



Office of the Ohio  
Public Defender



Chair Manchester, Vice Chair Brenner, Ranking Member Weinstein, and members of the Senate Government Oversight and Reform Committee, thank you for the opportunity to convey our collective support of the Northwest Regional Hub included in both the Governor's proposed and House-passed budget.

As you may know, the Legislature has been studying how to more effectively and efficiently provide indigent defense services across the state of Ohio, and each of our groups have been an active participant in this process. House Bill 150 of the 134<sup>th</sup> General Assembly convened a task force on the subject, which recommended the state explore partnering with counties that want to transfer the responsibility of indigent defense services. The Northwest Regional Hub accomplishes this goal.

The Northwest Regional Hub would serve Allen, Hardin, and Putnam counties through services of state public defenders and appointed counsel in the region. Currently, Allen County operates its own county public defender office, and Hardin and Putnam counties rely exclusively on court appointed counsel. Under the proposal, the Allen County Public Defender Office would become part of OPD operations and act as a hub for the services provided with 20-60 percent of cases assigned to appointed counsel (as available).

As the physical hub, Allen County will house and provide support to public defenders designated to serve each of the three counties. By providing shared administrative services, the three counties will avoid the redundant costs of multiple physical offices. To aid in understanding the true cost of Ohio's indigent defense system, the Northwest Regional Hub will be separately and fully funded under its own budget line item to ensure the project is not subject to the all-county reimbursement rate, allowing the costs of the regional hub model to be studied under real world conditions.

The Northwest Regional Hub is a reasonable and measured next step that will help ensure Ohio provides quality defense services in an efficient and cost-effective manner. This proposal was developed with input from the Allen County Public Defender, the local judiciary, and county commissioners of each of the counties, and we strongly encourage your support.

We have also heard the frustration in managing system costs and predictability in budgeting for indigent defense services. To that end, the budget proposal requires counties to submit an indigent defense cost projection report biennially to OPD. In the short term, this will allow OPD to have a better understanding of county budget plans under the current reimbursement model.

To further understand system costs in the long term, we have also been working in consultation with the Auditor of State's office to develop a proposal for a statewide indigent defense performance audit, which aims to analyze each of the different delivery models within the state to better understand efficiencies and challenges. The House passed version includes language and

funding for an indigent defense performance audit, and we urge the Senate to retain this provision so that we can use these metrics for better cost projections going forward. We are committed to continued efforts that advance stability, predictability, and efficiency to Ohio's indigent defense system.

Additionally, we would like to raise two proposed changes for your consideration:

1. Robust Funding for Indigent Defense

We would like to express our sincere gratitude for the General Assembly's continued support of indigent defense funding. These resources are critical in ensuring Ohio meets its constitutional obligations. As a group, we support robust state funding for indigent defense services and request the General Assembly consider funding indigent defense at OPD recommended levels, an additional \$21.25 million in FY26 and \$28.25 million in FY27 for county reimbursement.

2. Removal of the Caps on Reimbursement of Attorney Fees

We also request the removal of language originally included during the last budget process to cap county reimbursement for court appointed counsel fees at \$75/hour. While this provision was meant to constrain cost, we do not believe it is serving its intended purpose and is disproportionately impacting rural communities. We have a shortage of attorneys in Ohio, particularly outside of the major metropolitan areas, and the \$75 cap serves as a disincentive for attorneys to take appointed counsel cases in the areas where demand for their service is highest.

We are proud of the collaborative efforts this group has made to address significant challenges in delivery of indigent defense services, and we are committed to bettering our system for generations to come. We also appreciate the partnership of Governor DeWine and General Assembly in providing indigent services to Ohioans.

Thank you for the opportunity to present testimony and for your consideration of this proposed project. We would be happy to answer any questions.