events across the state.

**OFFICE OF THE STATE PUBLIC DEFENDER
PART-TIME POSITIONS AND ALTERNATIVE WORK PATTERNS**

The Office of the State Public Defender offers a variety of scheduling options that support flexibility for staff. In 2021, SPD implemented official telecommuting and alternative work patterns policies. Additionally, SPD offers permanent part-time employment to its staff. As of June 30, 2025, nine staff attorneys, 25 clerical and support staff are part-time, approximately 5.4% of agency employees. The SPD accommodates telecommuting, flexible work, and part-time schedules, based on operational needs.