

FY 2028

July 1, 2027 – June 30, 2028

Annual Report and Strategic Plan



NEW MEXICO
LAW OFFICES OF THE
PUBLIC DEFENDER

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EXECUTIVE SUMMARY

Background: The New Mexico Law Offices of the Public Defender

The mandate of the New Mexico Law Offices of the Public Defender (LOPD) is to fulfill New Mexico's constitutional and statutory guarantees of providing public defense services to adults and juveniles charged with criminal or delinquent acts in New Mexico. LOPD provides legal counsel in every state court: the New Mexico Supreme Court, the New Mexico Court of Appeals, 15 District Courts, the Bernalillo County Metropolitan Court, and 25 Magistrate Courts. The New Mexico Public Defender Act, Sections 31-15-1 through 31-15-12, NMSA 1978, requires the Department to provide indigent criminal defense representation that complies with constitutional standards of effective representation under the V and VI Amendments of the United States Constitution and Article II, Sections 14, 15 and 18 of the New Mexico State Constitution.

Public Defender Commission

In 2012, the citizens of New Mexico passed a constitutional amendment declaring that the New Mexico Public Defender Department is established as an independent state agency to be administered by a Chief Public Defender and overseen by the Public Defender Commission. The Commission is charged with the selection of the Chief Public Defender, setting fair and consistent standards for the operation of LOPD, and approval of the annual budget request. The Chief Public Defender, appointed to a four-year term, is responsible for managing all day-to-day operations of LOPD.

Public Defender Commission Members

Gina Maestas, Albuquerque- Chair
Raymond Sanchez, Albuquerque- Vice Chair
Sheila Lewis, Santa Fe
Justice Richard Bosson, Ret., Santa Fe
Maria Padilla, Albuquerque
Michael Sanchez, Belen
Melissa Sawyers, Hobbs
Peter Schoenburg, Albuquerque
Yvonne Gallegos-Schobel, Albuquerque
Zachary Cook, Ruidoso

Chief Public Defender



Bennett J. Baur
Chief Public Defender

Chief Public Defender Bennett J. Baur began his career as a trial attorney in the Albuquerque office of LOPD in 1993. After time as an assistant district attorney and nine years in private practice, he returned to the LOPD as the First Judicial District Defender. He has also served as deputy chief and interim chief for the department. Baur is a past president of the New Mexico Criminal Defense Lawyers Association and has advocated on criminal legal issues in the New Mexico Legislature for over 20 years. He resides in Santa Fe with his wife. In April 2025, the New Mexico Public Defender Commission unanimously approved Chief Baur to a third, four-year term leading the Law Offices of the Public Defender.

Mission

**From courthouse to Roundhouse:
Leading the fight for justice in New Mexico.**

Vision

A New Mexico where justice is based on restoration, not retribution.

Values

Compassion and Commitment to our Clients
Collaboration and Cooperation with the Community and our Coworkers
Courage to be a Catalyst for Change

ADMINISTRATION

With offices located in Santa Fe and Albuquerque, LOPD's administration encompasses a broad range of centralized agency management functions including fiscal oversight and budget preparation, information technology services, personnel and human resources, physical office operations and leasehold management, recruitment, training and professional development programs for employees, litigation support (expert) services, and indigency and eligibility standards compliance.

The administration actively advocates on a broad range of governmental, public policy, and criminal legal issues affecting LOPD and its clients. In addition, the Chief Public Defender, deputy chiefs, statewide directors and district defenders communicate LOPD's interests to criminal legal system constituents, which include local and state governments, district attorneys, jails, prisons, courts and local district office communities to assure the delivery of quality legal services for LOPD's adult and juvenile clients.

LOPD's administration works directly with the legislature, the judiciary, and the executive branches of state government. They also prepare and submit budgets and answer questions through informal mechanisms as well as through formal legislative hearings and presentations. LOPD's administrators and leadership provide formal testimony to legislative committees and interim committees, bill analysis, and substantive written information on a full range of issues directly and indirectly affecting client representation in the trial and appellate courts. The chief, deputy chiefs, and district defenders serve on numerous task forces, advisory committees and councils that shape public policy, criminal legal initiatives and legislation in New Mexico and nationally. LOPD administrative staff and leadership also participate in many court initiatives and programs developed and implemented by the New Mexico Supreme Court, Court of Appeals, District Courts, and the Metropolitan and Magistrate courts.



Center Chief Baur and right Las Cruces attorney Lindsey McDonell-Benatar share their expertise on juvenile law and our young clients' experiences in the court and incarceration system.



Deputy Chief Public
Defender Cydni
Sanchez

The Administrative Services Division (ASD) is overseen by Deputy Chief Public Defender Cydni Sanchez. The ASD team is comprised of fiscal, human resources, information technology, training and recruitment and communications staff as well as LOPD's general counsel. Since graduating from the University of New Mexico School of Law in 2005, she has proudly dedicated her entire legal career to public defense at LOPD. Deputy Chief Sanchez has also taken the lead on special statewide projects including caseload tracking for the state's legislature, annual budget requests, annual reports, and leading the department's participation in a comprehensive workload study, 5-year plan, and strategic plan.

CLIENT ADVOCACY

Statewide Units

LOPD has several statewide units which offer specialized services for clients. These units are headed by the following positions:

- 1) Appellate Defender
- 2) Managing Attorney – Post-Conviction Unit
- 3) District Defender – Major Crimes Defender Unit
- 4) Director – Social Work Services

- **Appellate Division**

With a main office in Santa Fe and a satellite office in Albuquerque, LOPD's Appellate Division provides representation on direct appeal to indigent individuals before the New Mexico Supreme Court and the New Mexico Court of Appeals. Additionally, the Appellate Division provides appellate counsel for interlocutory appeals, State's appeals, or when appointed by the Supreme Court on review of a habeas corpus petition.

In FY26, the Appellate Division was assigned to represent clients in 271 cases before the appellate courts, a 5% increase over FY25 (257 total cases). Of those, in FY25 we had 28 direct appeals to the Supreme Court, including capital cases and habeas appeals. In FY26, that number was 32, a 14% increase.

The Appellate Division also provides daily on-call assistance to all public defender attorneys and contract defenders statewide. During sessions of the New Mexico Legislature, Appellate Division attorneys prepare the majority of LOPD's analyses of proposed criminal legislation, called Fiscal Impact Reports. During the 2026 session, the division reviewed over 100 bills and prepared and submitted 81 agency FIRs to the Legislature.

- **Habeas Corpus Unit**

The Habeas Corpus Unit, based in Albuquerque, provides statewide representation to individuals in post-conviction matters that fall under two general categories of cases: conviction cases and confinement cases. Conviction cases may include claims related to actual innocence, ineffective assistance of counsel, and illegal sentences. Confinement cases may include claims related to disciplinary actions resulting in lost good time, medical complaints, failure to award lump sum credits, and parole issues.

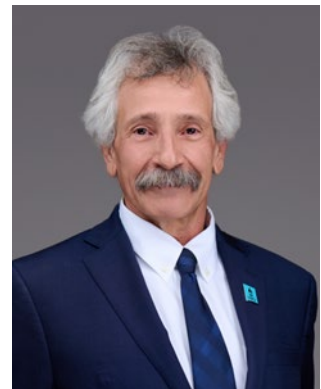
In FY26, the Habeas Corpus Unit received 247 pre-appointment petitions for review and completed 235 pre-appointment reviews. The unit opened and assigned 72 cases with 66 of those cases assigned in-house. At the end of FY26 there were still 72 petitions pending before the court that had been not acted on, whether dismissing, returning to petitioner, or appointing LOPD.

The unit has seen an increase in habeas petitions challenging the denial of geriatric parole under NMSA 31-21-17.1. The Statute was amended in 2023, lowering the eligibility age to 55 years old.

The unit is also still processing remanded cases and cases that were stayed pursuant to *Aragon v. Martinez*, 2025-NMSC-046 (July 14, 2025). There have been a steady stream of new cases following the decision to challenge the failure to hold timely sex offender duration review hearings.

LOPD has completed briefing in *Franklin and Arroys vs. State, et al*, S-1-SC-40874, and the Supreme Court has placed the matter on the 2026-2027 term; the term will begin this fall, with oral arguments in September, October, and December. Dispositions for all cases submitted during this term will be filed on or before July 15, 2027. This case will determine whether LOPD's Habeas Corpus Unit can be appointed to class action habeas corpus petitions. Depending on the outcome of this case, the Habeas Corpus Unit could be severely impacted if ordered to represent in class action litigation.

The Appellate Division is managed by an appellate defender and the Habeas Corpus Unit is managed by a managing attorney. Both units report to Deputy Chief Philip Larragoite. Philip Larragoite is a 1987 University of New Mexico School of Law (UNMSOL) graduate with a storied career in law, government relations and legislative advocacy. A sixth-generation New Mexican, Philip joined LOPD in 2014. He brings with him a deep commitment to the legislative process and to the reforms our state's communities need.



Deputy Chief Public
Defender Philip Larragoite

- **Major Crimes Defender Unit**

The Major Crimes Defender Unit, with offices in Albuquerque, Roswell, and Las Cruces, represents clients charged with serious violent felonies. The Unit's goal is to ensure that every rural client's representation is as experienced as that given to clients in more populous areas. Additionally, the unit coordinates with managers in rural areas to provide support and training in offices that often do not have attorneys with the requisite experience to try complex cases.

- **Social Work Unit**

Successfully serving a client charged with a criminal or juvenile offense requires addressing the collateral consequences of arrest and conviction (loss of housing, removal of children, deportation), as well as basic and behavioral health needs (food, housing, services for mental health and substance use services). Social workers are a great asset in efforts to increase the availability of holistic defense to address these needs. The attorney and social work unit engage with clients who are indigent and create a model of legal representation that aims to reduce incarceration as well as the consequences of legal system involvement.

The holistic approach to public defense, by necessity, encompasses the mission of the social work profession that is rooted in a set of core values: service, social justice, dignity and worth of

the person, importance of human relationships, integrity, and competency. Core values, and the principles that flow from them, must be balanced within the context and complexity of human experience.

The Social Work Unit supports in coping with and addressing family and personal challenges by conducting intake interviews, assessments, referrals, and reassessments. The Unit reviews records, prepares progress notes, and assists with treatment and service plans. The Unit maintains consistent communication with clients and provides crisis or emergency services, as needed. Additionally, the unit cultivates relationships within communities across the state to reduce barriers and ensure LOPD provides the most holistic and comprehensive defense possible.

LOPD Case Managers and Social Workers primarily support clients with felony matters with additional involvement in some misdemeanor cases. Felony cases include partnership with the Major Crimes Unit, serious violent offenses, probation violations, preliminary hearings, habeas cases, and cases involving young adults and juveniles. Licensed Social Workers, practicing in forensic settings, apply established social work principles and practices to evaluate cases and provide recommendations to attorneys and judges. Their expertise frequently contributes insight into psychological competence, and criminal responsibility. The Unit coordinates access to services offered by hospitals, mental health providers, addiction recovery services, and other community agencies.

Social Workers assist attorneys by researching client histories and identifying mitigating circumstances, while assessing a client's biological, psychological, and social needs. Based on these assessments, they develop treatment or service plans and provide competency related recommendations. Social Workers also help clients engage meaningfully in their own defense.

Case Managers support clients by coordinating service placements, housing referrals, and helping obtain essential documents such as a birth certificate and Social Security cards needed to apply for Income Support and other benefits. Case Managers assist clients with completing applications and provide referrals for mental health services, counseling, medical care, and addiction treatment, including outpatient, intensive outpatient, and in-patient programs.

Case Managers and Social Workers meet the clients wherever assistance is needed, whether that be in detention centers, in court, in the office, or in the community. Every county with a LOPD office is staffed by licensed Social Workers, Case Managers, or both, including Dona Ana, Chaves, Lincoln, Otero, Lea, Eddy, Roosevelt, Curry, Bernalillo, San Juan, McKinley, Taos, Rio Arriba, Los Alamos and Santa Fe.

The Social Work Unit operates from a holistic perspective, recognizing that clients' needs extend beyond the legal representation. Social Workers and Case Managers work to address the underlying barriers that contribute to clients' involvement in the legal system. While traditional defense models focus narrowly on the immediate legal issues, holistic defense models consider broader factors such as substance use, mental health, poverty, family and social support, along

with potential responses, resolutions, reentry needs, and the collateral consequences of criminal legal system involvement.

For example, the 2010 Supreme Court exerted in *Padilla v. Kentucky* that public defenders need to consider collateral consequences of criminal legal involvement when providing representation. Housing, health care, and eligibility for government assistance programs are all affected by legal system contact and cause a cyclical effect of unsupported reentry leading to future recidivism, which the Supreme Court indicated that public defense providers need to help address.

Public Defender District Offices

LOPD district offices deliver highly competent, quality legal services through direct supervision and mentoring by experienced trial attorneys. LOPD district offices are managed by a district defender, a local managing attorney, and an office manager. This local office leadership reports to the Deputy Chief Public Defender of Operations, Jennifer Barela.



Deputy Chief Public
Defender Jennifer Barela

Deputy Chief Barela has spent a majority of her legal career working in indigent defense. She earned her law degree from the UNM School of Law in 2002. Jennifer has dedicated her legal career to criminal defense representing clients, mostly serving as a Public Defender in Bernalillo County. She has vast experience in criminal defense in a wide variety of cases, representing clients in both Children's Court and Criminal Court. During her time at LOPD she has worked as a juvenile defender, felony criminal trial attorney, Managing Attorney, and District Defender for the Second Judicial District. She became the Deputy Chief of Operations for LOPD in January of 2022.

Public Defender Office Locations and Leadership

First & Eighth Judicial Districts - Santa Fe, Rio Arriba, Los Alamos, and Taos Counties

- District Defender – Stationed in Santa Fe County
 - Managing Attorney – First Judicial District
 - Managing Attorney – Eighth Judicial District Taos

Second Judicial District Office – Albuquerque (Bernalillo County)

- District Defender
 - Four Felony Division Managing Attorneys
 - Juvenile Division Managing Attorney
 - Metro Division Managing Attorney

Third Judicial District Office – Las Cruces (Dona Ana County)

- District Defender
 - Two Managing Attorneys
- Defender – Major Crimes Defender Unit

Fifth Judicial District Offices – Lea, Chaves, and Eddy Counties

- District Defender – Stationed in Eddy County
 - Managing Attorney – Eddy County
 - Managing Attorney – Chaves County
 - Managing Attorney – Lea County

Ninth Judicial District Office – Curry and Roosevelt Counties

- District Defender – Curry County
 - Managing Attorney – Curry and Roosevelt

Eleventh Judicial District Office – San Juan and McKinley Counties

- District Defender – Stationed in San Juan County
 - Managing Attorney – San Juan County
 - Managing Attorney – McKinley County

Twelfth Judicial District Office – Otero and Lincoln Counties

- District Defender – Stationed in Otero County
 - Managing Attorney – Otero County

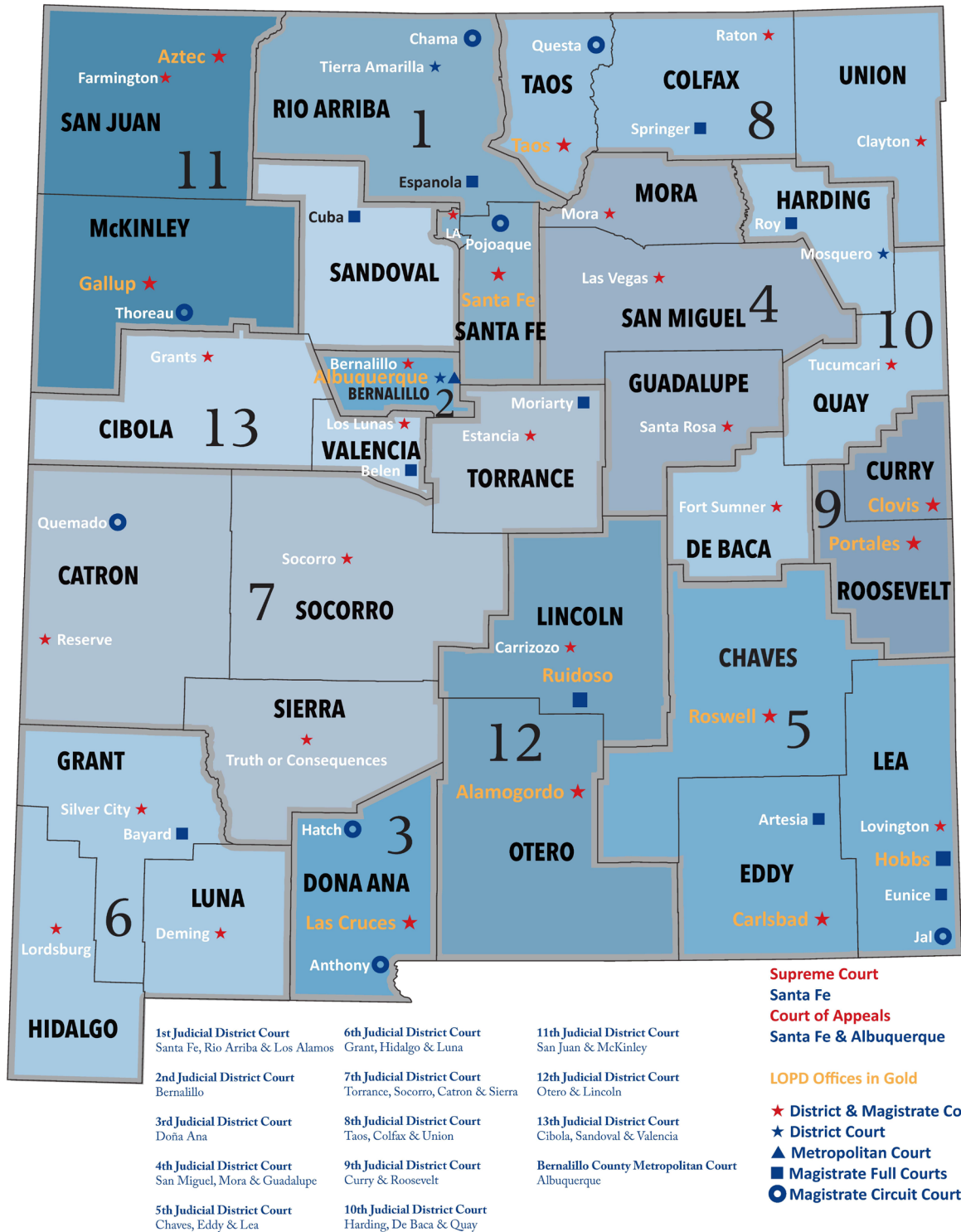


Abq's Javier Amaya, second from left, reps LOPD on Telemundo Nuevo Mexico to help get the word out about our Warrant Wokshops and explain what we do at LOPD.

Map of New Mexico Courts and LOPD Offices



LAW OFFICES OF THE PUBLIC DEFENDER and NEW MEXICO COURTS



- **Contract Counsel Legal Services (CCLS Unit)**

LOPD's statewide Contract Counsel Legal Services Unit organizes and oversees the contract defender representation system whereby LOPD contracts with attorneys to represent clients. In those counties where LOPD maintains district office operations, the unit's responsibility is assigning contract counsel in cases when in-house public defender attorneys cannot represent the client due to legal conflicts of interests. In judicial districts and counties lacking district office operations, the unit must assign both primary and conflict of interest contract counsel. LOPD monitors and manages approximately 91 private attorneys who contract with LOPD. In FY26, contract attorneys were assigned 28,545 cases (approximately 30% of the cases assigned by LOPD), with most of those cases being in areas without LOPD offices.



Deputy Chief Public
Defender Randy Chavez

The CCLS unit and the contract attorneys are managed by the Deputy Chief Public Defender of Contract Counsel Legal Services, Randy Chavez. Randy Chavez is a native New Mexican raised in Cuba, New Mexico. He earned his law degree from UNM School of Law in 1991, joining the Law Offices of the Public Defender shortly after. After serving as an Assistant District Attorney for a couple of years, he entered private practice and served as Contract Counsel for 19 years and then joined LOPD as the Director of CCLS in 2016. Chief Baur appointed him as Deputy Chief of CCLS in 2019.

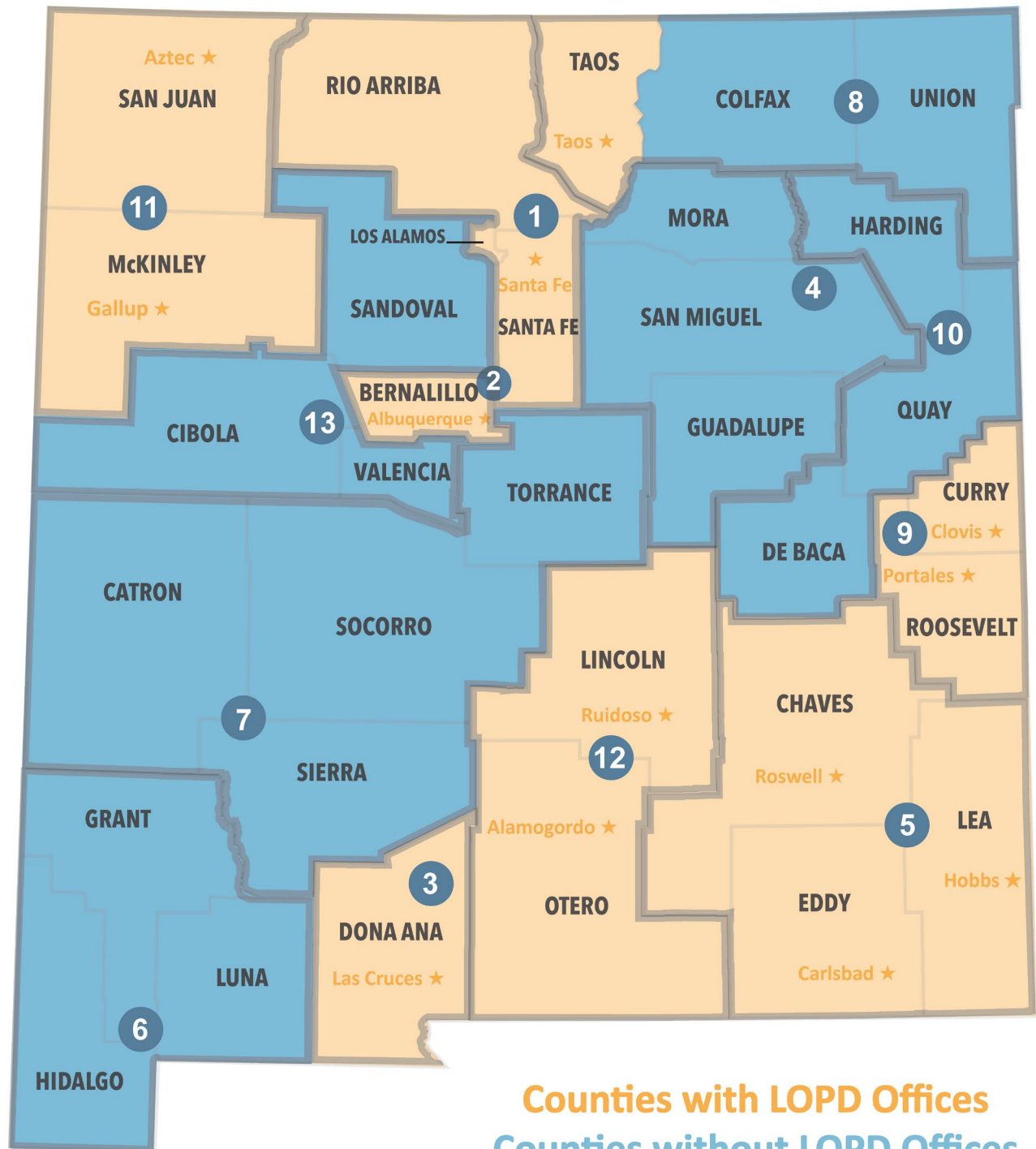


Albuquerque DD
Dennica Torres,
right, was
featured on
KRQE's morning
segment in
advance of the
office's warrant
workshop.

Map of Counties with and without LOPD offices



LAW OFFICES OF THE PUBLIC DEFENDER and NEW MEXICO COURTS



LAW OFFICES OF THE PUBLIC DEFENDER

Criminal Legal Services Program

Agency Mission

To provide holistic legal representation of the highest quality to persons charged with criminal offenses in New Mexico, to protect constitutional rights, to advocate zealously for our clients, and to reduce criminal recidivism and redirect clients from the criminal legal system throughout the State of New Mexico.

Agency Purpose

LOPD's purpose is to meet New Mexico's federal and state constitutional mandates by providing effective legal and holistic representation and advocacy for indigent juveniles and adult criminal defendants, and serving the community as a justice partner to guarantee a fair and efficient legal system that reduces recidivism.

Stages of Client Representation (Program Activities)

Pre-Indictment Representation Tasks

Pre-Indictment representation tasks include, but are not limited to:

1. Counseling and advising clients on eligibility for pre-prosecution programs, drug court diversion programs, and judicial supervision program courts (veterans court, mental health courts), and early plea programs;
2. Conducting pre-indictment investigations, interviews and plea negotiations;
3. Handling pre-indictment interaction with juvenile probation and parole officers; and
4. Advising individuals "under investigation" for criminal offenses.

This stage of representation also covers initial appearances, preliminary hearings and grand jury representation, including regular submission of evidence alert letters to grand jurors pursuant to New Mexico Court rules.

Pre-indictment tasks have expanded to include representation at pre-trial detention hearings, which has created an additional responsibility for the department. A new bond rule established after a constitutional amendment allows district attorneys to file a motion requesting that the court detain a defendant charged with a felony pending trial. The rule requires the court to set a hearing on the motion within five days of filing. Public defenders must represent defendants at the pre-trial detention hearings.

Case Preparation

Case preparation and Courtroom Advocacy Tasks Include:

Obtaining and evaluating discovery	Directing and managing case investigations
Interviewing and counseling clients	Interviewing witnesses
Brainstorming and collaborating with colleagues on case defenses	Preparation and presentation of necessary motion hearings/trials
Pretrial litigation of substantive legal issues	Preparing trial materials
Researching scientific evidence	Conducting legal research
Obtaining expert analysis and testimony	Engaging in plea negotiations where appropriate
Sentencing mitigation and presentation	Preparation of appellate docketing statements or post-trial motions

Courtroom/Trial Work and Sentencing Advocacy

LOPD's courtroom and trial work provides high quality representation to clients statewide, despite overwhelming caseloads and workloads. Trial attorneys advocate in evidentiary and various other hearings and trials. LOPD attorneys skillfully work their cases and work closely with clients to determine if there are any challenges that contribute to contact with the criminal legal system. Those attorneys refer clients to LOPD's social services unit for assessment. Cases are resolved in the best interests of the clients, which often includes trials.



Attorneys James Altamirano, left, and Greg Shearer, third from left, work with their client during his trial. This photo was taken by and featured in the Santa Fe New Mexican.

Post-Trial Appeals

LOPD's post-trial work includes appeals and special writs to the New Mexico Court of Appeals as well as appeals and special and habeas corpus writs to the New Mexico Supreme Court.

Post-Conviction Representation

Post-conviction representation includes adult and juvenile probation violation hearings, habeas corpus petitions and hearings, and probation and parole review hearings for convicted sex offenders. By statute, LOPD is charged with providing legal representation at review hearings at the initial 5-year review and at 2.5 year increments for every individual convicted of a sex offense in New Mexico and serving an indeterminate term of probation or parole.

Administrative and Legislative Functions

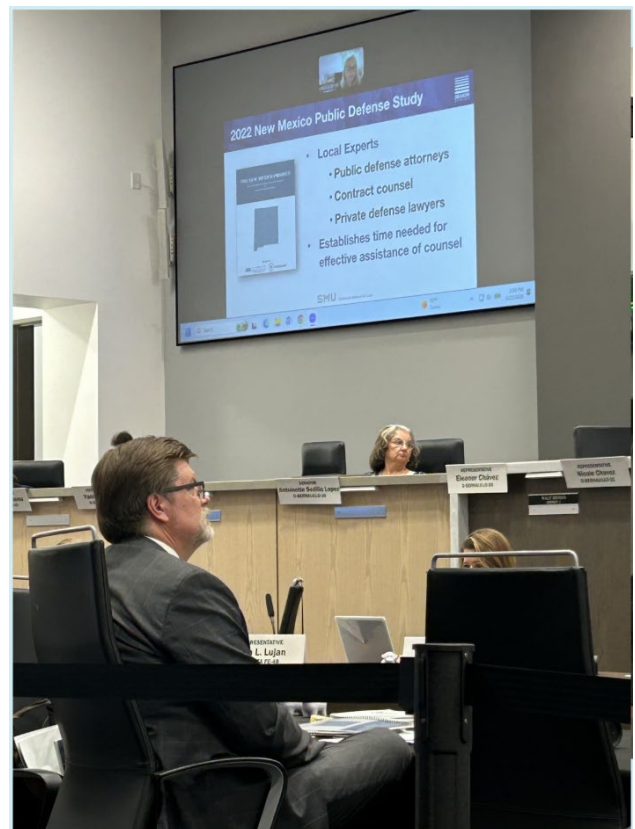
Administrative and legislative functions of LOPD include: eligibility determinations, human resources management, procurement, payroll, fiscal and budget management, training, policy development, legislative consultation and testimony, clerical and secretarial support, information system resources, contract management, strategic planning, maintenance of information and property, quality assurance, policy interaction with legal associations, courts, and the criminal legal community, and service to client advocacy groups and related initiatives by state, county, and municipal entities.

One administrative function includes the standards and policies for determining whether a defendant qualifies for public defender representation. LOPD is dedicated to finding creative solutions for the problem of overwhelming caseloads of its attorneys and focusing resources on the indigent. Since the LOPD mission is to serve the indigent, there is an evaluation of eligibility to ensure the best use of limited resources.

Advocating for Criminal Justice Reform and System Change

Representatives of the LOPD continue to be active participants across the state in many past and current initiatives designed to improve the criminal legal system and ensure efficiency for all criminal legal partners. These include the NM Sentencing Commission, Statewide Criminal Justice Coordinating Councils, the CYFD Juvenile Justice Stakeholders Committee, NM Sentencing Commission and committees, the Anne E. Casey Foundation's Juvenile Detention Alternative Initiative, the NM Drug Court Advisory Committee, the NM Association of Drug Court Professionals, the City of Santa Fe Law Enforcement Assisted Diversion Program (LEAD), the Albuquerque Metro Crime Initiative, and mental health advisory and other taskforces at the local levels throughout the state. LOPD also presents to various legislative standing and interim committees.

In addition to participating in organizations, LOPD continues to advocate for reforms in the criminal legal system that would allow LOPD to work more efficiently and effectively and for the betterment of our clients and communities. This cannot be accomplished overnight and will not reduce the demands on the system for an indefinite time.

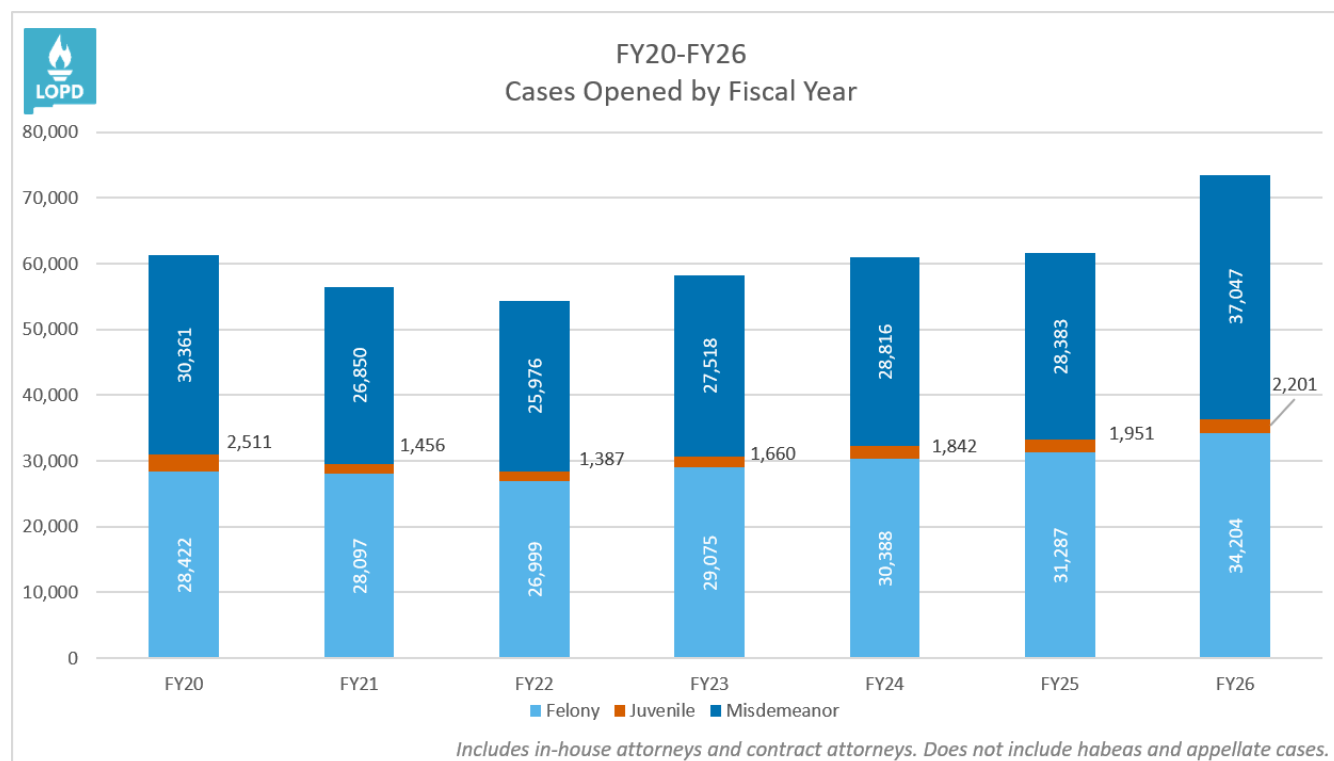


Chief Ben Baur delivers an update on LOPD workloads on June 22.

CRITICAL CHALLENGES AND EFFORTS TO ADDRESS THEM

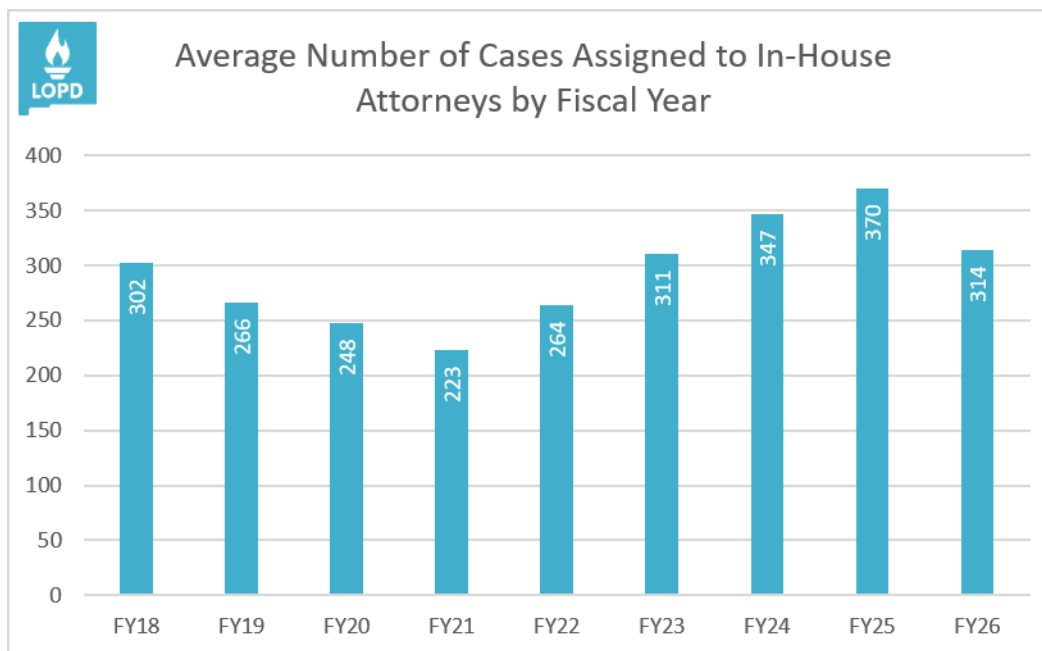
Caseloads

Felony caseloads remain a primary concern for the agency as projections continue to show felony case assignments far surpassing pre-COVID levels, a trend the rest of the criminal legal system is also reflecting. The rising number of felony cases - particularly murder cases - paired with a limited pool of available attorneys is a serious concern. Felony cases, especially murders, are highly complex and demand significantly more time, attention, and resources than other case types. In FY26, LOPD assigned 95,036 cases.



The resulting caseload for both LOPD attorneys and contract defenders is high enough to cause serious concern about whether most defendants are receiving constitutionally adequate representation. Litigation seeking to flesh-out constitutional mandates regarding caseloads has been pursued in the state Supreme Court and District Courts.

The systemic problems with contract defense in the hybrid model (in which cases are assigned to both in-house and contract attorneys) are exacerbated by the excessive workloads carried by many in-house attorneys (contract defenders may suffer from excessive caseloads as well). In FY26, LOPD in-house attorneys were assigned a total of 392 cases (201 felony cases, 8 juvenile cases, and 183 misdemeanor cases) on average for each attorney. Contract attorneys were assigned an average of 314 cases each. Because both in-house and contract attorneys carry such high caseloads, there is no available release valve to ease caseloads.



LOPD has few options to ease excessive caseloads because the district attorneys have exclusive control over the cases that are filed. One option for LOPD is assigning in-house cases to contract defenders; however, the problem is simply transferred to the contractors who also have excessive caseloads. Over the last few years, RFPs for contract attorneys have returned fewer interested lawyers and the number of contract attorneys around the state has declined. Time spent traveling to court and jail in rural New Mexico exacerbates workload issues for both public and contract defenders. Caseload measurement does not account for travel time or in-court waiting time but is critical to evaluating workloads.

Within the last few years, many states have been reevaluating what constitutionally effective assistance of counsel means at a programmatic level, and what resources are needed to achieve effectiveness, including sufficient funding and staffing, and, in some instances, the ability to manage caseloads.

LOPD continues to closely monitor caseloads and while at the same time prioritizing recruitment, retention, access to new technology, and policy initiatives. LOPD is pursuing options to help with both vacancy rates and caseloads, including exploring expanding retiree return to work options and improving loan repayment assistance to attract and retain attorneys - especially in rural areas.

In tandem with addressing the need for additional staff, LOPD is working to create and invest in new efficiencies. In addition to our FY28 budget request, LOPD will also be submitting appropriation requests supporting access to new technologies enhancing our ability to manage the rapidly growing volume of digital evidence, increasing efficiency by enabling faster review of body camera footage, security video, and mobile device extractions. Requests would also allow expanded

access to legal research and transcription services to improve attorney efficiency and accuracy and equip defenders with the technology necessary to meet current evidentiary demands statewide.

LOPD is also advocating policy changes, including reevaluating how drug possession offenses are treated under the Habitual Offender Act, emphasizing treatment and community-based interventions rather than increased incarceration for individuals whose underlying needs may be better met through supportive services. Together, these measures seek to balance workload relief, workforce stability, and more effective, targeted use of criminal justice resources. Additionally, LOPD proposes increased investment in court approved diversion programs developed collaboratively by courts, District Attorneys, and LOPD, as well as parity in FTE allocations so that LOPD can have the capacity to fully support diversion efforts from the defense perspective.

The New Mexico Project and 5-Year Plan – a Workload Study and Funding Plan

In early 2022, LOPD established itself as a national leader in public defense by completing a comprehensive workload study (partly funded by the LFC) and was the first in the nation to pursue a 5-year plan to achieve the goals of the study. The reports' findings emphasized LOPD needs 602 additional attorneys, as well as requisite support staff, assuming no demand side factors change. Demand side factors include reducing caseloads through decriminalization of non-violent crimes with no victim and sentencing reform. The study and plan also do not account for additional the staffing and attorneys required when judgeships are added to any courthouses statewide.

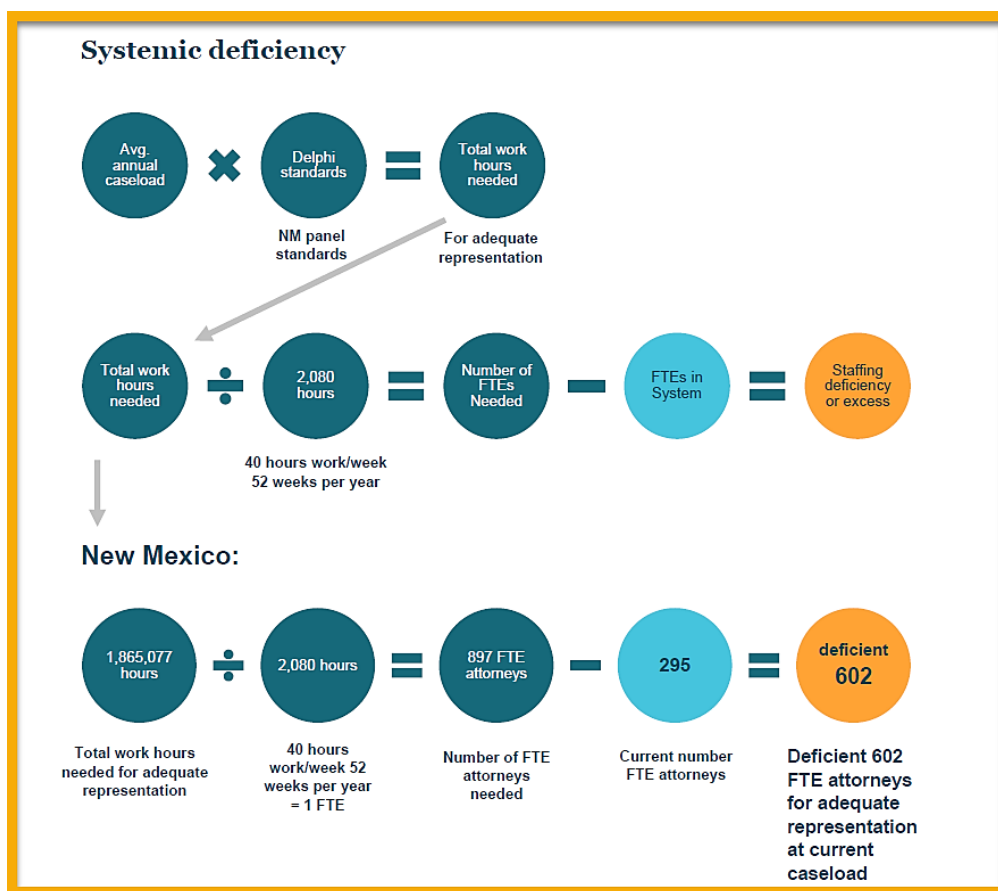
The New Mexico Project Reports

[Workload Study](#)

[Five Year Plan](#)

Available at lopdm.us/about-us/

The following graphic is taken directly from the workload report and lays out the data used in the finding that LOPD has a deficiency of 602 attorneys. The department added 8 new attorney FTE in FY23, 3 new attorney FTE in FY24, and 5 new attorney FTE in FY25. In FY26 and FY27, LOPD received no new FTE. These FTE were assigned mostly to rural districts.



Shortage of Contract Defenders

In addition to the issues identified in the Workload Study, LOPD has struggled to find and retain an adequate number of contractors to provide a constitutionally appropriate level of defense due to funding levels forcing meager compensation. This is especially true in Curry, Eddy, Lea, Lincoln, Luna, McKinley, Roosevelt, and San Juan counties.

The constitutional requirements and performance standards for attorneys apply equally to both contract defenders and in-house attorneys. Unfortunately, contractors are often less able to meet these requirements because of a lack of resources. Contract defenders often receive less support due to having no support staff, including investigators, paralegals, social workers, and secretaries, whereas in-house attorneys have that support. Recruitment competition for attorneys with criminal experience impacts the defense of indigent clients in communities without local public defender offices.

In FY24, LOPD increased base rate compensation by type of case for contract defenders by approximately 20%. Regardless of this recent increase, when comparing these rates to the \$300 to \$400 per case paid in 1968 under the Indigent Defense Act, it becomes evident that inflation has devalued¹ the compensation rate dramatically over the past six decades. The comparison of the FY23 rates and FY24 rates is shown below. There have been no changes to base rates since FY24.

Base Rate Per Case Payment to LOPD Contract Attorneys by Fiscal Year		
Case Type	FY2023 Payment Per Case	FY2024 Payment Per Case
First Degree Murder	\$5,400.00	\$6,500.00
First Degree Felony Life Imprisonment	\$5,400.00	\$6,500.00
1st Degree Felony	\$750.00	\$900.00
2nd Degree Felony	\$700.00	\$850.00
3rd Degree Felony	\$645.00	\$775.00
4th Degree Felony	\$540.00	\$650.00
Juvenile	\$300.00	\$360.00
Misdemeanor DW/DV	\$300.00	\$360.00
Misdemeanor (other)	\$180.00	\$220.00

The State of New Mexico pays contract lawyers in civil cases \$170 (for those with zero to two years of experience) to \$245 (for over ten years of experience) **per hour** to protect the State's money through the Risk Management Division's contracts. Those hourly rates are laid out in the chart on the next page. Public defender contract attorneys are paid low base rates compared to their counterparts, with those contracted by district attorney offices earning \$150 per hour and those contracted for civil matters by the State of New Mexico receiving substantially higher compensation—highlighting a significant disparity in pay for comparable professional services.

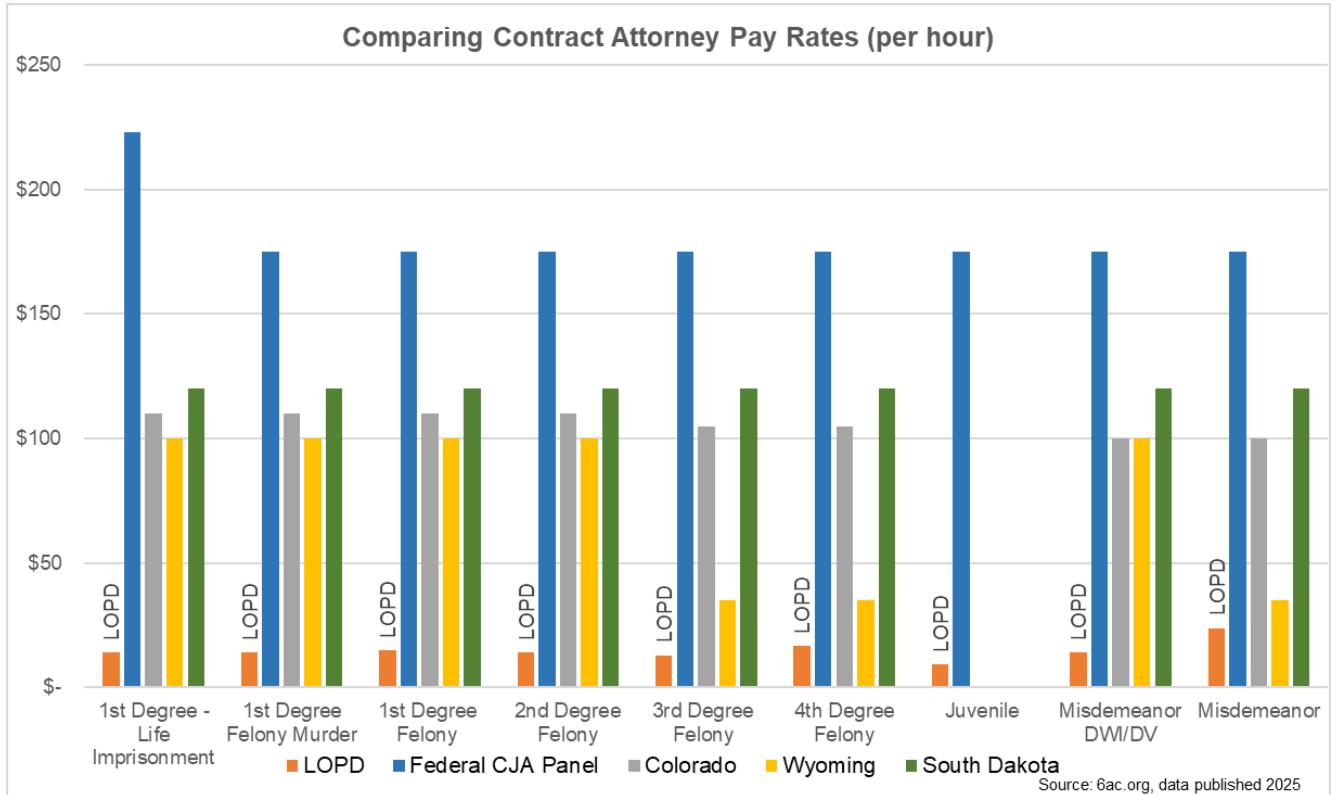
Those hourly rates provide compensation far higher than attorneys representing clients charged with first degree murder or cases that carry a sentence of life imprisonment. The civil contract lawyers defending the state are eligible to receive additional compensation for their paralegals in

NM Risk Management Division (Civil Cases)				
Years of Experience	FY23 Hourly Rates	FY24 Hourly Rates	FY27 Hourly Rates	Hourly Rate Percent Increase FY24-FY27
0-2 Years	\$95.00	\$150.00	\$170.00	13%
2-5 years	\$125.00	\$175.00	\$195.00	11%
5-10 years	\$145.00	\$200.00	\$225.00	13%
10 years +	\$165.00	\$225.00	\$245.00	9%

excess of the amount that even LOPDs most experienced contract lawyers receive for serious violent felony trials. By contrast, federal contract public defenders are compensated an hourly rate of \$177 in non-capital cases, and, in capital cases, a maximum hourly rate of \$226.

¹ The Bureau of Labor Statistics CPI Inflation Calculator shows July 1968 dollars to be worth nine times more than July 2025 dollars.

The following chart compares, as of 2025, the hourly rates paid by various public defender offices, the federal contract defenders (Federal CJA Panel), the New Mexico Risk Management Division and the effective hourly rates for LOPD contract attorneys based on current base rates paid per case and the Delphi panel results as reported in the NM workload study, as discussed on pages 19-20.



Accordingly, the New Mexico Public Defender Commission and LOPD support a minimum \$150 per hour to compensate contract defenders– the same as many DA special prosecutors. This hourly rate would better provide for constitutionally effective indigent defense, ensure accountability through their billing invoices and achieve the goal of providing true legal services to each client as guaranteed under the New Mexico and United States Constitutions. Beginning in FY27, LOPD received a three-year GRO appropriation to pilot an hourly compensation model for contract attorneys with funding available through FY29. Currently, the pilot includes approximately eleven contract attorneys assigned cases in three judicial districts.

Contracts with attorneys have provided a mechanism for additional compensation for complex case representation, although funding to fully implement this mechanism is currently lacking. This mechanism is an interim step to address the inadequate compensation of contract defenders until a system to compensate contract counsel on an hourly basis for the actual work performed can be funded.

Pursuant to a Request for Proposals (RFP) issued in April of 2025, LOPD's Contract Counsel Legal Services (CCLS) completed execution of its contracts, effective November 1, 2025. The RFP was sent out to all private defense attorneys requesting those interested to submit a Proposal.

Contract Attorneys execute a contract with CCLS to represent indigent clients in jurisdictions where LOPD does not have a district office, and, on conflict cases, in districts where there is a local LOPD office.

Over the last few years, LOPD has seen decreasing interest from attorneys in being contract public defenders. In 2018, there were 106 attorneys who submitted proposals, while in 2025, there were only 80. Although some of the contractors retired, others chose not to submit proposals, preferring instead to concentrate on their more lucrative private practices. Others obtained employment with State or Federal agencies, including, but not limited to, the district attorneys' offices, the Judiciary, or relocating outside of New Mexico.

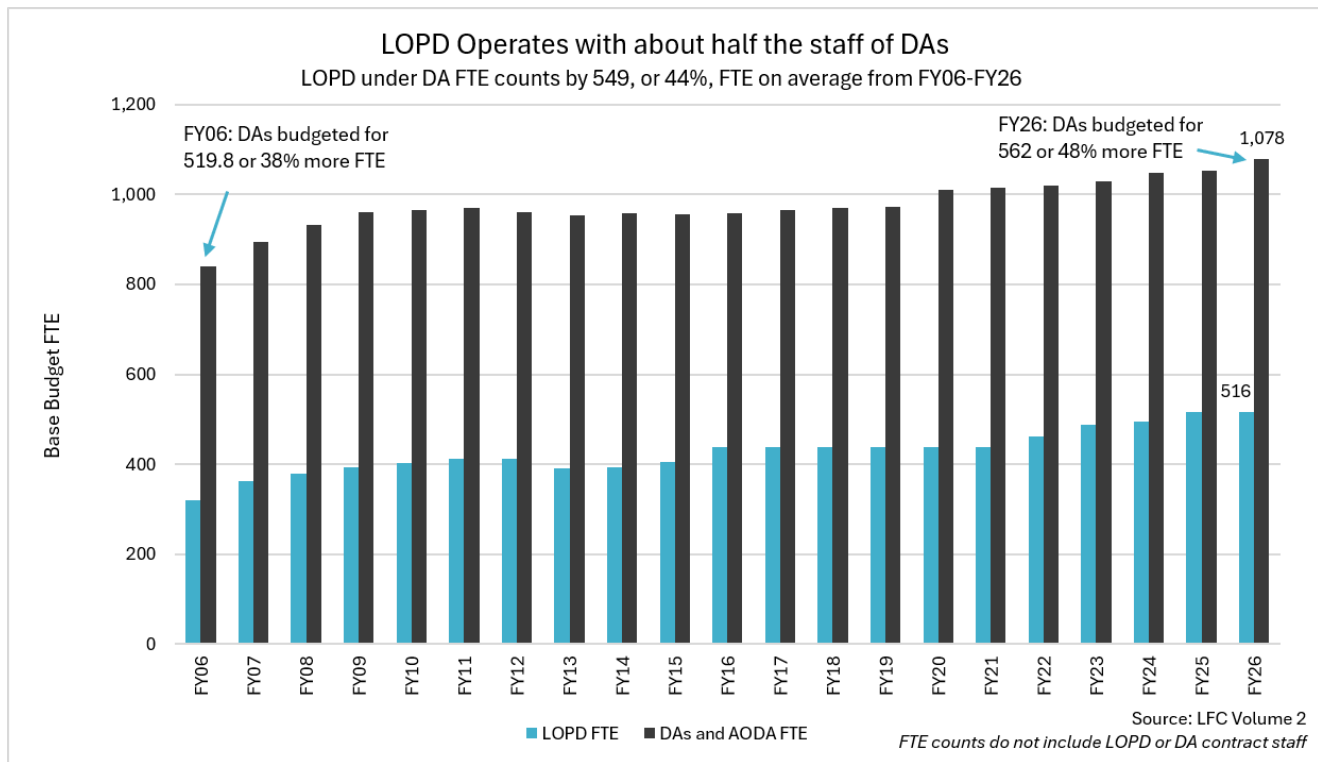
Despite increased advertising of contract work with LOPD through the RFP, it is becoming more difficult to recruit Contract Counsel, especially to the rural areas of New Mexico at the funded base rates. Once LOPD loses contractors in rural areas, it is becoming increasingly difficult to replace them.

Every fiscal year, the LOPD submits a budget request seeking additional funds for complex case litigation and funds for the use of expert witnesses in complex cases. Paying hourly rates on serious cases and allowing for complex case compensation appears to be the only way to entice other attorneys to become involved and also for LOPD to ensure lawyers are compensated such to fulfill the State's constitutional requirements to provide zealous representation for indigent New Mexicans charged with crimes in rural New Mexico.

To help address all these challenges, LOPD undertook a new study, in partnership with Moss Adams and Malia Brink, a national expert on public defense standards and structure, to develop a multi-year plan with realistic timeframes and estimated costs to transition from base rates to an hourly wage model. The plan, which was released in October 2024, incorporates the projected number of contract attorneys and required funding to provide effective assistance of counsel based on the New Mexico Project, published in January 2022. Transitioning from LOPD's current base rate system to hourly rates is not only a matter of fairness and good fiscal oversight, it is a critical step toward ensuring universal high-quality public defense services in New Mexico.

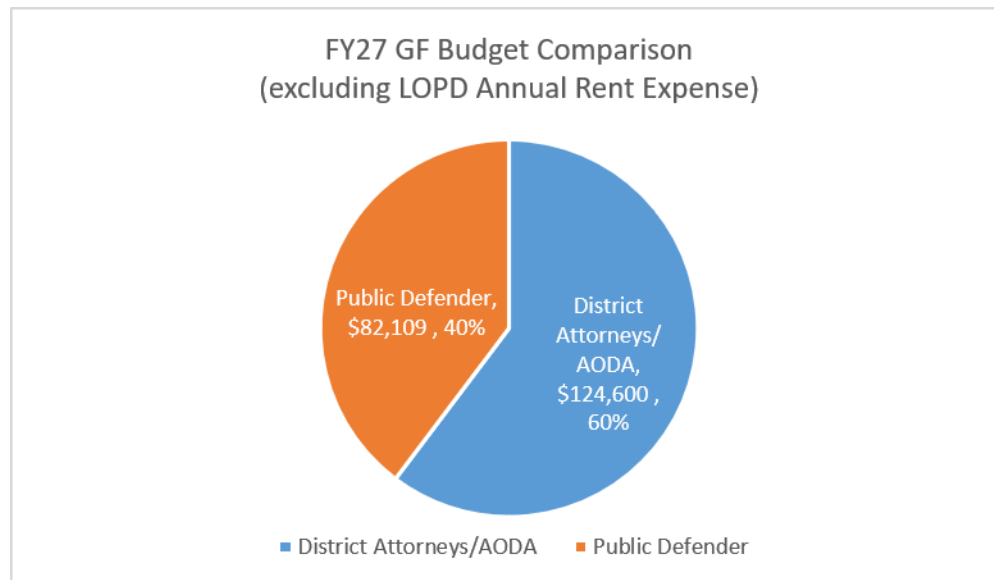
Public Defense Funding and Necessary Staffing Levels

LOPD appreciates the state's commitment to help better align budget with mission so the Department may fulfill its constitutional mandate to provide effective assistance of counsel to its clients. However, as shown in the chart below, the gap between the district attorney workforce compared to public defense workforce is stark. LOPD continues to advocate for the legislature to increase the funding necessary for LOPD to "catch up" with others in the system, especially the prosecution. The greater the gap between the two, the more harm to constitutional representation.



Though the roles of the prosecution and defense are admittedly different, the structure of the funding is different as well. District attorney offices are individually budgeted for higher staffing levels. The district attorney offices are not only served by their in-house administration and state-level administration for support, but they are also served by state, local and federal law enforcement. For example, state and local law enforcement conducts the initial investigation for the cases that the local district attorney may choose to charge. In addition, each district attorney's office has in-house chief financial officers, human resources staff, and information technology support, combined with similar statewide resources and support provided by the Administrative Office of the District Attorney (AODA). The graph above does not include the resources provided to DA offices by local and state law enforcement.

The funding gap is further exacerbated because LOPD is burdened with the additional expense of paying leases for its facilities with General Fund revenues, while the district attorney offices are provided and paid for by the counties. The following graph demonstrates how this additional expense depletes the LOPD budget and the difference in the remaining funds dedicated to client services.



Innovative Recruitment and Retention Program

LOPD continues to fight to keep offices staffed to provide services to clients. Turnover is inevitable; however, it is exacerbated by the increased competition in the public service legal community for attorneys and significant challenges to recruiting in-house and contract attorneys to serve rural communities.

While LOPD has struggled with recruiting experienced attorneys, it has not settled for simply posting positions and hoping candidates will apply. Instead, LOPD has been proactive in targeting different groups of prospective candidates and has dedicated resources to contacting those candidates and actively recruiting them to join our team. As a result, LOPD has been able to reinvent our recruitment program over the decade. However, retention of hires is critical and an ongoing struggle, especially for rural offices in Eddy, Lea, Curry, Chaves, Roosevelt, Lincoln, and Otero Counties. LOPD still lacks adequate funding to fill positions at a competitive level.



Every year, LOPD helps staff and coordinate a week long Law Camp for young people in partnership with a DA's office and the state Hispanic Bar. This year, Abq attorney Javier Amaya and Hobbs/Clovis/Portales DD Ibukun Adepoju led the class.

LOPD uses geographic pay differentials to reward the attorneys in our rural offices and acknowledge their willingness to serve New Mexico's rural communities. The differential is helpful with recruitment and retention as well.

LOPD has set up a successful paid externship program using previously available Public Attorney Workforce Capacity Building funds. In the 2026 Legislative session, LOPD received a

special appropriation to continue this program. Externs are paid \$10,000 to work in the 1st, 2nd, and 3rd judicial districts and \$12,000 to work in rural districts.

In FY26, LOPD received 48 applications and placed 7 externs in judicial districts around the state. Of the placed applicants, 7 are entering their third year of law school. Since 2024, LOPD has hired 6 externs during their third year of law school, with their employment set to begin upon graduation and successful completion of the bar exam.

LOPD has worked diligently to develop this pipeline to recruit undergraduates and law students to join LOPD. A huge obstacle for law students in participating in internships is funding as they have little to no income and are unable to move across the county, or even from Albuquerque to rural communities, to participate in the program. This is a bigger obstacle for people of color, many of whom are interested in working in public defense at LOPD but lack the resources to pay rent at their home while simultaneously securing temporary housing in another community for the 12 week externship period.

LOPD has expanded its active recruitment of attorneys. This allows LOPD to proactively address the inevitable attrition of in-house attorneys and contract defenders in the “legal deserts” in New Mexico where there are few lawyers. LOPD continues to pinpoint law schools with strong public interest programs and funding allocated for internships or externships with the goal is to develop pipelines by securing students dedicated to indigent defense for a summer. In FY26, LOPD will continue to focus on developing relationships with law schools by participating in tabling and on campus interview events.

In addition, LOPD focuses recruitment on hiring law school students immediately prior to or during the beginning of their final year of law school. This early recruitment allows LOPD to secure top notch candidates, while allowing the best candidates to receive an offer long before their colleagues, which provides stability during their last year of law school and while studying for the bar exam. These new hires are “limited practitioners,” which means they have a legal education, but are not sworn into the bar and therefore unable to represent clients in court.

The program continues to expand and adjust to changes in the applicant pool and organizational needs. LOPD brings the limited practitioners onboard for training starting immediately after the bar exam. This time provides the department and the new hire approximately eight weeks of training so that as soon as the limited practitioners are sworn into the bar, they can be assigned cases and represent clients in court. The training includes an on-line, self-paced curriculum that can be reviewed if needed. There are weekly trainings on different topics and two in person intensive workshops that focus on client communication and trial skills. These trainings fulfill the new attorneys Bridge the Gap participation required by the NM State Bar. Limited practitioners have access to resources such as investigators, paralegals, secretaries, contract immigration counsel, and hundreds of other attorneys to serve as mentors, trainers, and sounding boards to brainstorm cases.



Results From our Innovative Hiring Program

Diversity and Inclusion

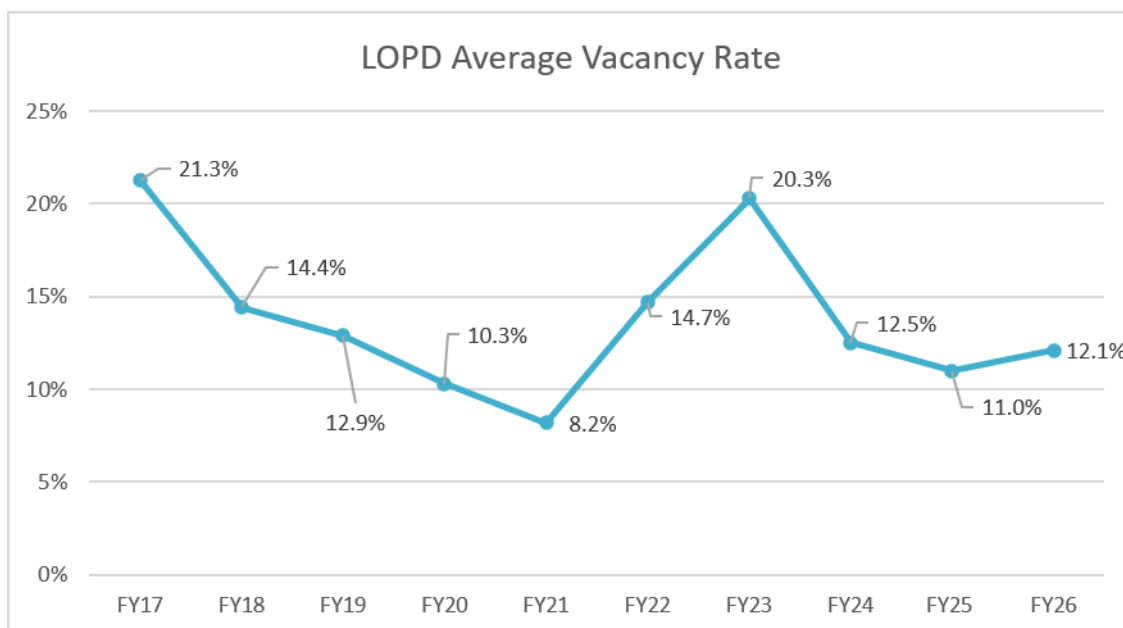
More women hold leadership roles at LOPD now than at any time in the last seven years. Additionally, the number of female managing attorneys has more than doubled since 2015, and for the last three years have steadily held more than 50% of managing attorney positions. As of July 2026, 70% of managing attorneys are female. In addition to gender equity, the department has made steady improvement in racial diversity of core staff and attorneys.

Vacancy Rate

Through proactive recruitment efforts, including the limited practitioner program and strategic placement of positions, LOPD has worked diligently to reduce vacancies. LOPD has evaluated the hiring process to eliminate delays, planned proactively for anticipated retirements and resignations, and consistently hired new employees. At the end of the 4th Quarter, LOPD's vacancy rate was 12.1% with an attorney vacancy rate of 17.6%.

Rural areas continue to be a source of major concern – as of June 20, 2026 the 5th Judicial District has an average 38% attorney vacancy rate while the 9th has a 33% vacancy. The two offices of the 11th have a combined vacancy rate of a 46% vacancy rate. Within the last year, job postings in these areas receive few or no applications despite assertive recruitment efforts and substantial geographic pay differentials.

Worryingly, even recruiting to Albuquerque, Las Cruces, and Santa Fe has become increasingly difficult. Since 2023, none of the limited practitioners from UNM - law students hired prior to graduation who practice in a restricted capacity until passing the bar - have relocated outside Albuquerque. Further, since 2021, applications to the limited practitioner program have declined by an average of 16% each year. Maintaining the pipeline for recent graduates to be employed with the department before passing the bar exam is critical and is a top recruitment priority.



When the average attorney FTE increases, it positively affects the number of cases assigned and assists LOPD in successfully meeting the established performance measure related to case assignments. It is important to emphasize that, although LOPD efforts are reducing the numbers, caseload numbers remain too high to provide effective assistance of counsel in all cases.

Statewide Training and Professional Development Program

LOPD's training and professional development program is designed to improve the quality of client representation while also meeting the evolving needs of employees. The program is developed and maintained by the Director of Training and Recruitment and a core staff employee. In FY26, the department provided virtual and in-person trainings for all employees, including virtual national conferences.



Supreme Court justices presented about statewide CMO changes. Here they are post-presentation with, from left, Liz Holmes, Deputy Chief Philip Larragoite, Justice Shannon Bacon, Chief Ben Baur, Justice Julie Vargas, Deputy Chief Randy Chavez, and General Counsel Adrienne Turner.

LOPD held its in-person conference in June 2026 for attorneys to earn their continuing education credits while convening with their colleagues from around the state. Attorneys were trained by in-house attorneys and staff on statutory case law updates, media training, and jury trial skills. There were also trainers from around the country presenting on storytelling, cross examination, and investigation strategies.

The Chief Justice of the Supreme Court also presented at the conference on skills-based bar licensure strategies.

Efforts to Secure Grants and Other Funding

LOPD works to use funding effectively and also seeks out sources, other than the legislature, for additional funding. For example, LOPD has been working with Bernalillo County for many years to provide staffing at needed hearings for probation violations and weekend arraignments. LOPD and Bernalillo County entered into a Memorandum of Understanding in which Bernalillo County provides LOPD funding to provide staff support and attorney representation for clients requiring representation.

Crime Reduction Grant Act

In FY23 and FY24, LOPD worked with various district attorneys to submit joint applications to fund the recruitment and retention of public defender and district attorneys in seven districts. The goal is to incentivize experienced attorneys to stay in their positions with a retention bonus with the amount of the bonus being based on their years of experience. Retaining experienced attorneys helps provide needed stability for clients, to offices, and ongoing training of newer attorneys. In FY23 and FY24, LOPD secured grants through the New Mexico Sentencing Commission to fund the recruitment and retention bonuses for attorneys in rural communities. LOPD secured over \$440,000 in FY23 and over \$215,000 in FY24 to payout the bonuses.

LOPD received FY25 awards totaling \$124,700 to continue staffing a paralegal to support clients by working with the Second Judicial District's Resource Reentry center and to continue Bernalillo County Warrant Forgiveness Walk-In Programs.

For FY26, LOPD received \$126,350, including \$675 each for the 1st and 12th Judicial Districts for client bus passes, \$35,000 for the 2nd Judicial District and \$30,000 for the 1st Judicial District for safe surrender warrant workshops, \$60,000 to continue staffing a paralegal to provide direct client services and work with the 2nd Judicial District's Resource Reentry center.

For FY27, LOPD applied for four grants totaling \$106,900 thousand and received \$20,000 to continue work on the warrant workshop project as well as procuring necessary resources needed to staff a new program held on Fridays in Metro Court in Bernalillo County. The new Metro Court program holds walk-in court sessions for people facing city ordinance violations, such as blocking the sidewalk, and gives them opportunities to connect with housing and treatment resources as well as social workers.

Improving Employee Services

Geographic pay differential – Several years ago, LOPD created an innovative program that uses geographic pay differentials (an additional hourly rate) to recognize and reward the attorneys in rural offices and acknowledge their commitment to serving New Mexico’s rural communities. These differentials have been instrumental in addressing recruitment and retention challenges. LOPD dedicated resources to ensure the program’s success and in 2018, after reassessing ongoing staffing needs, the Chief increased the recruitment and retention geographical differential for the Alamogordo, Carlsbad, Clovis, Portales, Hobbs, Roswell, and Ruidoso offices . As a result, attorneys received between \$6,000 and \$10,500 annually in additional compensation, depending on the district office location.

The program was revised again in 2026 to further increase the geographical pay differential for attorneys and social workers in 9 of LOPD’s 13 offices. These updated increases are tailored to address persistent recruiting and retention challenges in Alamogordo, Carlsbad, Clovis, Gallup, Hobbs, Portales, Roswell, Ruidoso, and Santa Fe. Following a reassessment of program needs, the Chief expanded the variable differential, resulting in attorneys in rural communities receiving between \$6,300 and more than \$11,000 in additional annual compensation, depending on district office location.

LOPD also utilized grants from the Public Attorney Fund, authorized by the Legislature, to provide additional geographic pay differential amounts to attorneys. Additional annual compensation ranges from \$2,900 in Albuquerque to \$5,000 in remaining offices.

Paid parental leave policy – Effective April 2020, LOPD provides 12 weeks of paid parental leave to eligible employees. The purpose of the leave is to ensure that eligible employees are provided with paid leave to care for and bond with a newborn, newly adopted child, or foster child with an anticipated placement of six months.

LOPD Awards – Presents an ongoing opportunity for LOPD leaders and colleagues to nominate colleagues who deserves recognition and an award for their efforts serving clients and the department. Nominations are collected annually and the winners that are selected are announced during a ceremony (in-person pre-COVID and virtual post-COVID). The following is the list of award titles: Unsung Hero award, Rising Star award, Innovator, Dedicated Public Defender and the Leadership award.

Wellness leave – The Staying Healthy and Rejuvenated Program (SHARP) is designed to recognize the benefits of employee health and wellness and supports time for wellness activities. LOPD recognizes that such activities are mutually beneficial to LOPD and its employees because they improve productivity, work performance and morale. The purpose of the policy is to provide the Law Offices of the Public Defender (LOPD) employees with paid time off to support employees’ efforts to engage in activities that promote wellness, and improve employee conduct, performance, and job satisfaction; and to establish guidelines for the request, approval and administration of the SHARP policy to eligible employees.

COMMUNITY ENGAGEMENT

LOPD continues to engage our communities through traditional media, social media, individual outreach, service and community-rooted office events. New efforts this year include a very successful series of warrant Workshops, expanded partnerships with service providers statewide, strengthened communication with the Consulate of Mexico, and street-level pop-up client access tables.

Warrant Workshops

The Warrant Workshop model, launched in 2025 as an outgrowth of local Criminal Justice Coordinating Councils, has become one of the Department's most effective community tools. Funded by local CJCCs, workshops bring together public defenders, prosecutors and support providers together for a day-long session that allows hundreds of New Mexicans with active arrest warrants to address their cases in a safe environment. More than 300 warrants were addressed in Albuquerque in the FY25 warrant workshops. That number more than doubled for the first half of 26, along with the number of providers present and cases resolved, as the Albuquerque workshops moved into a bigger space at the Main Library downtown to accommodate the workshop's popularity.



Some of the more than a dozen service providers regularly hosting a table at the LOPD-organized Warrant Workshops.



Organizing the Warrant Workshops takes administrative staff and attorneys to pack up and set up supplies, coordinate schedules, staff the event, and liaison with DAs and judges.

Community Connection

LOPD employees continue to engage their communities, this year branching into education efforts about our role in the court system, how we help clients, and expanding relationships.



Aztec District Defender Matt Cockman, on a community panel discussing LOPD's role and navigating the criminal justice system.

Aztec's Sonnie Rodriquez, second from right, meets to discuss creation/opening of Re-entry Support multi-agency collaboration-Word of Life Church, San Juan County Detention Center, and San Juan College.



LOPD leaders this year forged a strong connection with the Consulate of Mexico, meeting multiple times to educate each other on legal nuances important to New Mexicans and Mexicans in New Mexico.

Pop-up Client Workshops

The Department continues to collaborate with already successful outreach efforts led by community providers. Despite record heat, the Albuquerque office recently committed to attending pop-up events with Albuquerque Community Safety, the city's non-police response team. These pop-up events include service providers and public defenders setting up in a neighborhood with a higher density of clients to make our services easier to access.



We Are Part of the Story

The Department continues to use media outreach and social media to connect with clients and communities across the state and nation. LOPD Communications Director Maggie Shepard works closely with the district offices to coordinate incoming television, radio, and print media interview requests in addition to leveraging media relations to get stories from within the department out into our local communities and national media markets.



The Department finalized a years-long video project highlighting each office, each of the roles in the department and the ethos of public defense in New Mexico. These videos are featured on the department's social media and website as part of recruitment and community education.

FY28 GOALS AND OBJECTIVES

- I. GOAL/OBJECTIVE: Strengthen the statewide system of Public Defender Attorneys and Contract Defenders to improve rural representation to ensure effective indigent defense and focus on restoration, not retribution.
 - a. Action Step: Recruit and retain in-house attorneys, core staff, investigators, and social workers by expanding the current innovative and proactive recruitment program targeting in-house employees statewide with a commitment to diversity and inclusion. Expanding current efforts to recruit attorneys and include prospective employees from core staff, investigators, and social workers and fill all FTE allocated which will improve retention and decrease vacancy rate.
 - i. LOPD seeks to build a team of professionals who support the mission and vision of the organization with a commitment to leading the fight for justice in New Mexico by protecting constitutional rights.
 - ii. LOPD will work to establish and secure funding to provide a rate of equitable and competitive pay, increased levels of accountability, training and performance for in-house attorneys, contract attorneys and core staff.
 - iii. LOPD is committed to recruiting a diverse and inclusive workforce by:
 1. Working to create pipelines with law schools with strong public interest or public defense programming, and
 2. Recruit diverse employees that reflect the populations LOPD represents; specifically, Spanish speaking and employees of Black and Indigenous backgrounds.
 - b. Action Step: Expand the pool of contract defenders by further addressing inadequate compensation for contract counsel. LOPD is advocating for increased funding for contractors.
 - i. Ensure indigent clients receive a constitutionally adequate public defense by advocating for funding to address the existing low base rate, as an hourly rate contract is more likely to garner interest from skilled criminal defense attorneys in the private sector.
 - ii. LOPD will continue working on an hourly rate model and transition plan with suggested transition phases and estimated costs.
 - iii. LOPD will engage the Public Defender Commission and the criminal defense bar to advocate statewide for adequate funding and implementation of an hourly rate for contract counsel.
 - c. Action Step: Continue investing in employees and improving representation through the development of the LOPD Training Program.
 - i. Improve management and operations to invest in employee development including diversity, professional development and self-care.
 - ii. LOPD will implement programs/opportunities/trainings with a focus on diversity and inclusion with input from employees, as well as self-care and well-being.

- iii. LOPD will continue to invest in leadership and supervision training.
- iv. Training and Recruitment Director will coordinate with LOPD's District Defenders and regional managers to identify training topics.
- v. The Training and Recruitment Director will identify, organize, and promote quality trainings to ensure LOPD employees are offered opportunities to fulfill their professional licensure requirements and professional development through both virtual, in-person, and hybrid opportunities.

II. GOAL/OBJECTIVE: Reduce recidivism and support community needs by positively impacting public safety.

- a. Action Step: Dedicate resources to equip the LOPD social work unit and other front-line core staff with essential training to work with clients to address underlying issues impacting their interaction with the criminal legal system.
- b. Action Step: Educate legislators and criminal legal partners about the limited mental health and substance abuse treatment resources statewide.
- c. Action Step: Advocate for additional support and resources to allow clients to address underlying issues.
- d. Action Step: Continue leadership and active involvement in criminal legal reforms.
 - i. LOPD will continue to collaborate with district attorneys and courts statewide to improve existing and create more diversion programs, keeping low risk offenders out of the criminal legal system and reducing jail and prison populations.
 - ii. LOPD continues to advocate for reforms in the criminal legal system which would allow LOPD to work more efficiently and effectively.
 - iii. Participate in community policy conversations about criminal legal reform and garner community participation.

III. GOAL/OBJECTIVE: Meeting staffing requirement reported by the ABA Workload Study by aligning Public Defender pay and staffing levels similar to those of the district attorneys.

- a. Action Step: Obtain funding in the FY28 budget request to hire an additional 29 FTE.
- b. Action Step: LOPD will seek advocacy assistance from the New Mexico Public Defender Commission, the criminal defense bar, and the New Mexico State Bar to advocate support from the Legislature and Executive for adequate funding and compensation for contractors.

PERFORMANCE MEASURES

1. Number of alternative sentencing treatment placements in felony, misdemeanor, and juvenile cases.
2. Average cases assigned to attorneys yearly (*staff and contract attorney assignments in each county*).
3. Average time to case disposition (*staff and contract attorneys in each county*) (*measured in months at the close of the case*).
4. Percent of felony cases resulting in a reduction of the original formally filed charges.
5. Percent of juvenile cases resulting in a reduction of the original formally filed charges.
6. Percent of misdemeanor cases resulting in a reduction of the original formally filed charges.