

**Schedule VIII A**  
**Priority Listing of Agency Budget Issues**  
**Requested Expenditures Over Base Operating Budget**  
**Office of the Public Defender - 20th Judicial Circuit**  
**Fiscal Year 2020 - 2021**

**1. Substance Abuse & Mental Health Rapid Response Team, Issue Code 3000190**

**Total Issue: \$627,111**

Salary Rate: \$365,000

General Revenue - Salaries & Benefits = \$587,852

General Revenue - Public Defender Operations = \$37,153, Non-recurring = \$23,895

General Revenue - Total Issue = \$627,111, Non-recurring = \$23,895

**Issue Detail Summary:**

The Office of the Public Defender for the 20th Judicial Circuit faces unique challenges in providing aggressive, front-end legal representation for its ever increasing caseload of clients who have been diagnosed with a mental illness, developmental disability, or substance addiction, who have been arrested and are facing criminal charges. The 20th Circuit includes Lee, Charlotte, Collier, Hendry and Glades Counties. Geographically, it is the largest circuit in the state of Florida. Nonetheless, the 20th Circuit receives one of the lowest per capita funding rates for mental health and substance abuse services in Florida. Additionally, the 20th Circuit is experiencing closures of treatment providers in our rural counties, resulting in pressure being placed on crisis units and more centrally-located treatment providers to adequately care for this vulnerable population.

As community resources are stretched to their limits or fail to provide adequate services, the responsibility to find appropriate placements and acceptable services for these clients falls to their Public Defender lawyers. All too often, these clients linger in inappropriate jail or hospital settings waiting for resolution of their court cases. The Office of the Public Defender for the 20th Judicial Circuit is requesting funding to develop a Substance Abuse & Mental Health Rapid Response Team to provide efficient and effective, proactive legal representation to our clientele struggling with mental illness and/or substance abuse. The team will consist of four (4) attorneys, two (2) case dispositional specialists, and three (3) support staff members, which will provide representation in all five (5) counties of the Twentieth Circuit.

Attorneys, case dispositional specialists, and support staff will work as a team from the case's inception to ensure that proper assessments and evaluations are ordered in an expeditious manner. This group will also work to promptly identify cases qualifying for diversionary status, and work to swiftly gain the safe release of clients to family members or other appropriate placements. Such placements will lead to better care, as well as lower incarceration and hospitalization costs. Additionally, by getting clients into therapeutic treatment quicker, we can reduce recidivism rates for this population of clients. The Rapid Response Team will conduct thorough investigations of any mitigating factors resulting from a client's mental illness, developmental disability, or substance addiction by interviewing family members and gathering medical, mental health, and school records. This team will also provide assistance and guidance to the trial lawyers, and present mitigating factors to the court on behalf of the clients, including, but not limited to: developing alternative sentencing plans to incarceration or hospitalization, locating appropriate treatment programs, and assisting clients with obtaining benefits and housing; all of which are key factors in maintaining mental well-being and building the stability needed to continue treatment. It is estimated that this team approach will save \$4,000,000 per year in avoided incarceration costs, while placing non-violent offenders in more appropriate, treatment-oriented options that will result in healthy, more productive communities, while at the same time substantially reducing recidivism.

The Public Defender of the Twentieth Judicial Circuit requests recurring General Revenue funds for nine (9) positions to implement a Substance Abuse & Mental Health Rapid Response Team. The Operations request of \$37,153, of which \$23,895 is non-recurring, is based on the Modified Standard #3: Expense and Human Resource Services Assessment Package.

**Priority Listing of Agency Budget Issues  
Requested Expenditures Over Base Operating Budget  
Office of the Public Defender - 20th Judicial Circuit  
Fiscal Year 2020 - 2021**

**2. Behavioral Health Treatment Courts, Issue Code 4200350**

**Total Issue: \$255,672**

Salary Rate: \$155,000

General Revenue - Salaries & Benefits = \$241,651

General Revenue - Public Defender Operations = \$13,319 Non-recurring = \$8,331

General Revenue - Total Issue = \$255,672, Non-recurring = \$8,331

**Issue Detail Summary:**

The Office of the Public Defender, Twentieth Judicial Circuit, is a treatment court stakeholder in ten separate treatment courts circuit wide. These currently consist of five (5) drug courts, three (3) mental health courts, and three (3) veterans courts. Additionally, discussions are underway to restart our juvenile drug court in Lee County. Presently, all treatment courts across our circuit are staffed with a total of four attorneys, three of which have significant additional responsibilities in other legal divisions. Our office also provides representation to clients being held pursuant to the Baker Act, housed in five different receiving facilities. Baker Act filings have increased over 30% since 2013, and continue to rise.

The Twentieth Circuit includes Lee, Charlotte, Collier, Hendry, and Glades Counties. Geographically, it is the largest circuit in the state of Florida, spanning 5,400 square miles, which prevents cross-county representation and creates unique challenges in providing consistent, aggressive, front-end representation for this population of clients. All too often, these non-violent clients linger inappropriately in jail, waiting for entry into a treatment court or hospital setting to treat their mental illness or substance use disorder. With treatment providers closing in our circuit and community resources stretched to their limits, the responsibility to find appropriate placements and acceptable services for these clients often falls to their Public Defender lawyers.

In Lee County alone, opioid overdoses have risen 800% since 2013. Effective treatment courts are an essential piece of the solution to ending this epidemic. These cases require dedicated, specialized staff. Dockets for each of these courts are held weekly for 18-24 months and as a stakeholder, our participation is critical to ensure due process and accountability are achieved.

Therefore, the Twentieth Circuit Public Defender requests recurring General Revenue funds for two (2) attorneys and one (1) dispositional specialist to aid in our ability to fully participate and provide competent and consistent legal representation to our assigned clients. The Operations request of \$13,319, of which \$8,331 is non-recurring, is based on the Modified Standard #3: Expense and Human Resource Services Assessment Package.