

Office of Defense Services (ODS)

FY27 JOINT FINANCE COMMITTEE HEARING

FEBRUARY 19, 2026



Zealous Advocacy for the People



Holistic Defense Supports Delaware's Priorities

- ▶ ODS helps children and families;
- ▶ ODS helps our clients to access housing;
- ▶ ODS helps our clients to access healthcare;
- ▶ ODS helps our clients to access better jobs.

Investments in these priorities reduces justice system involvement for our clients and makes Delaware a safer place to live and work

Public Defense is Public Safety

- ▶ When it addresses the root causes of criminal behavior.
- ▶ When it maintains public trust in the legitimacy of the justice system.
- ▶ When it diverts people from the criminal justice system and keeps them employed and connected to their families.
- ▶ When it prevents unnecessary, long-term pretrial detention, which is linked to increased recidivism.

Delaware's public defenders are breaking the cycle of crime by advocating for solutions that create safer communities rather than increasing Delaware's jail population.

FY27 Governor's Recommended Budget

	FTE	\$'000
FY27 Recommended Enhancements:		
Contractual Escalators		
Annual lease inflator & subscription escalators		5.5
Office of Conflict Counsel		
Inflationary adjustment due to workload increases		1,200.0
Legislative Additions		
HB 86 Parental Representation	5.0	790.9
SS1 for SB10 Compassionate Release	8.0	1,193.0
SB12 Preventive Detention	25.0	3,630.4
FY27 Governor's Recommended Budget:	231.0	44,450.1

\$1,594.6 recommend in Salary Contingency in OMB for Assistant Public Defender salary matrix update

Summary of Vacant Positions



**231 total authorized FTE in
FY27 GRB**

- 113 APDs, 118 support staff
- 38 FTEs received associated with legislative priorities



**38 vacancies as of 2/16
(19 APDs, 19 support staff)**

- Recruitment for 25 FTE Pre-Trial Release positions to begin in March 2026
- 9 attorney positions filled with expected start date in July

Performance Measures

Total Closed Cases Superior Court: 6,985 CCP: 11,931 Family Court: 4,269	Closed Cases Per Attorney Superior Court: 287 CCP: 662 Family Court: 307
Clients Represented Adult: 11,722 Youth: 1,302	Total Conflict Cases Superior Court: 1,606 CCP: 2,788 Family Court: 1,444
Days from Imprisonment to Interview 3	Partners for Justice Advocates 577 cases supported

Delaware Workload Standards Application Study

- ▶ Prepared by Baker Tilley Advisory Group, a recognized expert in this field, the study analyzes workloads rather than caseloads.
- ▶ Utilizing the methodology of the National Public Defense Workload Standards, the study looked at the adult criminal, youth defense, and appellate unit caseloads of Delaware's Public Defender's Office over the last 3 fiscal years.
- ▶ The study reaches the conclusion that every assistant public defender already knew – our workloads are grossly excessive, and we need help.
- ▶ There are ways to ameliorate this problem without hiring hundreds of lawyers.

What challenges lie ahead for ODS?

- ▶ Investments in support staff compensation to promote operational efficiency and long-term organizational stability;
- ▶ Targeted investment in Office of Conflict Counsel attorneys to support continuity of representation and cost-effective case resolution;
- ▶ Implement workload study recommendations in a phased and data-informed manner to support sustainable operations;
- ▶ Continue to work with OMB to plan for office space needs within existing facilities and long-term planning efforts. Eliminate the need to lease space to house our team;
- ▶ Continue to strengthen and right-size support teams to ensure operational stability as we grow and evolve.

Thank You

- ▶ For helping us to recruit and retain the next generation of public servants.
- ▶ For partnering with our office to make policy changes that ensure that our justice system treats people fairly.
- ▶ For helping ODS to get out of the courtroom and into the community to listen to the public that we serve.
- ▶ For providing us with the necessary resources to help our clients and the people of Delaware.

Public Defense is Public Safety

