# FY28 Appropriation Request Checklist

Agency Name: *Law Office of the Public Defender*

Business Unit: 28000

***Reports to Include in PDF Submission***

| | Form # | Title | |
|---|---|---|---|
| *X* | **Cvr Ltr** | Cover Letter | ***Agency Level*** |
| *X* | **S-1** | Certification | ***Agency Level*** |
| *X* | **S-2** | Organizational Chart | ***Agency/Program Level*** |
| *X* | **S-8** | Financial Summary (BFM) | ***Agency/Program Level*** |
| *X* | **GF** | General Fund Budget Change Log | ***Agency/Program Level*** |
| *X* | **S-9** | Account Code Revenue / Expenditure Report | ***Agency/Program Level*** |
| *X* | **S-10** | Fund Balance Projection | ***Fund Level*** |
| *X* | **S-13** | Detail of Rate Line Items (see instructions) | ***Agency Level*** |
| *X* | **P-1** | Program Narrative | ***Program Level*** |
| *N/A* | **R-2** | Transfer Report | ***Agency Level*** |
| *X* | **REV/EXP** | Revenue-Expenditure Comparison Report | ***Agency/Program Level*** |
| *N/A* | **FFRW** | Detail of Federal Funds Revenue Worksheet | ***Agency/Program Level*** |
| *N/A* | **EB-1** | Expansion Justfications | ***Program Level*** |
| *N/A* | **EB-2** | Expansion Fiscal Summary | ***Program Level*** |
| *N/A* | **EB-3** | Expansion Line Item Detail | ***Program Level*** |
| *N/A* | **LFR** | Legislating for Results Expansion Tool | ***Program Level*** |
| *X* | **E4** | Pcode Detail | ***Program Level*** |
| *X* | **E5** | Contract by Pcode | ***Program Level*** |
| *X* | **SAR** | Special Appropriation Request Report | ***Agency Level*** |
| *X* | **APR** | Annual Performance Report | ***Program Level*** |
| *X* | **Table 2** | Table 2 Performance Measure Summary | ***Program Level*** |
| *X* | **SP** | Strategic Plan | ***Agency Level*** |
| *X* | **ITP** | Information Technology Plan | ***Agency Level*** |
| *X* | **C-1** | Base Operating Budget | ***Agency Level*** |
| *X* | **C-2** | IT Request Plan | ***Agency Level*** |
| *N/A* | **Perf Audit** | Update to LFC Performance Audits (within last 2 years) | ***Agency Level*** |

| | | ***Documents to Attach in BFM (PDF Optional)*** | ***Where to Attach*** |
|---|---|---|---|
| *X* | **Board Cert** | Board or Commission Budget Certification | ***Form 9900*** |
| *X* | **E-6B** | Leased Passenger-Related Vehicles | ***Form 3300/4300*** |

NEW MEXICO
LAW OFFICES OF THE
PUBLIC DEFENDER

Chief Public Defender
Bennett J. Baur

September 1, 2026

Wayne Propst
Cabinet Secretary
DFA State Budget Division
190 Bataan Memorial Building
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Charles Sallee, Director
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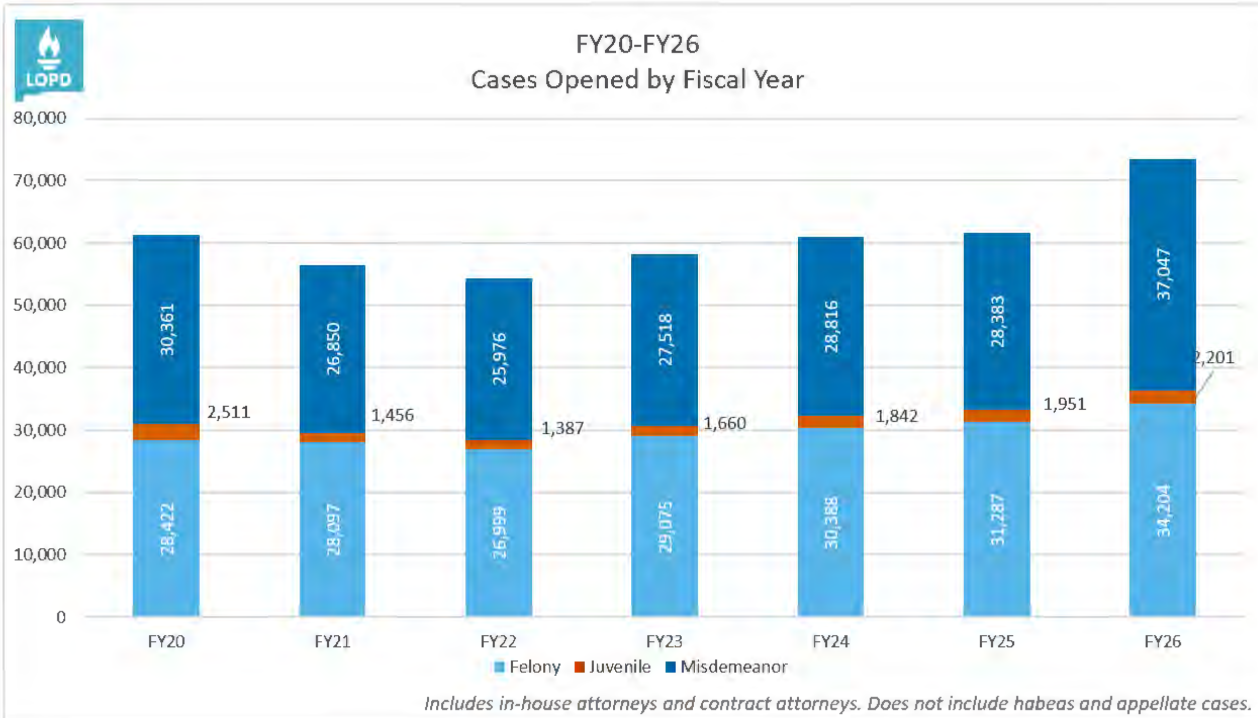
**FY2028 Budget Request for the Law Offices of the Public Defender (Agency 280)**

The Law Offices of the Public Defender (LOPD) is the largest law firm in New Mexico, with approximately 497 FTE, including 241 LOPD public defender attorneys, and approximately 90 contract defender attorneys. Since FY23, felony, juvenile, and misdemeanor caseloads have each increased. Between FY23 and FY26, total case openings increased by an average 8% annually, as shown in the graph on the following page.

LOPD respectfully requests a $13.2 million, or 15.5%, increase over the FY27 budget to address growing workload demands, strengthen recruitment and retention, and ensure that New Mexico's most vulnerable residents have meaningful access to constitutionally effective representation. This request will allow LOPD to invest in the attorneys and staff necessary to meet increasing workload demands, with a particular focus on rural communities, hard to fill positions, and the growing complexity of cases.




**LOPD's Constitutional Mission and Workload Needs**

LOPD was created to fulfill the constitutional mandate established by Gideon v. Wainwright, guaranteeing indigent defendants the right to counsel. Both the U.S. and New Mexico Constitutions obligate the State to provide adequate funding for public defense so that any individual, regardless of their ability to pay, has meaningful access to justice.

LOPD workloads remain at unsustainable levels, creating significant challenges to providing constitutionally required, high quality representation. The New Mexico Project workload study, conducted by the ABA Standing Committee on Legal Aid and Indigent Defense and Moss Adams, confirmed that LOPD needs 602 attorneys to meet current caseloads. In response, LOPD developed a Five-Year Plan to Reduce Representation Deficiency, which addresses both supply-side solutions, including increasing and strategically reallocating resources, and demand-side reforms, including decriminalization and sentencing changes.

Building on this work, LOPD collaborated with Moss Adams and national experts to design a multi-year plan to transition contract counsel from base rates to an hourly model. The study was completed and released in October 2024. 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.

**Expanding the Workforce to Meet Workload Demands**

LOPD is requesting $4.4 million to support 29 additional positions and competitive compensation incentives. The request includes:

- 14 additional attorney positions, including 12 dedicated to serving rural communities where recruitment and access to counsel remain particularly challenging.
- 15 additional staff positions, including 6 social workers, 4 investigators, and 5 paralegals, to provide attorneys with the support necessary to investigate cases, connect clients with services, prepare for litigation, and manage increasingly complex cases. These positions will also support clients and efforts to reduce recidivism and the significant social and fiscal costs associated with incarceration.

These positions will increase LOPD's capacity to respond to workload demands while ensuring attorneys have the professional support necessary to provide effective representation.

**Investing in Recruitment and Retention**

LOPD is requesting $2.6 million for a 3% salary increase for attorneys and targeted compensation strategies designed to improve recruitment and retention, including increased starting salaries for recently graduated attorneys. The request includes:

- $130,500 for funding for enhanced geographic differentials to improve recruitment and retention in rural communities;
- $247,500 for relocation bonuses to attract attorneys to underserved communities; and
- $2.2 million for salary adjustments to achieve greater pay parity with public and private sector competitors.

Competitive compensation is essential to maintaining a stable public defense workforce. In many judicial districts, newly hired LOPD attorneys earn significantly less than entry-level prosecutors before incentives are considered. LOPD also competes with private practice and other public defense programs for a limited pool of attorneys, making targeted compensation strategies increasingly important.

**Addressing Case Complexity Case and Contract Counsel Needs**

LOPD's workload challenges are compounded by the increasing complexity and cost of individual cases. Murder cases require substantially more time, attention, investigation, and resources than many other case types. The increasing volume of murder cases, often involving multiple co-defendants, further increases trial expenses and the need for expert witnesses and contract investigators. The volume of complex trials and competency cases is also increasing as the state continues to develop and implement its approach to addressing mental health issues within the criminal legal system.

At the same time, LOPD's ability to rely on contract counsel is increasingly limited. The number of private attorneys willing to accept public defense contracts is declining, in part because LOPD's contract rates are not competitive with other legal work. Public defender contract attorneys are paid significantly lower base rates than comparable attorneys working under contracts with District Attorney offices or providing civil legal representation for the State. In some instances, attorneys contracted by District Attorney offices receive $150 per hour, creating a substantial disparity in compensation for comparable professional services.

Low contract rates make recruitment increasingly difficult, contribute to attrition among existing contractors, and reduce the pool of attorneys available to absorb LOPD's growing workload. The hourly compensation pilot is an important step toward addressing this disparity, but additional resources will be necessary to develop and implement a sustainable statewide model.

**A Necessary Investment in Public Defense**

LOPD has demonstrated that when the Legislature provides the resources to expand its workforce, LOPD can effectively translate those investments into filled positions and increased capacity. LOPD has expanded its recruitment efforts, developed rural recruitment strategies, strengthened its externship program, and explored innovative approaches, including remote representation, to reach attorneys inside and outside New Mexico.

The challenges facing LOPD, however, are increasing at the same time the need for effective representation continues to grow. Attorney recruitment has become more competitive, the pipeline of new law graduates entering public defense has declined, and the pool of contract attorneys available to absorb additional workload is shrinking. Additional investment is necessary to address these pressures before they further affect clients, courts, and communities throughout New Mexico.

Funding additional positions and providing competitive compensation are not simply investments in LOPD operations; they are investments in the constitutional right to counsel.

LOPD appreciates the Legislature's continued partnership and its past investments in expanding public defense capacity to meet demand. The Public Defender Commission and the Law Offices of the Public Defender respectfully request your support for our requested $13.2 million FY2028 budget increase. We sincerely appreciate your consideration and continued support of public defense in New Mexico. A summary of the full request is attached.

Respectfully submitted,

Gina M. Maestas

Gina Maestas, Chair
Public Defender Commission

Bennett J. Baur, Chief Public Defender
Law Offices of the Public Defender

NEW MEXICO
LAW OFFICES OF THE
PUBLIC DEFENDER

Chief Public Defender
Bennett J. Baur

**FY28 Budget Request**

FY28 Budget Request. LOPD is requesting a $13.2 million, or 15.5%, budget increase over the FY27 budget. The Public Defender Commission approved the budget request on July 17th.

The request includes:

- $4.4 million more to sustain critical legal and direct client services through 29 additional positions and competitive compensation incentives.
  - 14 attorney positions, including 12 dedicated to serve rural communities
  - 15 staff positions, including 6 social workers, 4 investigators, and 5 paralegals.
- $2.6 million for 3% salary increases for attorneys including compensation incentives focused on recruitment and retention through enhanced geographic differentials for rural communities ($130.5 thousand), relocation bonuses to attract candidates to underserved communities ($247.5 thousand), and salary adjustments to achieve greater pay parity with public and private competitors ($2.2 million).
- $1.5 million more for rising insurance costs (including Civil Rights costs)
- $240 thousand for the Public Defense Recruitment Pipeline Program
- $3 million more for contract attorney cost increases
- $880 thousand for rising expert witness costs, including increased costs stemming from recent competency law changes.
- $562 thousand for rising operation expenses, including per diem rates increases set by DFA, training costs, and lease costs.

Other appropriations. LOPD is requesting special and IT (C2) appropriations:

- Special appropriations (available to spend FY27-FY28)
  - $675 thousand to purchase specialized software to assist attorneys with discovery review, including lapel video software, and enhanced Westlaw access to facilitate research, document review and analysis, and litigation preparation.
  - $336 thousand for specialty court costs, including in-house and contract attorney staffing costs as well as travel and registration for specialty court conferences. Public defenders are critical members of the multidisciplinary specialty court teams and expected to participate in the statewide and national specialty court training and conferences. Unlike the courts, LOPD

    does not receive dedicated funding to support participation costs despite the critical role public defenders play in the success of the programs.
  - $30 thousand for statewide warrant resolution workshops. These workshops are currently funded through the NM Sentencing Commission in Albuquerque, however funding for this project will not be available after FY27. Funding will allow LOPD and its partners to offer warrant resolution events in districts across the state, enabling clients to resolve outstanding warrants, eliminate legal barriers that affect employment and housing, and reconnect with their attorneys.
  - $30 thousand for specialized training for Habeas, Appellate, cyber security, HR, and Finance staff.
- IT (C2) Appropriation (available to spend in FY28-FY29):
  - $1.55 million for tools to dramatically speed up discovery review, including police video, security footage, and cell phone data as well as legal research, transcription, and motion drafting ensuring timely and constitutionally effective representation amid rapidly expanding digital evidence.
  - $3.25 million for cybersecurity enhancements and equipment replacement to maintain operational integrity and security.

Agency Name: Public Defender Department Business Unit: 28000

*I hereby certify that the accompanying summary and detailed statements are true and correct to the best of my knowledge and belief and that the arithmetic accuracy of all numeric information has been verified.*

Bennett J. Baur, Chief Public Defender

Gina Maestas, Chair Public Defender Commission

Debbie O'Dell

Debbie O'Dell, CFO

| | | |
|---|---|---|
| 301 N. Guadalupe St.<br>Suite 200<br>Santa Fe, NM 87501 | 505-490-5463 | debbie.odell@lopdnm.us |

*Note: Appropriation Requests for agencies headed by a board or commission must be approved by the board or commission by official action and signed by the chairpers Operating Budgets of other agencies must be signed by the director or secretary. Appropriation Requests not properly signed will be returned.*

NEW MEXICO
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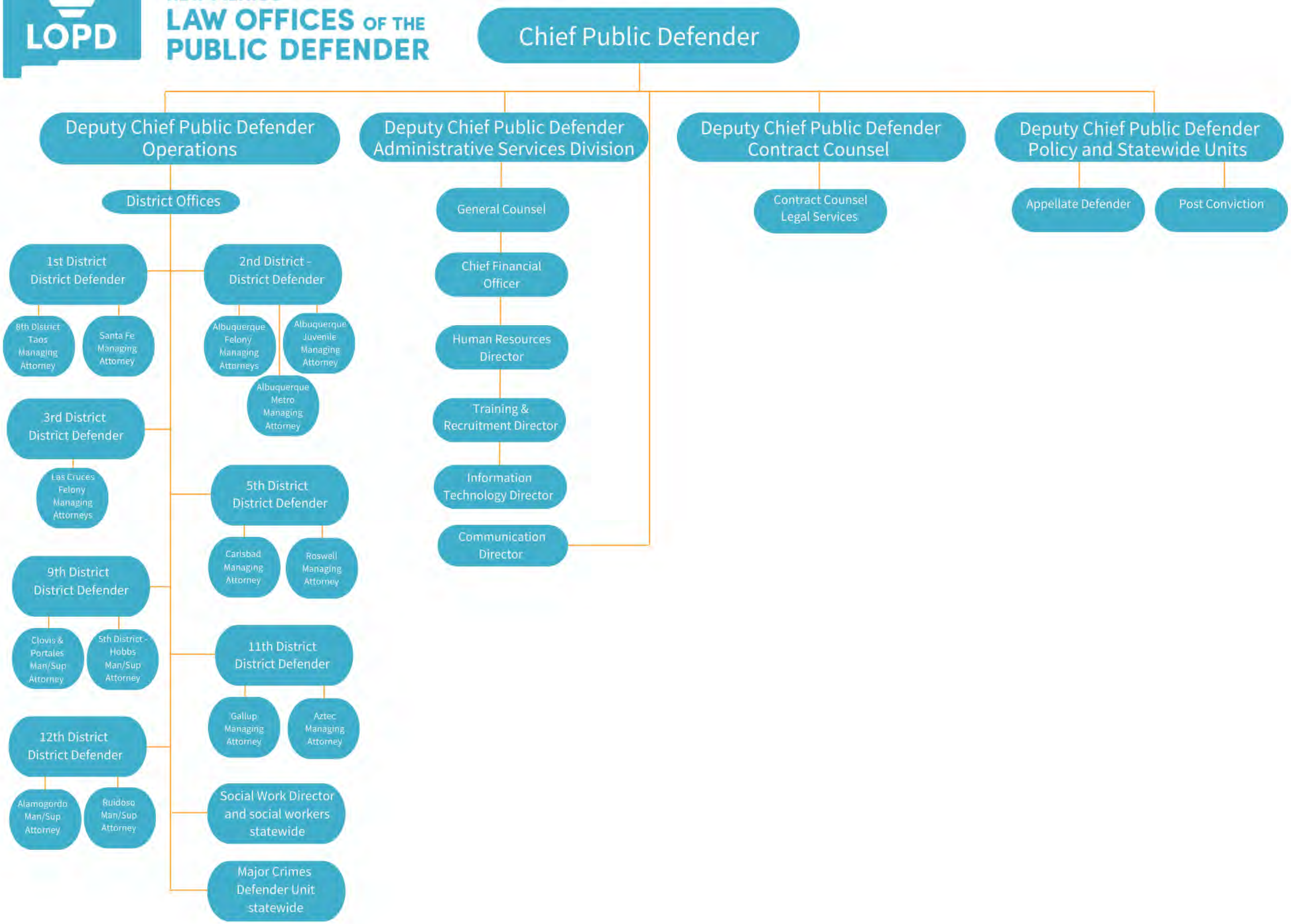
PUBLIC DEFENDER



Criminal Legal Services

| BU | PCode | Department |
|---|---|---|
| 28000 | P850 | 000000 |

# State of New Mexico

## S-8 Financial Summary

(Dollars in Thousands)

| | 2025-26 Opbud | 2025-26 Actuals | 2026-27 Opbud | 2027-28 PCF Proj | -------- FY 2028 Agency Request -------- Base | Expansion | Total |
|---|---|---|---|---|---|---|---|
| **REVENUE** | | | | | | | |
| 111 General Fund Transfers | 82,110.0 | 80,216.2 | 85,164.0 | 0.0 | 98,323.0 | 0.0 | 98,323.0 |
| 112 Other Transfers | 0.0 | 3,258.8 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| 130 Other Revenues | 100.0 | 95.0 | 400.0 | 0.0 | 500.0 | 0.0 | 500.0 |
| REVENUE, TRANSFERS | **82,210.0** | **83,570.0** | **85,564.0** | **0.0** | **98,823.0** | **0.0** | **98,823.0** |
| **REVENUE** | **82,210.0** | **83,570.0** | **85,564.0** | **0.0** | **98,823.0** | **0.0** | **98,823.0** |
| **EXPENSE** | | | | | | | |
| 200 Personal services and employee benefits | 55,378.7 | 55,839.1 | 57,911.3 | 60,562.0 | 66,388.3 | 0.0 | 66,388.3 |
| 300 Contractual services | 19,417.1 | 19,721.5 | 19,530.8 | 0.0 | 23,650.8 | 0.0 | 23,650.8 |
| 400 Other | 7,414.2 | 7,188.0 | 8,121.9 | 0.0 | 8,783.9 | 0.0 | 8,783.9 |
| EXPENDITURES | **82,210.0** | **82,748.6** | **85,564.0** | **60,561.98** | **98,823.0** | **0.0** | **98,823.0** |
| **EXPENSE** | **82,210.0** | **82,748.6** | **85,564.0** | **60,561.98** | **98,823.0** | **0.0** | **98,823.0** |
| **FTE POSITIONS** | | | | | | | |
| 810 Permanent | 497.00 | 427.00 | 497.00 | 485.00 | 526.00 | 0.00 | 526.00 |
| 820 Term | 5.00 | 0.00 | 5.00 | 0.00 | 5.00 | 0.00 | 5.00 |
| 830 Temporary | 14.00 | 0.00 | 14.00 | 0.00 | 14.00 | 0.00 | 14.00 |
| FTEs | **516.00** | **427.00** | **516.00** | **485.00** | **545.00** | **0.00** | **545.00** |
| **FTE POSITIONS** | **516.00** | **427.00** | **516.00** | **485.00** | **545.00** | **0.00** | **545.00** |

State of New Mexico

## S-8 Financial Summary by Fund Level

(Dollars in Thousands)

| BU | Fund |
|---|---|
| 28000 | 17510 |

| | 2025-26 Opbud | 2025-26 Actuals | 2026-27 Opbud | 2027-28 PCF Proj | FY 2028 Agency Request Base | FY 2028 Agency Request Expansion | FY 2028 Agency Request Total |
|---|---|---|---|---|---|---|---|
| **REVENUE** | | | | | | | |
| 111 General Fund Transfers | 82,110.0 | 80,216.2 | 85,164.0 | 0.0 | 98,323.0 | 0.0 | 98,323.0 |
| 112 Other Transfers | 0.0 | 3,258.8 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| 130 Other Revenues | 0.0 | 0.2 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| REVENUE, TRANSFERS | **82,110.0** | **83,475.2** | **85,164.0** | **0** | **98,323.0** | **0.0** | **98,323.0** |
| **REVENUE** | **82,110.0** | **83,475.2** | **85,164.0** | **0** | **98,323.0** | **0.0** | **98,323.0** |
| **EXPENSE** | | | | | | | |
| 200 Personal services and employee benefits | 55,378.7 | 55,839.1 | 57,911.3 | 58,550.1 | 66,388.3 | 0.0 | 66,388.3 |
| 300 Contractual services | 19,417.1 | 19,721.5 | 19,530.8 | 0.0 | 23,650.8 | 0.0 | 23,650.8 |
| 400 Other | 7,314.2 | 7,187.6 | 7,721.9 | 0.0 | 8,283.9 | 0.0 | 8,283.9 |
| EXPENDITURES | **82,110.0** | **82,748.3** | **85,164.0** | **58,550.1** | **98,323.0** | **0.0** | **98,323.0** |
| **EXPENSE** | **82,110.0** | **82,748.3** | **85,164.0** | **58,550.1** | **98,323.0** | **0.0** | **98,323.0** |
| **FTE POSITIONS** | | | | | | | |
| 810 Permanent | 497.00 | 427.00 | 497.00 | 465.00 | 526.00 | 0.00 | 526.00 |
| 820 Term | 5.00 | 0.00 | 5.00 | 0.00 | 5.00 | 0.00 | 5.00 |
| 830 Temporary | 14.00 | 0.00 | 14.00 | 0.00 | 14.00 | 0.00 | 14.00 |
| FTEs | **516.00** | **427.00** | **516.00** | **465.00** | **545.00** | **0.00** | **545.00** |
| **FTE POSITIONS** | **516.00** | **427.00** | **516.00** | **465.00** | **545.00** | **0.00** | **545.00** |

Public Defender Department

# State of New Mexico

## S-8 Financial Summary by Fund Level

(Dollars in Thousands)

| BU | Fund |
|---|---|
| 28000 | 75910 |

| | 2025-26 Opbud | 2025-26 Actuals | 2026-27 Opbud | 2027-28 PCF Proj | -------- FY 2028 Agency Request -------- Base | Expansion | Total |
|---|---|---|---|---|---|---|---|
| **REVENUE** | | | | | | | |
| 130 Other Revenues | 100.0 | 94.8 | 400.0 | 0.0 | 500.0 | 0.0 | 500.0 |
| REVENUE, TRANSFERS | **100.0** | **94.8** | **400.0** | **0** | **500.0** | **0.0** | **500.0** |
| **REVENUE** | **100.0** | **94.8** | **400.0** | **0** | **500.0** | **0.0** | **500.0** |
| **EXPENSE** | | | | | | | |
| 400 Other | 100.0 | 0.4 | 400.0 | 0.0 | 500.0 | 0.0 | 500.0 |
| EXPENDITURES | **100.0** | **0.4** | **400.0** | **0** | **500.0** | **0.0** | **500.0** |
| **EXPENSE** | **100.0** | **0.4** | **400.0** | **0** | **500.0** | **0.0** | **500.0** |

| LAW OFFICE OF THE PUBLIC DEFENDER DEPARTMENT (28000)<br>FY28 RECURRING GENERAL FUND: AGENCY APPROPRIATION REQUEST<br>CHANGES BY PROGRAM AND CATEGORY | | | | | |
|---|---|---|---|---|---|
| **Criminal Legal Services (P850)** | **Salaries and Benefits (200's)** | **Contractual Services (300's)** | **Other (400's)** | **Other Financing Uses (500's)** | **TOTAL** |
| **FY27 Operating Budget: General Fund** | **$57,911.3** | **$19,530.8** | **$7,721.9** | **$0.0** | **$85,164.0** |
| **Increases (Decreases)** | | | | | |
| GF Increase #1 to geographical pay increases for retention strategy | $2,577.0 | | | | $2,577.0 |
| GF Increase #2 Requesting 29 new FTE thru out New Mexico for LOPD | $4,400.0 | | | | $4,400.0 |
| GF Increase #3 for Liability and insurance premiums increases | $1,500.0 | | | | $1,500.0 |
| GF Increase #4 Cost for 25 Externs for recruitment for LOPD | | $240.0 | | | $240.0 |
| creas in trial expenses and compensation for contract attorneys | | $3,000.0 | | | $3,000.0 |
| ease #6 Increase expenses for trial experts and expert witnesses | | $880.0 | | | $880.0 |
| GF increase # 7 Rent leases | | | $118.5 | | $118.5 |
| GF Increase #8 Training and travel for training | | | $100.0 | | $100.0 |
| GF increase #9 General travel cost increases | | | $9.2 | | $9.2 |
| GF increase #10 Cyber security software, IT training, IT storage | | | $334.3 | | $334.3 |
| | | | | | $0.0 |
| | | | | | $0.0 |
| | | | | | $0.0 |
| | | | | | $0.0 |
| General fund increase/decrease #15 description | | | | | $0.0 |
| **FY28 Request: General Fund** | **$66,388.3** | **$23,650.8** | **$8,283.9** | **$0.0** | **$98,323.0** |
| $ increase over FY27 | $8,477.0 | $4,120.0 | $562.0 | $0.0 | $13,159.0 |
| % increase over FY27 | 14.6% | 21.1% | 7.3% | #DIV/0! | 15.5% |

Public Defender Department

| BU | PCode | Department |
|---|---|---|
| 28000 | 0000 | 0000000000 |

# State of New Mexico

## S-9 Account Code Revenue/Expenditure Summary

(Dollars in Thousands)

| | | 2025-26 Opbud | 2025-26 Actuals | 2026-27 Opbud | 2027-28 PCF Proj | -------- FY 2028 Agency Request -------- Base | Expansion | Total |
|---|---|---|---|---|---|---|---|---|
| 499105 | General Fd. Appropriation | 82,110.0 | 80,216.2 | 85,164.0 | 0.0 | 98,323.0 | 0.0 | 98,323.0 |
| **111** | **General Fund Transfers** | **82,110.0** | **80,216.2** | **85,164.0** | **0.0** | **98,323.0** | **0.0** | **98,323.0** |
| 499905 | Other Financing Sources | 0.0 | 3,258.8 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| **112** | **Other Transfers** | **0.0** | **3,258.8** | **0.0** | **0.0** | **0.0** | **0.0** | **0.0** |
| 422902 | Other Fees | 100.0 | 94.8 | 400.0 | 0.0 | 500.0 | 0.0 | 500.0 |
| 441101 | Interest On Bank Deposits | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| 496901 | Miscellaneous Revenue | 0.0 | 0.2 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| **130** | **Other Revenues** | **100.0** | **95.0** | **400.0** | **0.0** | **500.0** | **0.0** | **500.0** |
| **TOTAL REVENUE** | | **82,210.0** | **83,570.0** | **85,564.0** | **0** | **98,823.0** | **0.0** | **98,823.0** |
| 520100 | Exempt Perm Positions P/T&F/T | 39,496.9 | 37,868.2 | 41,380.6 | 43,045.0 | 48,357.6 | 0.0 | 48,357.6 |
| 520200 | Term Positions | 315.0 | 261.0 | 315.0 | 2.9 | 315.1 | 0.0 | 315.1 |
| 520300 | Classified Perm Positions F/T | 0.0 | (111.0) | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| 520500 | Temporary Positions F/T & P/T | 210.0 | 264.9 | 99.9 | 2.4 | 99.9 | 0.0 | 99.9 |
| 520600 | Paid Unused Sick Leave | 0.0 | 65.8 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| 520700 | Overtime & Other Premium Pay | 0.0 | 38.1 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| 520800 | Annl & Comp Paid At Separation | 0.0 | 227.6 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| 521100 | Group Insurance Premium | 3,664.9 | 4,869.2 | 4,006.0 | 5,809.0 | 5,006.0 | 0.0 | 5,006.0 |
| 521200 | Retirement Contributions | 6,550.3 | 7,456.4 | 7,200.0 | 8,187.2 | 7,709.0 | 0.0 | 7,709.0 |
| 521300 | F I C A | 2,910.0 | 2,962.0 | 2,910.0 | 2,642.5 | 2,910.0 | 0.0 | 2,910.0 |
| 521400 | Workers' Comp Assessment Fee | 0.0 | 4.6 | 5.0 | 0.0 | 5.0 | 0.0 | 5.0 |
| 521410 | GSD Work Comp Insur Premium | 175.7 | 175.7 | 135.2 | 0.0 | 121.8 | 0.0 | 121.8 |
| 521500 | Unemployment Comp Premium | 34.4 | 34.3 | 52.5 | 0.0 | 50.7 | 0.0 | 50.7 |
| 521600 | Employee Liability Ins Premium | 376.5 | 377.0 | 1,032.1 | 0.0 | 1,038.2 | 0.0 | 1,038.2 |
| 521700 | RHC Act Contributions | 950.0 | 775.0 | 775.0 | 873.1 | 775.0 | 0.0 | 775.0 |
| 521900 | Other Employee Benefits | 695.0 | 570.3 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| **200** | **Personal services and employee benef** | **55,378.7** | **55,839.1** | **57,911.3** | **60,562.0** | **66,388.3** | **0.0** | **66,388.3** |
| 535200 | Professional Services | 0.0 | 163.4 | 196.2 | 0.0 | 240.0 | 0.0 | 240.0 |
| 535300 | Other Services | 4,539.2 | 2,564.5 | 3,400.0 | 0.0 | 3,980.2 | 0.0 | 3,980.2 |
| 535400 | Audit Services | 45.2 | 45.2 | 51.9 | 0.0 | 47.9 | 0.0 | 47.9 |
| 535500 | Attorney Services | 14,432.7 | 16,484.8 | 15,432.7 | 0.0 | 18,932.7 | 0.0 | 18,932.7 |
| 535600 | IT Services | 400.0 | 463.7 | 450.0 | 0.0 | 450.0 | 0.0 | 450.0 |
| **300** | **Contractual services** | **19,417.1** | **19,721.5** | **19,530.8** | **0.0** | **23,650.8** | **0.0** | **23,650.8** |
| 542100 | Employee I/S Mileage & Fares | 50.0 | 60.8 | 50.0 | 0.0 | 90.5 | 0.0 | 90.5 |

(Dollars in Thousands)

| | | 2025-26 Opbud | 2025-26 Actuals | 2026-27 Opbud | 2027-28 PCF Proj | -------- FY 2028 Agency Request -------- Base | Expansion | Total |
|---|---|---|---|---|---|---|---|---|
| 542200 | Employee I/S Meals & Lodging | 140.0 | 199.0 | 140.0 | 0.0 | 210.1 | 0.0 | 210.1 |
| 542300 | Brd & Comm Mbr Meals & Lodging | 3.0 | 0.0 | 3.0 | 0.0 | 3.0 | 0.0 | 3.0 |
| 542500 | Transp - Fuel & Oil | 30.0 | 21.5 | 30.0 | 0.0 | 50.0 | 0.0 | 50.0 |
| 542600 | Transp - Parts & Supplies | 10.0 | 5.5 | 10.0 | 0.0 | 10.0 | 0.0 | 10.0 |
| 542700 | Transp - Transp Insurance | 0.6 | 0.0 | 0.6 | 0.0 | 0.6 | 0.0 | 0.6 |
| 542800 | State Transp Pool Charges | 175.0 | 217.9 | 181.0 | 0.0 | 234.1 | 0.0 | 234.1 |
| 543200 | Maint - Furn, Fixt, Equipment | 50.7 | 18.7 | 50.0 | 0.0 | 35.0 | 0.0 | 35.0 |
| 543300 | Maint - Buildings & Structures | 6.0 | 0.0 | 5.0 | 0.0 | 5.0 | 0.0 | 5.0 |
| 543400 | Maint - Property Insurance | 0.1 | 0.0 | 0.1 | 0.0 | 0.1 | 0.0 | 0.1 |
| 543500 | Maint - Supplies | 0.0 | 0.1 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| 543600 | Maint - Laundry/Dry Cleaning | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| 543710 | Other Service - Non-Contractual | 0.0 | 40.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| 543820 | Maintenance IT | 0.0 | 110.8 | 0.0 | 0.0 | 155.0 | 0.0 | 155.0 |
| 543830 | IT HW/SW Agreements | 475.0 | 1,029.7 | 785.0 | 0.0 | 1,716.0 | 0.0 | 1,716.0 |
| 544000 | Supply Inventory IT | 175.0 | 42.1 | 175.0 | 0.0 | 94.1 | 0.0 | 94.1 |
| 544100 | Supplies-Office Supplies | 120.0 | 60.6 | 80.0 | 0.0 | 103.8 | 0.0 | 103.8 |
| 544200 | Supplies-Medical,Lab,Personal | 0.0 | 0.1 | 5.0 | 0.0 | 5.0 | 0.0 | 5.0 |
| 544400 | Supplies-Field Supplies | 0.0 | 0.2 | 2.0 | 0.0 | 2.0 | 0.0 | 2.0 |
| 544700 | Supplies-Clothng,Unifrms,Linen | 8.0 | 0.0 | 5.0 | 0.0 | 2.0 | 0.0 | 2.0 |
| 544900 | Supplies-Inventory Exempt | 75.0 | 3.3 | 75.0 | 0.0 | 33.5 | 0.0 | 33.5 |
| 545600 | Reporting & Recording | 887.0 | 398.7 | 887.0 | 0.0 | 490.1 | 0.0 | 490.1 |
| 545700 | ISD Services | 0.0 | 2.4 | 0.0 | 0.0 | 2.5 | 0.0 | 2.5 |
| 545710 | DOIT HCM Assessment Fees | 182.0 | 180.6 | 194.0 | 0.0 | 188.3 | 0.0 | 188.3 |
| 545900 | Printing & Photo Services | 60.0 | 51.2 | 60.0 | 0.0 | 75.0 | 0.0 | 75.0 |
| 546100 | Postage & Mail Services | 60.0 | 65.1 | 40.0 | 0.0 | 86.1 | 0.0 | 86.1 |
| 546400 | Rent Of Land & Buildings | 3,100.0 | 3,349.3 | 3,455.0 | 0.0 | 3,555.0 | 0.0 | 3,555.0 |
| 546500 | Rent Of Equipment | 145.0 | 151.1 | 145.0 | 0.0 | 175.1 | 0.0 | 175.1 |
| 546600 | Communications | 750.0 | 502.6 | 710.0 | 0.0 | 571.0 | 0.0 | 571.0 |
| 546610 | DOIT Telecommunications | 104.3 | 111.8 | 121.7 | 0.0 | 111.7 | 0.0 | 111.7 |
| 546700 | Subscriptions/Dues/License Fee | 300.0 | 245.6 | 325.0 | 0.0 | 290.0 | 0.0 | 290.0 |
| 546709 | Subscription & Due Interagency | 0.0 | 1.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| 546800 | Employee Training & Education | 72.5 | 126.2 | 72.5 | 0.0 | 175.1 | 0.0 | 175.1 |
| 546900 | Advertising | 60.0 | 24.0 | 60.0 | 0.0 | 41.0 | 0.0 | 41.0 |

# S-9 Account Code Revenue/Expenditure Summary

(Dollars in Thousands)

| BU | PCode | Department |
|---|---|---|
| 28000 | 0000 | 0000000000 |

| | | 2025-26 Opbud | 2025-26 Actuals | 2026-27 Opbud | 2027-28 PCF Proj | -------- FY 2028 Agency Request -------- Base | Expansion | Total |
|---|---|---|---|---|---|---|---|---|
| 547000 | Legal Settlements | 0.0 | 3.9 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| 547105 | Bank Fees/Services | 0.0 | 0.4 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| 547900 | Miscellaneous Expense | 25.0 | 30.6 | 25.0 | 0.0 | 50.1 | 0.0 | 50.1 |
| 547999 | Request to Pay Prior Year | 50.0 | 66.5 | 150.0 | 0.0 | 43.0 | 0.0 | 43.0 |
| 548300 | Information Tech Equipment | 150.0 | 16.3 | 130.0 | 0.0 | 75.0 | 0.0 | 75.0 |
| 549600 | Employee O/S Mileage & Fares | 75.0 | 22.0 | 75.0 | 0.0 | 50.1 | 0.0 | 50.1 |
| 549700 | Employee O/S Meals & Lodging | 75.0 | 28.5 | 75.0 | 0.0 | 55.0 | 0.0 | 55.0 |
| **400** | **Other** | **7,414.2** | **7,188.0** | **8,121.9** | **0.0** | **8,783.9** | **0.0** | **8,783.9** |
| **TOTAL EXPENSE** | | **82,210.0** | **82,748.6** | **85,564.0** | **60,561.98** | **98,823.0** | **0.0** | **98,823.0** |
| 810 | Permanent | 497.00 | 427.00 | 497.00 | 485.00 | 526.00 | 0.00 | 526.00 |
| **810** | **Permanent** | **497.00** | **427.00** | **497.00** | **485.00** | **526.00** | **0.00** | **526.00** |
| 820 | Term | 5.00 | 0.00 | 5.00 | 0.00 | 5.00 | 0.00 | 5.00 |
| **820** | **Term** | **5.00** | **0.00** | **5.00** | **0.00** | **5.00** | **0.00** | **5.00** |
| 830 | Temporary | 14.00 | 0.00 | 14.00 | 0.00 | 14.00 | 0.00 | 14.00 |
| **830** | **Temporary** | **14.00** | **0.00** | **14.00** | **0.00** | **14.00** | **0.00** | **14.00** |
| **TOTAL FTE POSITIONS** | | **516.00** | **427.00** | **516.00** | **485.00** | **545.00** | **0.00** | **545.00** |

# APPROPRIATION REQUEST

# FORM S-10 FUND BALANCE PROJECTION

*(In Whole Dollars)*

| | | | |
|---|---|---|---|
| Agency: | Public Defender Department | Business Unit: | 28000 |
| Fund Name: | Public Defender | Fund Number: | 75910 |
| Legal Auth. | Laws of New Mexico | | |

**BEGINNING BALANCE**

| | | |
|---|---|---|
| Unreserved, undesignated fund balance (not cash balance) from SHARE NMS006GL Balance Sheet Report at close of FY26 | | 965,600 |
| **ADJUSTMENTS** | | |
| **Add:** | | |
| Interfund receivables, accounts receivables, and other assets not reflected in fund balance from FCD Reports at close of FY26 | 94,800 | |
| Other (explain in detail) | 0 | |
| **Deduct:** | | |
| Liabilities not reflected in FCD Reports at close of FY26 | 0 | |
| Fund balance designated by law for future expenditure (non-reverting funds) | 0 | |
| Amount due to State General Fund or other fund designated by statute | 0 | |
| Other (explain in detail) | 0 | |
| FY26 revision not reflected in liabilities | 0 | |
| **Total Adjustments** | | 94,800 |
| **ADJUSTED UNRESERVED, UNDESIGNATED FUND BALANCE at close of FY26** | | 1,060,400 |
| **Add:** | | |
| Projected revenue/sources (less fund balance budgeted) for FY27 | 100,000 | |
| **Deduct:** | | |
| Projected total expenditures for FY27 | (200,000) | |
| **ADJUSTED UNRESERVED/UNDESIGNATED FUND BALANCE at close of FY27** | | 960,400 |
| **Add:** | | |
| Projected revenue/sources (less fund balance requested) for FY28 | 110,000 | |
| **Deduct:** | | |
| Total expenditures budgeted in appropriation request | (500,000) | |
| **ADJUSTED UNRESERVED/UNDESIGNATED FUND BALANCE at close of FY28** | | 570,400 |

# State of New Mexico

## Rate Report - Selected Line Items for Rates

(Dollars in Thousands)

| Org Unit | | Line | | 2025-26 Actuals | 2026-27 OpBud | FY 2028 Request Base | FY 2028 Request Expansion | FY 2028 Recommendation Base | FY 2028 Recommendation Expansion | FY 2028 Opbud |
|---|---|---|---|---|---|---|---|---|---|---|
| **28000 P850** | **Criminal Legal Services** | 521400 | Workers' Comp Assessment Fee | 4.61 | 5 | 5 | 0 | 0 | 0.0 | 0.0 |
| | | 521410 | GSD Work Comp Insur Premium | 175.69 | 135.2 | 121.8 | 0 | 0 | 0.0 | 0.0 |
| | | 521500 | Unemployment Comp Premium | 34.35 | 52.5 | 50.7 | 0 | 0 | 0.0 | 0.0 |
| | | 521600 | Employee Liability Ins Premium | 377.02 | 1,032.1 | 1,038.2 | 0 | 0 | 0.0 | 0.0 |
| | | 535400 | Audit Services | 45.2 | 51.9 | 47.9 | 0 | 0 | 0.0 | 0.0 |
| | | 542700 | Transp - Transp Insurance | 0 | 0.6 | 0.6 | 0 | 0 | 0.0 | 0.0 |
| | | 542800 | State Transp Pool Charges | 217.87 | 181 | 234.1 | 0 | 0 | 0.0 | 0.0 |
| | | 543400 | Maint - Property Insurance | 0 | 0.1 | 0.1 | 0 | 0 | 0.0 | 0.0 |
| | | 545700 | ISD Services | 2.38 | 0 | 2.5 | 0 | 0 | 0.0 | 0.0 |
| | | 545710 | DOIT HCM Assessment Fees | 180.6 | 194 | 188.3 | 0 | 0 | 0.0 | 0.0 |
| | | 546610 | DOIT Telecommunications | 111.79 | 121.7 | 111.7 | 0 | 0 | 0.0 | 0.0 |
| **28000** | **P850** | **Criminal Legal Services** | | **1,149.51** | **1,774.1** | **1,800.9** | **0** | **0** | **0.0** | **0.0** |
| | | | | **1,149.51** | **1,774.1** | **1,800.9** | **0** | **0** | **0** | **0.0** |

**Program Description:**

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 legal services to indigent adults and juveniles charged with criminal or delinquent acts in New Mexico. Our mission is 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 in New Mexico. LOPD has thirteen offices spread throughout eight of the thirteen Judicial Districts (First, Second, Third, Fifth, Eighth, Ninth, Eleventh, and Twelfth). Those offices handle approximately 70% of all assigned cases. Contract defenders provide representation in 30% of assigned cases annually, in the 20 counties where LOPD does not have an office and in cases statewide where LOPD has a conflict of interest.

**Major Issues and Accomplishments:**

Public Defense Funding and Staffing Levels

Though the roles of the prosecution and defense are inherently different, there are significant disparities in funding and resource levels between the two entities. For FY26, LOPD's budget (less lease costs) was about 40% of all district attorney's office (including AODA) budgets despite having the same cases and clients. As of July 2025, the DAs have at least 1,078 FTE in total, compared with 497 FTE at LOPD and our approximately 100 contract attorneys – more than double the amount of prosecutorial staff than defense staff, not including contractors.

The DA offices are not only supported by their in-house administration as well as state-level administration, but are also served by state, local and federal law enforcement. For example, state and local law enforcement conduct the initial investigations for the cases handled by the local DA; for LOPD, this process must occur using internal staff time and resources. In addition, each DA's office has an in-house CFO, HR staff, and IT support, combined with similar statewide resources and support provided by AODA.

The funding gap is further exacerbated as LOPD is burdened with the additional expense of paying leases for its facilities, while DA offices are provided and paid for by the counties. This additional expense depletes the LOPD budget.

Shortage of Contract Defenders

LOPD's funding levels force minimal compensation rates for LOPD contract defenders. As a result, LOPD has struggled to find and retain an adequate number of contractors to provide a constitutionally appropriate level of defense, worsening the legal deserts existing in the state. The current base rate compensation for contract defenders is $900 for first degree felonies (except capital crimes which are compensated at $6,500), $850 for second degree felonies, $775 for third degree felonies, $650 for fourth degree felonies, $360 for juvenile cases, $220 for misdemeanor cases, and $360 for misdemeanor DWI and DV cases. Case compensation rates remain low despite LOPD increasing rates 20% in FY24.

Current compensation for public defender contract attorneys lags significantly behind that of attorneys contracted by the State of New Mexico for civil matters and those engaged by district attorney offices at $150 per hour. 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 RMD's contracts. 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. By contrast, federal contract public defenders are compensated an hourly rate of $177 in noncapital cases. In prior years, LOPD has seen a decrease in response to RFPs for contract attorneys. Although some of the contractors retired, others did not resubmit proposals, preferring instead to concentrate on their more lucrative private practices. It is becoming increasingly difficult to replace contractors in rural areas when LOPD loses them.

**Overview of Request:**

The request includes a base general fund increase of $13.2 million, a 15.5% increase.
The request includes:
-$4.4 million more to sustain critical legal and direct client services through 29 additional positions and competitive compensation incentives
o 14 attorney positions, 12 to serve rural communities
o 15 staff positions, including 6 social workers, 4 investigators, and 5 paralegals.
-$2.6 million for 3% salary increases for attorneys including compensation incentives focused on recruitment and retention through enhanced geographic differentials for rural communities ($130.5 thousand), relocation bonuses to attract candidates to underserved communities ($247.5 thousand), and salary adjustments to achieve greater pay parity with public and private competitors ($2.2 million).
-$1.5 million more for rising insurance costs (including Civil Rights costs)
-$240 thousand for the Public Defense Recruitment Pipeline Program
-$3 million more for contract attorney cost increases
-$880 thousand for rising expert witness costs, including increased costs stemming from recent competency law changes.
-$562 thousand for rising operation expenses, including per diem rates increases set by DFA, training costs, and lease costs.

**Programmatic Changes:**

Climbing Felony Caseloads

Felony caseloads remain a primary concern for the agency as projections continue to show increasing felony case assignments in FY26, a trend the rest of the criminal legal system is also reflecting. The rising number of felony cases paired with a limited pool of available attorneys is a serious concern. Felony cases are highly complex and demand significantly more time, attention, and resources than other case types.

Between FY21 and FY25, LOPD saw double digit increases in assigned felony caseloads to in-house attorneys: 19% between FY21-FY22, 13% between FY22-FY23, 18% between FY23-FY24, and 11% between FY24-FY25. In FY26, assigned felony cases grew only slightly compared with FY25. LOPD is watching future year numbers closely.

Contract Attorneys

In line with the increasing felony caseloads assigned to in-house attorneys, the rise in murder cases is placing a particularly heavy burden on contract attorneys. Pre-COVID, the number of murder cases assigned to contract attorneys averaged 80 cases per year. However, between FY22 and FY25, murder cases assigned to contractors averaged 189 per year. Not only are murder cases more complex to represent, but many murders now have multiple co-defendants, which adds to the difficulty of working these cases.

LOPD faces challenges when trying to contract with attorneys in both rural and urban areas. To help better recruit and retain contract attorneys, LOPD has explored alternatives to base rate pay over the last decade or so, including hourly rate pilot programs and complex litigation compensation, which offers additional pay for documented work on difficult cases. LOPD received a GRO appropriation for $6.6 million over the next three years to pilot hourly rates for contract attorneys and is requesting more funding to strengthen the pilot program.

Rural Office Challenges

Rural public defense offices continue to present significant challenges, with vacancy rates and complex caseloads reaching unsustainable levels. As of June 30, 2026 the Gallup office had 71% of attorney positions vacant, severely limiting the capacity to provide effective representation while both the Clovis and Carlsbad office each have a 33% attorney vacancy rate. The Roswell office had a 44% vacancy rate.

Geographic isolation of rural communities often makes recruitment difficult, as potential candidates may be deterred by limited housing or lack of professional support networks.
At the same time, rural public defenders are managing increasingly complex and demanding caseloads. In several offices, attorneys are seeing more felony charges and higher rates of cases going to jury trial than in previous years, increasing both the workload and the stakes for clients and communities. Without adequate staffing, these conditions strain remaining attorneys, risk constitutional violations, and erode the overall quality and timeliness of representation. Addressing these staffing shortages is critical to ensuring that rural residents have equitable access to justice. LOPD is weighing all available options when considering how to best support rural attorneys.

Social Work Unit

LOPD continues its long-term goal by providing holistic representation to reduce the number of persons cycling through the criminal legal system. Social Workers have long been a critical part of that mission by assessing client needs and matching them with the available community services. A social worker considers the client as a whole person, assessing their needs and their strengths and communicating their assessment findings to the client in order to build a partnership with the client and an alliance with the client's social support system.

The Social Work unit is a statewide unit of social workers and case managers housed in all district offices. Most LOPD clients struggle with challenges beyond the legal concerns for which they are represented. Often these challenges precede criminal legal system involvement. Social workers connect with defendants and provide assessment and treatment or service plan recommendations. Social workers and case managers help clients access housing, benefits, mental health and substance abuse treatment, and provide support as they negotiate these complex care systems. Social workers and case managers connect clients to resources and liaise with pre-trial, probation, and correctional discharge planners to assist LOPD clients in receiving the proper care. Additionally, social workers and case managers are in a unique position to gather mitigating information and prepare reports and presentations for plea negotiations and sentencing hearings.

In 2010, the Supreme Court stated in Padilla v. Kentucky that public defenders need to consider collateral consequences of criminal legal involvement when providing representation. While deportation is the commonly considered collateral consequence, convictions and pleas also affect one's eligibilit

**Base Budget Justification:** The Law Offices of the Public Defender (LOPD) is the largest law firm in New Mexico, with approximately 497 FTE, including 241 LOPD public defender attorneys and approximately 90 contract defender attorneys. Since FY23, felony, juvenile, and misdemeanor caseloads have each increased. Between FY23 and FY26, total case openings increased by an average 8% annually.

LOPD respectfully requests a $13.2 million, or 15.5%, increase over the FY27 budget to address growing workload demands, strengthen recruitment and retention, and ensure that New Mexico's most vulnerable residents have meaningful access to constitutionally effective representation. This request will allow LOPD to invest in the attorneys and staff necessary to meet increasing workload demands, with a particular focus on rural communities, hard to fill positions, and the growing complexity of cases.

LOPD was created to fulfill the constitutional mandate established by Gideon v. Wainwright, guaranteeing indigent defendants the right to counsel. Both the U.S. and New Mexico Constitutions obligate the State to provide adequate funding for public defense so that any individual, regardless of their ability to pay, has meaningful access to justice.

LOPD workloads remain at unsustainable levels, creating significant challenges to providing constitutionally required, high-quality representation. The New Mexico Project workload study, conducted by the ABA Standing Committee on Legal Aid and Indigent Defense and Moss Adams, confirmed that LOPD needs 602 attorneys to meet current caseloads. In response, LOPD developed a Five-Year Plan to Reduce Representation Deficiency, which addresses both supply-side solutions, including increasing and strategically reallocating resources, and demand-side reforms, including decriminalization and sentencing changes.

Building on this work, LOPD collaborated with Moss Adams and national experts to design a multi-year plan to transition contract counsel from base rates to an hourly model. The study was completed and released in October 2024. 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.

LOPD's workload challenges are compounded by the increasing complexity and cost of individual cases. Murder cases require substantially more time, attention, investigation, and resources than many other case types. The increasing volume of murder cases, often involving multiple co-defendants, further increases trial expenses and the need for expert witnesses and contract investigators. The volume of complex trials and competency cases is also increasing as the state continues to develop and implement its approach to addressing mental health issues within the criminal legal system.

At the same time, LOPD's ability to rely on contract counsel is increasingly limited. The number of private attorneys willing to accept public defense contracts is declining, in part because LOPD's contract rates are not competitive with other legal work. Public defender contract attorneys are paid significantly lower base rates than comparable attorneys working under contracts with District Attorney offices or providing civil legal representation for the State. In some instances, attorneys contracted by District Attorney offices receive $150 per hour, creating a substantial disparity in compensation for comparable professional services.

Low contract rates make recruitment increasingly difficult, contribute to attrition among existing contractors, and reduce the pool of attorneys available to absorb LOPD's growing workload. The hourly compensation pilot is an important step toward addressing this disparity, but additional resources will be necessary to develop and implement a sustainable statewide model.

LOPD has demonstrated that when the Legislature provides the resources to expand its workforce, LOPD can effectively translate those investments into filled positions and increased capacity. LOPD has expanded its recruitment efforts, developed rural recruitment strategies, strengthened its externship program, and explored innovative approaches, including remote representation, to reach attorneys inside and outside New Mexico.

The challenges facing LOPD, however, are increasing at the same time the need for effective representation continues to grow. Attorney recruitment has become more competitive, the pipeline of new law graduates entering public defense has declined, and the pool of contract attorneys available to absorb additional workload is shrinking. Additional investment is necessary to address these pressures before they further affect clients, courts, and communities throughout New Mexico.

Funding additional positions, providing competitive compensation, and core operational costs are not simply investm

# REV EXP COMPARISON

(Dollars in Thousands)

**28000 - Public Defender Department**

**P850 - Criminal Legal Services**

| | General Fund | Other Funds | Other Transfers | Federal Funds | Total |
|---|---|---|---|---|---|
| **SOURCES Totals** | **98,323.0** | **500.0** | **0.0** | **0.0** | **98,823.0** |
| Personal services and employee benefits | 66,388.3 | 0.0 | 0.0 | 0.0 | 66,388.3 |
| Contractual services | 23,650.8 | 0.0 | 0.0 | 0.0 | 23,650.8 |
| Other | 8,283.9 | 500.0 | 0.0 | 0.0 | 8,783.9 |
| **USES Total:** | **98,323.0** | **500.0** | **0.0** | **0.0** | **98,823.0** |
| **Net:** | **0.0** | **0.0** | **0.0** | **0.0** | **0.0** |

(Dollars in Thousands)

| Fund | Account | | 2025-26 Actuals | 2026-27 Opbud | 2027-28 PCF Proj | FY 2028 Agency Request GF | OSF | ISF/IAT | FF | Total | Justification |
|---|---|---|---|---|---|---|---|---|---|---|---|
| 00000 | 520100 | Exempt Perm Positions P/T&F/T | 0.0 | 0.0 | 1,474.97 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | |
| 00000 | 521100 | Group Insurance Premium | 0.0 | 0.0 | 128.91 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | |
| 00000 | 521200 | Retirement Contributions | 0.0 | 0.0 | 280.96 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | |
| 00000 | 521300 | F I C A | 0.0 | 0.0 | 90.54 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | |
| 00000 | 521700 | RHC Act Contributions | 0.0 | 0.0 | 36.51 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | |
| 17510 | 520100 | Exempt Perm Positions P/T&F/T | 37,868.2 | 41,380.6 | 41,570.07 | 48,357.6 | 0.0 | 0.0 | 0.0 | 48,357.6 | 14 new base attorneys , 6 base social workers, 4 base investigators, 5 base paralegals. |
| 17510 | 520200 | Term Positions | 261.0 | 315.0 | 2.86 | 315.1 | 0.0 | 0.0 | 0.0 | 315.1 | |
| 17510 | 520300 | Classified Perm Positions F/T | (111.0) | 0.0 | 0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | |
| 17510 | 520500 | Temporary Positions F/T & P/T | 264.9 | 99.9 | 2.39 | 99.9 | 0.0 | 0.0 | 0.0 | 99.9 | |
| 17510 | 520600 | Paid Unused Sick Leave | 65.8 | 0.0 | 0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | |
| 17510 | 520700 | Overtime & Other Premium Pay | 38.1 | 0.0 | 0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | |
| 17510 | 520800 | Annl & Comp Paid At Separation | 227.6 | 0.0 | 0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | |
| 17510 | 521100 | Group Insurance Premium | 4,869.2 | 4,006.0 | 5,680.06 | 5,006.0 | 0.0 | 0.0 | 0.0 | 5,006.0 | |
| 17510 | 521200 | Retirement Contributions | 7,456.4 | 7,200.0 | 7,906.23 | 7,709.0 | 0.0 | 0.0 | 0.0 | 7,709.0 | |
| 17510 | 521300 | F I C A | 2,962.0 | 2,910.0 | 2,551.94 | 2,910.0 | 0.0 | 0.0 | 0.0 | 2,910.0 | |
| 17510 | 521400 | Workers' Comp Assessment Fee | 4.6 | 5.0 | 0 | 5.0 | 0.0 | 0.0 | 0.0 | 5.0 | |
| 17510 | 521410 | GSD Work Comp Insur Premium | 175.7 | 135.2 | 0 | 121.8 | 0.0 | 0.0 | 0.0 | 121.8 | |
| 17510 | 521500 | Unemployment Comp Premium | 34.3 | 52.5 | 0 | 50.7 | 0.0 | 0.0 | 0.0 | 50.7 | |
| 17510 | 521600 | Employee Liability Ins Premium | 377.0 | 1,032.1 | 0 | 1,038.2 | 0.0 | 0.0 | 0.0 | 1,038.2 | |
| 17510 | 521700 | RHC Act Contributions | 775.0 | 775.0 | 836.56 | 775.0 | 0.0 | 0.0 | 0.0 | 775.0 | |
| 17510 | 521900 | Other Employee Benefits | 570.3 | 0.0 | 0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | |
| | **200** | **Personal services and employee benef** | **55,839.1** | **57,911.3** | **60,561.98** | **66,388.3** | **0.0** | **0.0** | **0.0** | **66,388.3** | |
| 17510 | 542100 | Employee I/S Mileage & Fares | 60.8 | 50.0 | 0 | 90.5 | 0.0 | 0.0 | 0.0 | 90.5 | |
| 17510 | 542200 | Employee I/S Meals & Lodging | 199.0 | 140.0 | 0 | 210.1 | 0.0 | 0.0 | 0.0 | 210.1 | |
| 17510 | 542300 | Brd & Comm Mbr Meals & Lodging | 0.0 | 3.0 | 0 | 3.0 | 0.0 | 0.0 | 0.0 | 3.0 | |
| 17510 | 542500 | Transp - Fuel & Oil | 21.5 | 30.0 | 0 | 50.0 | 0.0 | 0.0 | 0.0 | 50.0 | |
| 17510 | 542600 | Transp - Parts & Supplies | 5.5 | 10.0 | 0 | 10.0 | 0.0 | 0.0 | 0.0 | 10.0 | |
| 17510 | 542700 | Transp - Transp Insurance | 0.0 | 0.6 | 0 | 0.6 | 0.0 | 0.0 | 0.0 | 0.6 | |
| 17510 | 542800 | State Transp Pool Charges | 217.9 | 181.0 | 0 | 234.1 | 0.0 | 0.0 | 0.0 | 234.1 | |
| 17510 | 543200 | Maint - Furn, Fixt, Equipment | 18.7 | 50.0 | 0 | 35.0 | 0.0 | 0.0 | 0.0 | 35.0 | |
| 17510 | 543300 | Maint - Buildings & Structures | 0.0 | 5.0 | 0 | 5.0 | 0.0 | 0.0 | 0.0 | 5.0 | |
| 17510 | 543400 | Maint - Property Insurance | 0.0 | 0.1 | 0 | 0.1 | 0.0 | 0.0 | 0.0 | 0.1 | |

(Dollars in Thousands)

| Fund | Account | | 2025-26 Actuals | 2026-27 Opbud | 2027-28 PCF Proj | FY 2028 Agency Request GF | OSF | ISF/IAT | FF | Total | Justification |
|---|---|---|---|---|---|---|---|---|---|---|---|
| 17510 | 543500 | Maint - Supplies | 0.1 | 0.0 | 0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | |
| 17510 | 543600 | Maint - Laundry/Dry Cleaning | 0.0 | 0.0 | 0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | |
| 17510 | 543710 | Other Service - Non-Contractual | 40.0 | 0.0 | 0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | |
| 17510 | 543820 | Maintenance IT | 110.8 | 0.0 | 0 | 155.0 | 0.0 | 0.0 | 0.0 | 155.0 | |
| 17510 | 543830 | IT HW/SW Agreements | 1,029.7 | 385.0 | 0 | 1,216.0 | 0.0 | 0.0 | 0.0 | 1,216.0 | |
| 17510 | 544000 | Supply Inventory IT | 42.1 | 175.0 | 0 | 94.1 | 0.0 | 0.0 | 0.0 | 94.1 | |
| 17510 | 544100 | Supplies-Office Supplies | 60.6 | 80.0 | 0 | 103.8 | 0.0 | 0.0 | 0.0 | 103.8 | |
| 17510 | 544200 | Supplies-Medical,Lab,Personal | 0.1 | 5.0 | 0 | 5.0 | 0.0 | 0.0 | 0.0 | 5.0 | |
| 17510 | 544400 | Supplies-Field Supplies | 0.2 | 2.0 | 0 | 2.0 | 0.0 | 0.0 | 0.0 | 2.0 | |
| 17510 | 544700 | Supplies-Clothng,Unifrms,Linen | 0.0 | 5.0 | 0 | 2.0 | 0.0 | 0.0 | 0.0 | 2.0 | |
| 17510 | 544900 | Supplies-Inventory Exempt | 3.3 | 75.0 | 0 | 33.5 | 0.0 | 0.0 | 0.0 | 33.5 | |
| 17510 | 545600 | Reporting & Recording | 398.7 | 887.0 | 0 | 490.1 | 0.0 | 0.0 | 0.0 | 490.1 | |
| 17510 | 545700 | ISD Services | 2.4 | 0.0 | 0 | 2.5 | 0.0 | 0.0 | 0.0 | 2.5 | |
| 17510 | 545710 | DOIT HCM Assessment Fees | 180.6 | 194.0 | 0 | 188.3 | 0.0 | 0.0 | 0.0 | 188.3 | |
| 17510 | 545900 | Printing & Photo Services | 51.2 | 60.0 | 0 | 75.0 | 0.0 | 0.0 | 0.0 | 75.0 | |
| 17510 | 546100 | Postage & Mail Services | 65.1 | 40.0 | 0 | 86.1 | 0.0 | 0.0 | 0.0 | 86.1 | |
| 17510 | 546400 | Rent Of Land & Buildings | 3,349.3 | 3,455.0 | 0 | 3,555.0 | 0.0 | 0.0 | 0.0 | 3,555.0 | |
| 17510 | 546500 | Rent Of Equipment | 151.1 | 145.0 | 0 | 175.1 | 0.0 | 0.0 | 0.0 | 175.1 | |
| 17510 | 546600 | Communications | 502.6 | 710.0 | 0 | 571.0 | 0.0 | 0.0 | 0.0 | 571.0 | |
| 17510 | 546610 | DOIT Telecommunications | 111.8 | 121.7 | 0 | 111.7 | 0.0 | 0.0 | 0.0 | 111.7 | |
| 17510 | 546700 | Subscriptions/Dues/License Fee | 245.6 | 325.0 | 0 | 290.0 | 0.0 | 0.0 | 0.0 | 290.0 | |
| 17510 | 546709 | Subscription & Due Interagency | 1.0 | 0.0 | 0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | |
| 17510 | 546800 | Employee Training & Education | 126.2 | 72.5 | 0 | 175.1 | 0.0 | 0.0 | 0.0 | 175.1 | |
| 17510 | 546900 | Advertising | 24.0 | 60.0 | 0 | 41.0 | 0.0 | 0.0 | 0.0 | 41.0 | |
| 17510 | 547000 | Legal Settlements | 3.9 | 0.0 | 0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | |
| 17510 | 547900 | Miscellaneous Expense | 30.6 | 25.0 | 0 | 50.1 | 0.0 | 0.0 | 0.0 | 50.1 | |
| 17510 | 547999 | Request to Pay Prior Year | 66.5 | 150.0 | 0 | 43.0 | 0.0 | 0.0 | 0.0 | 43.0 | |
| 17510 | 548300 | Information Tech Equipment | 16.3 | 130.0 | 0 | 75.0 | 0.0 | 0.0 | 0.0 | 75.0 | |
| 17510 | 549600 | Employee O/S Mileage & Fares | 22.0 | 75.0 | 0 | 50.1 | 0.0 | 0.0 | 0.0 | 50.1 | |
| 17510 | 549700 | Employee O/S Meals & Lodging | 28.5 | 75.0 | 0 | 55.0 | 0.0 | 0.0 | 0.0 | 55.0 | |
| 75910 | 543830 | IT HW/SW Agreements | 0.0 | 400.0 | 0 | 0.0 | 500.0 | 0.0 | 0.0 | 500.0 | |
| 75910 | 547105 | Bank Fees/Services | 0.4 | 0.0 | 0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | |
| | **400** | **Other** | **7,188.0** | **8,121.9** | **0** | **8,283.9** | **500.0** | **0.0** | **0.0** | **8,783.9** | |

(Dollars in Thousands)

| Fund | Account | 2025-26 Actuals | 2026-27 Opbud | 2027-28 PCF Proj | FY 2028 Agency Request GF | OSF | ISF/IAT | FF | Total | Justification |
|---|---|---|---|---|---|---|---|---|---|---|
| | **TOTAL EXPENSE** | **63,027.1** | **66,033.2** | | **74,672.2** | **500.0** | **0.0** | **0.0** | **75,172.2** | |

| BU | PCode |
|---|---|
| 28000 | P850 |

# State of New Mexico

## Contract by PCode Detail

(Dollars in Thousands)

| Fund | Account | | # | Contract Purpose | Actuals | FY 2028 Agency Request GF | OSF | ISF/IAT | FF | Total | Justification |
|---|---|---|---|---|---|---|---|---|---|---|---|
| 17510 | 535200 | Professional Services | 1000 | | 163.4 | 240.0 | 0.0 | 0.0 | 0.0 | 240.0 | 25 externships |
| 17510 | 535300 | Other Services | 1000 | | 2,564.5 | 3,980.2 | 0.0 | 0.0 | 0.0 | 3,980.2 | Expert Witnesses thru out NM. Competency and dangerousness hearings. |
| 17510 | 535400 | Audit Services | 1000 | | 45.2 | 47.9 | 0.0 | 0.0 | 0.0 | 47.9 | FY27 Audit |
| 17510 | 535500 | Attorney Services | 1000 | | 16,484.8 | 18,932.7 | 0.0 | 0.0 | 0.0 | 18,932.7 | Contract attorneys thru out NM |
| 17510 | 535600 | IT Services | 1000 | Justise Works | 463.7 | 450.0 | 0.0 | 0.0 | 0.0 | 450.0 | Justice Works |
| | **TOTAL EXPENSE** | | | | **19,721.5** | **23,650.8** | **0.0** | **0.0** | **0.0** | **23,650.8** | |

| Business Unit | Rank | Form ID | Language Requested for GAA | Request Type Name | GF Request | Total Request | FTE Request | Agency Contact | Phone |
|---|---|---|---|---|---|---|---|---|---|
| 28000 | 0 | 84852 | To pilot hourly rates for contract attorneys. | GRO recommendations | 0.0 | 0.0 | 0.00 | Theresa Edwards | 505-490-5106 |
| 28000 | 1 | 84085 | For specialized legal, discovery, and evidence processing tools. | Special (FY 28) | 0.0 | 0.0 | 0.00 | Theresa Edwards | 505-490-5106 |
| 28000 | 1 | 84851 | For dedicated probation violation units. | GRO recommendations | 0.0 | 0.0 | 0.00 | Theresa Edwards | 505-490-5106 |
| 28000 | 2 | 84343 | For specialty court staffing and training costs. | Special (FY 28) | 0.0 | 0.0 | 0.00 | Theresa Edwards | 505-490-5106 |
| 28000 | 3 | 84344 | For statewide warrant resolution workshops. | Special (FY 28) | 0.0 | 0.0 | 0.00 | Theresa Edwards | 505-490-5106 |
| 28000 | 4 | 84345 | For role-specific staff training. | Special (FY 28) | 0.0 | 0.0 | 0.00 | Theresa Edwards | 505-490-5106 |

State of New Mexico

## SPECIALS, SUPPLEMENTALS AND DEFICIENCIES DFA

*(Prepare separate forms for each request)*

**BU:** 28000

**Agency:** Public Defender Department

**Program:**

**Analyst:** Theresa Edwards

**Phone:** 505-490-5106

**Request Type:** Special (FY 28)

**Rank:** 1

## TOTAL SOURCES MUST EQUAL TOTAL USES

(Dollars in Thousands)

| Sources | | Uses | |
|---|---|---|---|
| **Revenue Account** | **Amount** | **Uses Account** | **Amount** |
| General Fund Transfers | 675.0 | Other | 675.0 |
| **Total Sources** | **675.0** | **Total Uses** | **675.0** |

| Full Time Equivalents (FTE) | |
|---|---|
| **Type** | **Amount of FTE** |
| | 0.00 |
| **Total FTE** | **0.00** |

| | |
|---|---|
| **Request is related to a recurring expense** | **Yes** |
| **Request is related to a capital request** | **No** |
| **Request is related to proposed legislation** | **No** |

**Language requested for inclusion in General Appropriations Act (Please Follow Legislative Bill Drafting Conventions - See Instructions)**

For specialized legal, discovery, and evidence processing tools.

**Justification Quantitative Data (Description)**

Supporting access to new technologies enhances defense’s ability to manage rapidly expanding digital evidence using modern discovery tools and increasing efficiency by enabling faster review of camera footage, security video, and mobile device extractions. It would expand access to legal research and transcription services, improving attorney efficiency and accuracy and ensuring constitutionally effective representation by equipping defenders with the technology necessary to meet current evidentiary demands statewide.

**Request: Provide a brief description of what the request does, how the dollars will be spent and explain why it is a nonrecurring need.**

To purchase specialized software to assist attorneys with discovery review, including lapel video software, and enhanced legal research access to facilitate document review, analysis, and litigation preparation.

**Request: How the dollars will be spent.**

Funds will be used to procure software that expedites discovery and evidence processing and review as well as giving attorneys more access to legal research needed to draft motions and other legal proceedings more efficiently.

**Request: Explain why request is nonrecurring need.**

The request is related to a recurring needed. LOPD is requesting the funds to allow purchase of licenses as soon as possible, giving the agency some much needed flexibility to get the needed tools in place as soon as possible.

**Consequences: Provide a brief description of consequences of not funding a performance and accountability task.**

Not funding this request limits the agency’s ability to manage rising evidentiary demands. It would impact the agency's days to disposition measure as well as referrals to treatment and reduction in sentence measures. Providing enhanced tools that improve attorney efficiency and workload management may help reduce attrition, which in turn reduces the number of case assignments.

**Performance: How will agency performance be affected.**

Agency performance will improve through faster, more accurate handling of the rapidly growing volume of digital evidence. Modern discovery and review tools reduce the time attorneys spend processing body worn camera footage, security video, and mobile device extractions, allowing cases to move more efficiently. Expanded access to legal research and transcription services will increase attorney accuracy and strengthen case preparation. This investment will enhance LOPD’s ability to meet evidentiary demands, improve workload management, and support constitutionally effective representation.

**Performance: How will agency performance will be improved.**

Agency performance will improve through faster, more accurate processing of the growing volume of digital evidence, allowing attorneys to move cases forward more efficiently. Expanded access to modern discovery tools, legal research, and transcription services will strengthen case preparation, reduce delays, and enhance the quality of representation statewide.

**Brief description of problem agency is addressing.**

LOPD is addressing the growing challenge of managing rapidly expanding volumes of digital evidence statewide. Public defenders increasingly receive large quantities of body-worn camera footage, security video, and mobile device extractions that require modern discovery tools to review efficiently and accurately. The agency also faces limited access to legal research and transcription resources, which slows case preparation and affects the quality of representation. These gaps hinder defenders' ability to meet current evidentiary demands and provide constitutionally effective legal services.

State of New Mexico

## SPECIALS, SUPPLEMENTALS AND DEFICIENCIES DFA

*(Prepare separate forms for each request)*

**BU:** 28000

**Agency:** Public Defender Department

**Program:**

**Analyst:** Theresa Edwards

**Phone:** 505-490-5106

**Request Type:** Special (FY 28)

**Rank:** 2

### TOTAL SOURCES MUST EQUAL TOTAL USES

(Dollars in Thousands)

| Sources | | Uses | |
|---|---|---|---|
| **Revenue Account** | **Amount** | **Uses Account** | **Amount** |
| General Fund Transfers | 336.0 | Other | 336.0 |
| **Total Sources** | **336.0** | **Total Uses** | **336.0** |

| Full Time Equivalents (FTE) | |
|---|---|
| **Type** | **Amount of FTE** |
| | 0.00 |
| **Total FTE** | **0.00** |

| | |
|---|---|
| **Request is related to a recurring expense** | **Yes** |
| **Request is related to a capital request** | **No** |
| **Request is related to proposed legislation** | **No** |

**Language requested for inclusion in General Appropriations Act (Please Follow Legislative Bill Drafting Conventions - See Instructions)**

For specialty court staffing and training costs.

**Justification Quantitative Data (Description)**

Public defenders are critical members of the multidisciplinary specialty court teams and expected to participate in the statewide and national specialty court training and conferences. LOPD does not receive dedicated funding to support participation costs despite the critical role public defenders play in the success of the programs.

**Request: Provide a brief description of what the request does, how the dollars will be spent and explain why it is a nonrecurring need.**

For specialty court costs, including in-house and contract attorney staffing costs as well as travel and registration for specialty court conferences.

**Request: How the dollars will be spent.**

Funds will cover specialty court participation costs, including in-house and contract attorney staffing, travel, and registration for required statewide and national specialty court trainings and conferences. These resources ensure public defenders can fully participate as multidisciplinary team members and meet program expectations without diverting core operating funds.

**Request: Explain why request is nonrecurring need.**

This request is related to a recurring need. Specialty courts operate year-over-year. Trainings and conferences recur as specialty courts continue to function.

**Consequences: Provide a brief description of consequences of not funding a performance and accountability task.**

Not funding this request would continue to divert agency funding away from core needs and continues a disparity in funding between LOPD and the courts. This may impact the agency's referrals to treatment and reduction in sentence measures.

**Performance: How will agency performance be affected.**

Agency performance will improve through consistent defender participation in specialty court staffing, training, and collaborative partnerships designed to support client success. Securing reliable funding will prevent gaps in representation, reduce strain on general operations, and strengthen the effectiveness and continuity of specialty court teams. These investments improve defender performance and capacity, supporting better client outcomes, including reductions in recidivism.

**Performance: How will agency performance will be improved.**

Performance will be improved by ensuring defenders can attend required specialty court trainings and conferences, remain current on best practices, and fully participate in multidisciplinary team activities. This support enhances the quality of advocacy and contributes to improved outcomes, including reductions in recidivism.

**Brief description of problem agency is addressing.**

LOPD is addressing the lack of dedicated funding to support public defender participation in specialty court programs, despite defenders being essential members of these multidisciplinary teams. Without a funding source, the agency must absorb staffing, travel, and training costs that specialty courts receive funds to cover, creating inequities and limiting defender engagement.

State of New Mexico

## SPECIALS, SUPPLEMENTALS AND DEFICIENCIES DFA

*(Prepare separate forms for each request)*

**BU:** 28000

**Agency:** Public Defender Department

**Program:**

**Analyst:** Theresa Edwards

**Phone:** 505-490-5106

**Request Type:** Special (FY 28)

**Rank:** 3

### TOTAL SOURCES MUST EQUAL TOTAL USES

(Dollars in Thousands)

| Sources | | Uses | |
|---|---|---|---|
| **Revenue Account** | **Amount** | **Uses Account** | **Amount** |
| General Fund Transfers | 30.0 | Other | 30.0 |
| **Total Sources** | **30.0** | **Total Uses** | **30.0** |

| Full Time Equivalents (FTE) | |
|---|---|
| **Type** | **Amount of FTE** |
| | 0.00 |
| **Total FTE** | **0.00** |

| | |
|---|---|
| **Request is related to a recurring expense** | **Yes** |
| **Request is related to a capital request** | **No** |
| **Request is related to proposed legislation** | **No** |

**Language requested for inclusion in General Appropriations Act (Please Follow Legislative Bill Drafting Conventions - See Instructions)**

For statewide warrant resolution workshops.

**Justification Quantitative Data (Description)**

This project builds on data that suggests warrant roundups performed by police officers create higher risk for violence; in September 2023 the LFC wrote “warrant enforcement increases the risk of violence for law enforcement officers and the public. In 2020, about 60 percent of federal law enforcement homicides–when a federal law enforcement officer killed a person justifiably or not–occurred during the enforcement of a warrant. Similarly, about 6 percent of law enforcement officer deaths–when an officer was killed–occurred when serving a felony warrant.” The project also enhances client support by connecting individuals to critical services such as the LOPD Social Work Unit and treatment providers, reducing the likelihood of long incarceration, which research consistently shows the adverse effects associated with incarceration.

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. Workshops bring together public defenders, prosecutors and support providers together for a day-long session that allows hundreds of New Mexicans with 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 FY26, 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.

**Request: Provide a brief description of what the request does, how the dollars will be spent and explain why it is a nonrecurring need.**

For statewide warrant resolution workshops. These workshops are currently funded through the NM Sentencing Commission in Albuquerque, however funding for this project will not be available after FY27. Funding will allow LOPD and its partners to offer warrant resolution events in districts across the state, enabling clients to resolve outstanding warrants, eliminate legal barriers that affect employment and housing, and reconnect with their attorneys.

**Request: How the dollars will be spent.**

Funds will be used to support warrant workshops around the state, including advertising costs and the costs of basic equipment and necessary supplies for participant needs.

**Request: Explain why request is nonrecurring need.**

This project is currently grant funded through Sentencing Commission. These grants will no longer be available post-FY27. LOPD is looking for funding to continue this project and may request that the funds be included in future year base budgets.

**Consequences:  Provide a brief description of consequences of not funding a performance and accountability task.**

This project directly affects the measures of case duration and also referrals to treatment and reduction in sentences.

**Performance: How will agency performance be affected.**

Agency performance will improve through expanded access to warrant-resolution opportunities, reducing case backlogs and improving client engagement. Reliable funding will allow LOPD to host workshops statewide, continue collaboration with criminal legal partners, strengthening continuity of representation and reducing the operational strain caused by unresolved warrants.

**Performance: How will agency performance will be improved.**

Performance will be improved by enabling clients to clear warrants quickly, reconnect with counsel and the social work unit, and move their cases forward without unnecessary delays. This initiative will also positively impact LOPD’s time to disposition performance measure by assisting clients in resolving warrants more quickly and moving their cases forward without unnecessary delays. Performance will be improved by enabling clients to clear warrants promptly, reconnect with counsel and the social work unit, and continue case progression without interruptions. These workshops support more efficient case management, reduce missed court appearances, and enhance overall system stability across districts.

**Brief description of problem agency is addressing.**

Grant funding through Sentencing Commission will no longer be available post-FY27. LOPD is looking for funding to continue this project.

State of New Mexico

## SPECIALS, SUPPLEMENTALS AND DEFICIENCIES DFA

*(Prepare separate forms for each request)*

**BU:** 28000

**Request Type:** Special (FY 28)

**Agency:** Public Defender Department

**Program:**

**Analyst:** Theresa Edwards

**Phone:** 505-490-5106

**Rank:** 4

### TOTAL SOURCES MUST EQUAL TOTAL USES

(Dollars in Thousands)

| Sources | | Uses | |
|---|---|---|---|
| **Revenue Account** | **Amount** | **Uses Account** | **Amount** |
| General Fund Transfers | 30.0 | Other | 30.0 |
| **Total Sources** | **30.0** | **Total Uses** | **30.0** |

| Full Time Equivalents (FTE) | |
|---|---|
| **Type** | **Amount of FTE** |
| | 0.00 |
| **Total FTE** | **0.00** |

| | |
|---|---|
| **Request is related to a recurring expense** | **Yes** |
| **Request is related to a capital request** | **No** |
| **Request is related to proposed legislation** | **No** |

**Language requested for inclusion in General Appropriations Act (Please Follow Legislative Bill Drafting Conventions - See Instructions)**

For role-specific staff training.

**Justification Quantitative Data (Description)**

This appropriation addresses the need for dedicated funding for role specific professional development for Habeas, Appellate, HR, Finance, and IT staff. These units perform highly specialized, mission critical work, yet the agency's base budget does not include resources for required trainings such as SHRM trainings for HR, AGA/CGFM and NASPO/NASBO for Finance, NIST and government specific cybersecurity training for IT, or specialized national conferences for Habeas and Appellate attorneys.

**Request: Provide a brief description of what the request does, how the dollars will be spent and explain why it is a nonrecurring need.**

For specialized training for Habeas, Appellate, cybersecurity, HR, and Finance staff.

**Request: How the dollars will be spent.**

Funds will be utilized to send staff to critical trainings that enhance skills and knowledge needed for maintaining high agency performance.

**Request: Explain why request is nonrecurring need.**

This is related to a recurring need; however, there is not currently dedicated base budget funding for these needs. LOPD aims to get base budget funding for the project future years.

**Consequences: Provide a brief description of consequences of not funding a performance and accountability task.**

Appeals and Habeas provide extremely critical services to clients after, and sometimes during, their cases. Although these functions are not captured in current performance measures, the success of Appeals and Habeas attorneys affects agency performance in the long run and is reflected in measures of case speed, the resolution of cases, and other factors. Non-attorney staff such as HR, Finance, and IT also affect these measures by implementing best practices in hiring and retention, monetary policy, and cybersecurity.

**Performance: How will agency performance be affected.**

Agency performance will improve by ensuring staff in specialized roles receive the critical training to meet rapidly evolving legal, administrative, and cybersecurity standards. Reliable funding will prevent skill gaps, reduce compliance risks, and strengthen the quality and efficiency of work across these critical operational areas.

**Performance: How will agency performance will be improved.**

Performance will be improved through staff who are equipped with specialized training and can apply current best practices in litigation, cybersecurity, HR management, and financial operations. Access to specialized training enhances accuracy, reduces errors, supports compliance, improves efficiencies, and ensures each unit can operate at the level required to support statewide defense services effectively.

**Brief description of problem agency is addressing.**

This appropriation addresses a critical gap by providing dedicated funding for the specialized  professional development for Habeas, Appellate, HR, Finance, and IT staff.

State of New Mexico

## SPECIALS, SUPPLEMENTALS AND DEFICIENCIES DFA

*(Prepare separate forms for each request)*

**BU:** 28000

**Request Type:** GRO recommendations

**Agency:** Public Defender Department

**Program:**

**Analyst:** Theresa Edwards

**Phone:** 505-490-5106

**Rank:** 1

### TOTAL SOURCES MUST EQUAL TOTAL USES

(Dollars in Thousands)

| Sources | | Uses | |
|---|---|---|---|
| **Revenue Account** | **Amount** | **Uses Account** | **Amount** |
| Other Transfers | 3,600.0 | Personal Services & Employee Be | 3,600.0 |
| **Total Sources** | **3,600.0** | **Total Uses** | **3,600.0** |

| Full Time Equivalents (FTE) | |
|---|---|
| **Type** | **Amount of FTE** |
| | 0.00 |
| **Total FTE** | **0.00** |

| | |
|---|---|
| **Request is related to a recurring expense** | **No** |
| **Request is related to a capital request** | **No** |
| **Request is related to proposed legislation** | **No** |

**Language requested for inclusion in General Appropriations Act (Please Follow Legislative Bill Drafting Conventions - See Instructions)**

For dedicated probation violation units.

**Justification Quantitative Data (Description)**

Felony probation violations have risen as felony cases openings have increased each year since the pandemic. LOPD is focusing on sustainable, evidence-based strategies to help better serve clients, meet constitutional requirements, and serve the community. This program specifically focuses on dedicated staff serving clients with pending felony probation violations, including thoroughly reviewing and preparing for their cases, meeting with clients, as well as providing a dedicated case manager and a social worker who connect clients to services that better meet their needs and follow up on their progress, with the goal of reducing future recidivism.

**Request: Provide a brief description of what the request does, how the dollars will be spent and explain why it is a nonrecurring need.**

As the number of case openings in New Mexico courts have climbed, the number of probation violations rose with it. Probation violation (PV) cases burden the entire criminal legal system, including public defenders and jails, as individuals with a pending probation violation await resolution in court.

The Law Offices of the Public Defender (LOPD) plays an important role in reducing the number of people pending trial in jail and the length of their stay and focuses this request specifically on felony probation violations in the Second Judicial District (Bernalillo County), the busiest in the state, which saw more than 13,500 felony probation violations in the last seven years.

For over a decade, in collaboration with local partners, LOPD has staffed a dedicated PV unit with two attorneys and a paralegal who staff felony probation violations in Bernalillo County. However, the demands on these dedicated staff have outpaced their capacity. In recent years, LOPD has dedicated additional full-time staff (a managing attorney, a supervising attorney, a line attorney, and a secretary) to continue the work of this critical program.

LOPD is requesting funding to scale up the current program – as well as possible expansion potential to other counties in the future – to better address the influx of felony probation violations, which will positively impact the remainder of the criminal legal system players in Bernalillo County.

**Request: How the dollars will be spent.**

LOPD requests $3.6 million via GRO funds, distributed evenly over three years, to fund seven (7) FTE, cover the cost of cases that must be assigned to contract attorneys due to conflicts, and support programmatic costs including mileage to the jail, training, licensure, contract social workers for conflict , and equipment.

The breakdown of the requested funding for 7 FTE is below:
• One part-time managing attorney - $102,000/year
• One full-time supervising attorney  - $170,000/year
• One full-time associate trial attorney  - $156,000/year
• One full-time paralegal - $91,000/year
• One full-time senior secretary - $74,000/year
• One full-time social worker - $117,000/year
• One full-time case manager  - $104,000/year

**Request: Explain why request is nonrecurring need.**

This request would be a recurring cost if funded in the base budget after the pilot period.

**Consequences:  Provide a brief description of consequences of not funding a performance and accountability task.**

If not funded, probation violations will take a longer time to resolved and people will sit in jail for longer periods of time at great cost to the state, counties, and the clients themselves. There will also be fewer opportunities to connect clients to needed services and follow-ups by case managers and social workers.

**Performance: How will agency performance be affected.**

LOPD seeks to reduce the rate of new legal involvement among clients, including new charges and subsequent felony probation violations. Additionally, measurable outcomes include reducing the time from filing a probation violation to case resolution, reducing the length of client jail stays, and increasing referrals and connections to appropriate services and treatment.

LOPD will gather and analyze all available data identified in the logic model to measure implementation, outputs and outcomes. LOPD collect data on case outcomes, client connections to services, attorney caseloads, client communication, and other identified performance measures. LOPD will explore contracting with an external entity to provide an independent evaluation of the project and its effectiveness.  LOPD will publish a report summarizing evaluation findings and outcomes at the end of the appropriation period.

**Performance: How will agency performance will be improved.**

LOPD will gather and analyze all available data identified in the logic model to measure implementation, outputs and outcomes. LOPD collect data on case outcomes, client connections to services, attorney caseloads, client communication, and other identified performance measures. LOPD will explore contracting with an external entity to provide an independent evaluation of the project and its effectiveness.  LOPD will publish a report summarizing evaluation findings and outcomes at the end of the appropriation period.

**Brief description of problem agency is addressing.**

As the number of case openings in New Mexico courts have climbed, the number of probation violations rose with it. Probation violation (PV) cases burden the entire criminal legal system, including public defenders and jails, as individuals with a pending probation violation await resolution in court.

The Law Offices of the Public Defender (LOPD) plays an important role in reducing the number of people pending trial in jail and the length of their stay and focuses this request specifically on felony probation violations in the Second Judicial District (Bernalillo County), the busiest in the state, which saw more than 13,500 felony probation violations in the last seven years.

For over a decade, in collaboration with local partners, LOPD has staffed a dedicated PV unit with two attorneys and a paralegal who staff felony probation violations in Bernalillo County. However, the demands on these dedicated staff have outpaced their capacity. In recent years, LOPD has dedicated additional full-time staff (a managing attorney, a supervising attorney, a line attorney, and a secretary) to continue the work of this critical program.

LOPD is requesting funding to scale up the current program – as well as possible expansion potential to other counties in the future – to better address the influx of felony probation violations, which will positively impact the remainder of the criminal legal system players in Bernalillo County.

State of New Mexico

## SPECIALS, SUPPLEMENTALS AND DEFICIENCIES DFA

*(Prepare separate forms for each request)*

**BU:** 28000

**Agency:** Public Defender Department

**Program:**

**Analyst:** Theresa Edwards

**Phone:** 505-490-5106

**Request Type:** GRO recommendations

**Rank:** 0

### TOTAL SOURCES MUST EQUAL TOTAL USES

(Dollars in Thousands)

| Sources | | Uses | |
|---|---|---|---|
| **Revenue Account** | **Amount** | **Uses Account** | **Amount** |
| Other Transfers | 10,000.0 | Other | 10,000.0 |
| **Total Sources** | **10,000.0** | **Total Uses** | **10,000.0** |

| Full Time Equivalents (FTE) | |
|---|---|
| **Type** | **Amount of FTE** |
| | 0.00 |
| **Total FTE** | **0.00** |

| | |
|---|---|
| **Request is related to a recurring expense** | **No** |
| **Request is related to a capital request** | **No** |
| **Request is related to proposed legislation** | **No** |

**Language requested for inclusion in General Appropriations Act (Please Follow Legislative Bill Drafting Conventions - See Instructions)**

To pilot hourly rates for contract attorneys.

**Justification Quantitative Data (Description)**

The reliance on a base rate payment structure for contract attorneys in New Mexico raises critical ethical concerns and exacerbates challenges in recruitment, retention, and case management, particularly in underserved rural areas. Base rate payment models create a conflict of interest as they can incentivize attorneys to minimize their efforts to maximize profit, which could lead to less favorable outcomes for clients. Contract attorneys are paid a base rate per case at a scale that is below national and state counterparts, leading to challenges in recruiting and retaining qualified contractors, especially in rural New Mexico where there are few, and in some places zero, residing attorneys. Moreover, unlike LOPD staff attorneys who receive benefits and do not pay office expenses, LOPD contract attorneys must cover their own overhead costs, including office space, equipment, legal tools, and support staff. This creates tension between the number of cases they need to accept to maintain a practice and the number of cases they can effectively handle.

The hourly rate model compensates contracted attorneys based on the actual time spent working on each case, promoting thorough and effective legal representation and aligning payment with the complexity and effort required. To be successful, the hourly rate model will need to reflect the current attorney labor market and be updated and adjusted regularly. LOPD's ability to maintain a competitive hourly rate sufficient to cover both income and overhead costs will impact its ability to recruit and retain contract attorneys, and therefore the ability to meet caseload demands. This model also ensures fair compensation, eliminates financial conflict of interest with ethical obligations, and aligns with best practices recommended by the American Bar Association and other legal authorities. Strengthening compensation for contract attorneys ensures parity with attorneys contracted by the State of New Mexico for civil cases and attorneys engaged by district attorney offices, who are compensated up to $150 per hour.

**Request: Provide a brief description of what the request does, how the dollars will be spent and explain why it is a nonrecurring need.**

LOPD is requesting additional funding for this pilot project, which received an initial appropriation of $6.6 million during the last legislative session. LOPD is requesting an additional $5 million for FY28 and an additional $5 million for FY29. If this request is funded, the total appropriation for the program would be $16.6 million over the course of the pilot project.

**Request: How the dollars will be spent.**

This new appropriation request asks for additional funding for the remaining two years of the pilot project. This gives LOPD the capacity to take on more cases and generate better data to support base budget funding requests for this initiative in the future.

**Request: Explain why request is nonrecurring need.**

Currently, this project in funded by GRO for evaluation of whether it can be included in the agency's base budget going forward.

**Consequences: Provide a brief description of consequences of not funding a performance and accountability task.**

The reliance on a base rate payment structure for contract attorneys in New Mexico raises critical ethical concerns and exacerbates challenges in recruitment, retention, and case management, particularly in underserved rural areas. Base rate payment models create a conflict of interest as they can incentivize attorneys to minimize their efforts to maximize profit, which could lead to less favorable outcomes for clients. Contract attorneys are paid a base rate per case at a scale that is below national and state counterparts, leading to challenges in recruiting and retaining qualified contractors, especially in rural New Mexico where there are few, and in some places zero, residing attorneys. Moreover, unlike LOPD staff attorneys who receive benefits and do not pay office expenses, LOPD contract attorneys must cover their own overhead costs, including office space, equipment, legal tools, and support staff. This creates tension between the number of cases they need to accept to maintain a practice and the number of cases they can effectively handle

**Performance: How will agency performance be affected.**

LOPD is and will gather all available data surrounding the pilot project during implementation including measuring whether more contract attorneys contract with LOPD, number of cases assigned to contract attorneys, parity with other state government attorneys, caseloads, and case resolution. Most of this data will be captured in our quarterly reporting documents. This data will help contribute to research being done to show that hourly rates are evidence-based.

This project would affect nearly all of LOPD’s current performance measures as contract attorneys are both measured and integral to our function. That data is also the majority of our baseline data, which also includes RFP response rates, vacancy rates, and case load data. LOPD collects most pf our data on a quarterly basis and reports it in report cards to the LFC, even if the data is not statutorily required.

Measures affected include:
• Felony, misdemeanor, & juvenile cases resulting in reduction of originally formally filed charges
• Felony, misdemeanor, and juvenile cases resulting in alternative sentencing treatment
• Cases assigned to contract attorneys
• Average time to disposition for felonies, in days

**Performance: How will agency performance will be improved.**

Hourly rates, versus base rates, allow LOPD to better monitor attorney performance on client cases as all work performed will be reported to LOPD when attorneys submit hours for payment. Transitioning to hourly rates aligns LOPD with national best practices, ensuring that public defense services are both ethically sound, accountable, and financially transparent.

Key measures of success include pay for attorneys in line with other government attorneys, like Risk Management Division attorneys making, at minimum, $150/hour as are many District Attorney contractors. The transition should improve contract attorney recruitment and retention and improve case outcomes. Transitioning to hourly rates aligns LOPD with national best practices, ensuring that public defense services are both ethically sound and financially transparent.

**Brief description of problem agency is addressing.**

LOPD is requesting additional funding for this pilot project, which received an initial appropriation of $6.6 million during the last legislative session. LOPD is requesting an additional $5 million for FY28 and an additional $5 million for FY29, bringing the total appropriation to $16.6 million over the course of the pilot project.

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## Agency: 28000 Public Defender Department

**Program:** P850 Criminal Legal Services

The purpose of the criminal legal services program is to provide effective legal representation and advocacy for eligible clients so their liberty and constitutional rights are protected and to serve the community as a partner in assuring a fair and efficient criminal justice system that sustains New Mexico's statutory and constitutional mandate to adequately fund a statewide indigent defense system.

| Performance Measures: | | 2025-26 Target | 2025-26 Result | Met Target | Year End Result Narrative |
|---|---|---|---|---|---|
| Output | Average cases assigned to attorneys yearly | 330 | 392 | No | LOPD does not control the number of cases filed by district attorneys in each district or the level of screening applied to those cases. As a result, LOPD cannot control the number of cases that must be assigned to individual attorneys. |
| Output | Average number of cases opened by district | Discont | 0 | No | |
| Output | Average time to case disposition, in months | 9 | 7 | Yes | Among all participants in the criminal justice system, LOPD has the least ability to influence the time required to reach a disposition in a case. Law enforcement determines the timeframe for processing evidence for review by the district attorney. The district attorney reviews the evidence to decide whether charges should be filed. The courts then decide when to schedule the case and its related hearings. |
| Output | Difference between the number of cases opened and closed by office | Discont | 0 | No | |
| Output | Number of alternative sentencing treatment placements for felony, misdemeanor and juvenile clients | 5,000 | 38,403 | Yes | LOPD continues to strengthen staff understanding of the importance of accurate and timely case closure. Staff receive training on when cases should be closed and the circumstances that qualify as an alternative sentence or a referral to treatment. |
| Output | Number of alternative sentencing treatment placements in felony, misdemeanor and juvenile cases for clients of contract attorneys | Discont | 0 | No | |
| Output | Number of cases closed by attorneys | Discont | 0 | No | |
| Output | Number of cases dismissed in felony, misdemeanor, and juvenile cases | Discont | 0 | No | |
| Quality | Percent of felony cases resulting in a reduction of original formally filed charges | 65% | 73% | Yes | LOPD continues to strengthen staff understanding of the importance of accurate and timely case closure. Staff receive training on when cases should be closed and the circumstances that qualify as reduction in sentence. |
| Quality | Percent of juvenile cases resulting in a reduction of the original formally filed charges | 60% | 77% | Yes | LOPD continues to strengthen staff understanding of the importance of accurate and timely case closure. Staff receive training on when cases should be closed and the circumstances that qualify as reduction in sentence. |

# DFA Performance Based Budgeting Data System

## Annual Performance Report

**Program:** P850 Criminal Legal Services

| Performance Measures: | | 2025-26 Target | 2025-26 Result | Met Target | Year End Result Narrative |
|---|---|---|---|---|---|
| Quality | Percent of misdemeanor cases resulting in a reduction of the original formally filed charges | 65% | 81% | Yes | LOPD continues to strengthen staff understanding of the importance of accurate and timely case closure. Staff receive training on when cases should be closed and the circumstances that qualify as reduction in sentence. |

## Performance Measures Summary

**P850 Criminal Legal Services**

**Purpose:** The purpose of the criminal legal services program is to provide effective legal representation and advocacy for eligible clients so their liberty and constitutional rights are protected and to serve the community as a partner in assuring a fair and efficient criminal justice system that sustains New Mexico’s statutory and constitutional mandate to adequately fund a statewide indigent defense system.

| Performance Measures: | | 2024-25 Actual | 2025-26 Actual | 2026-27 Budget | 2027-28 Request | 2027-28 Recomm |
|---|---|---|---|---|---|---|
| Quality | Percent of felony cases resulting in a reduction of original formally filed charges | 78% | 73% | 65% | 65% | |
| Quality | Percent of misdemeanor cases resulting in a reduction of the original formally filed charges | 87% | 81% | 70% | 70% | |
| Quality | Percent of juvenile cases resulting in a reduction of the original formally filed charges | 83% | 77% | 65% | 65% | |
| Output | Number of alternative sentencing treatment placements for felony, misdemeanor and juvenile clients | 32,476 | 38,403 | 17,500 | 17,500 | |
| Output | Average cases assigned to attorneys yearly | 370 | 392 | 330 | 330 | |
| Output | Average time to case disposition, in months | 7 | 7 | 8 | 8 | |

FY 2028

July 1, 2027 – June 30, 2028

# Annual Report and Strategic Plan

NEW MEXICO
LAW OFFICES OF THE
PUBLIC DEFENDER

Website: www.lopdnm.us
Twitter: @NMDefenders
Facebook: NM Law Offices of the Public Defender
Instagram: New Mexico Public Defenders
301 N. Guadalupe Street, Santa Fe, NM 87501

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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.


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.

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.


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

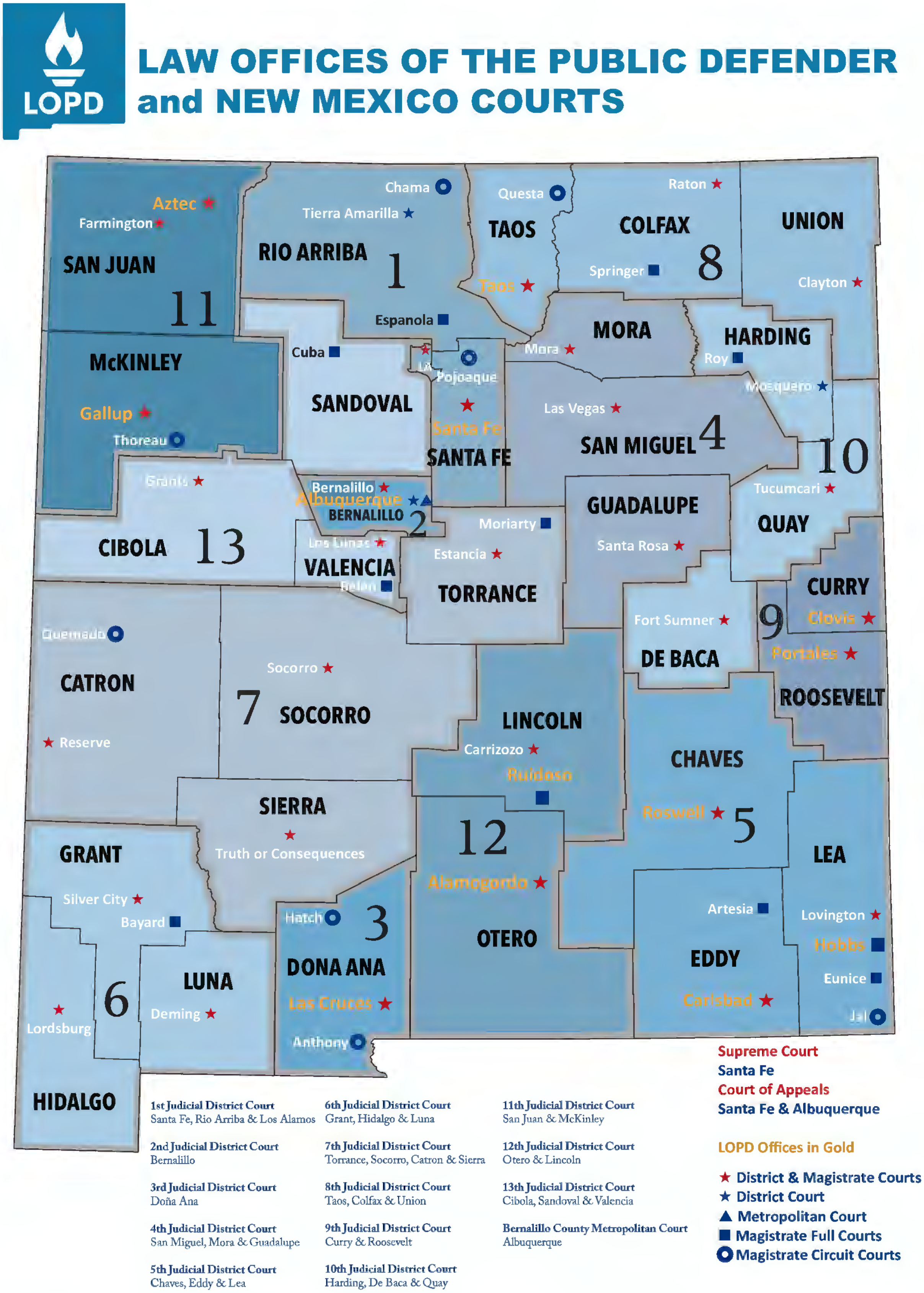
- District Defender – Stationed in San Juan County
  - Managing Attorney – San Juan County
  - Managing Attorney – McKinley County

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



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

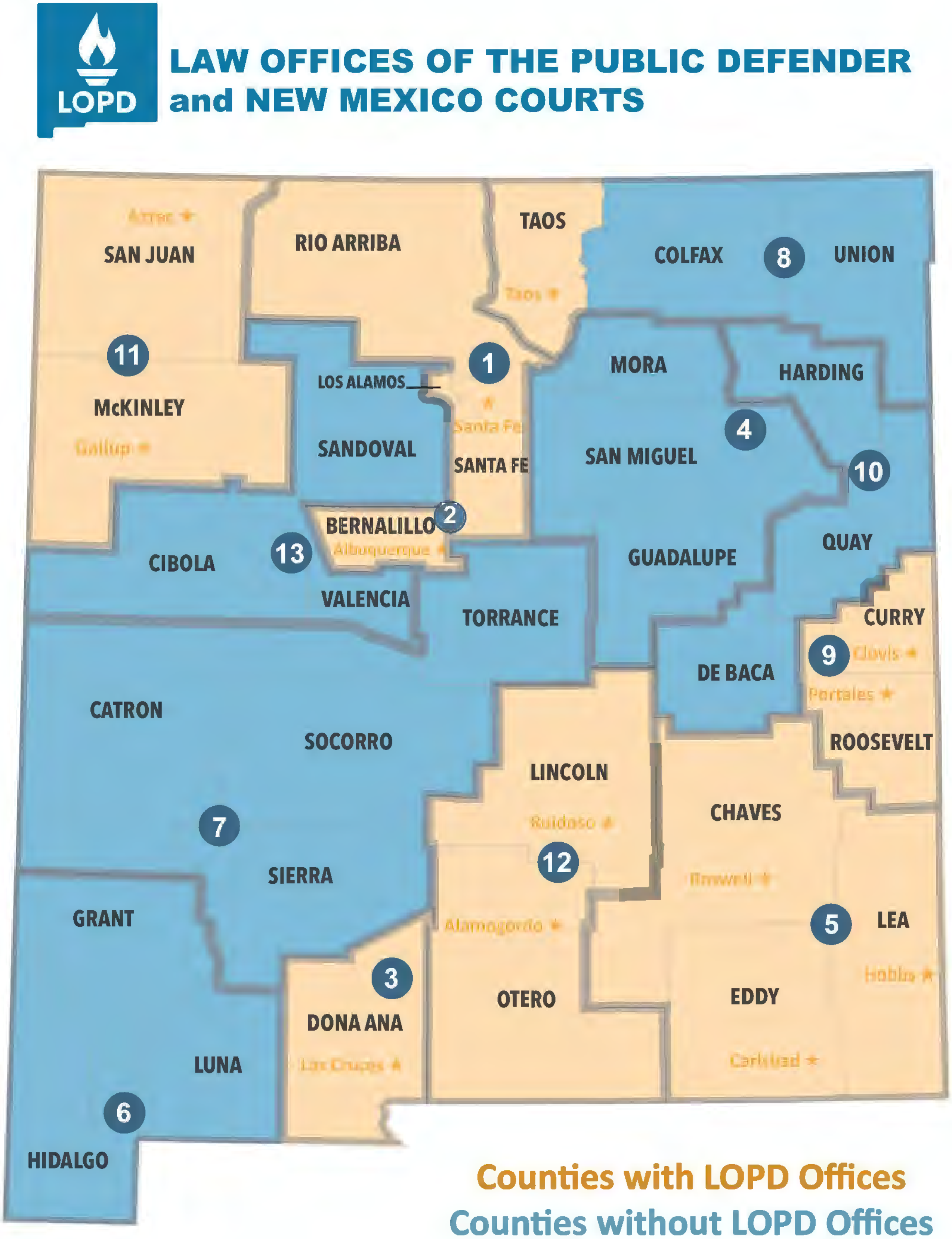
LOPD's statewide Contract Counsel Legal Services Unit organizes and oversees the contract defender representation system whereby LOPD contracts with attorneys to represent clients. In those counties where LOPD maintains district office operations, the unit's responsibility is assigning contract counsel 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

*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.

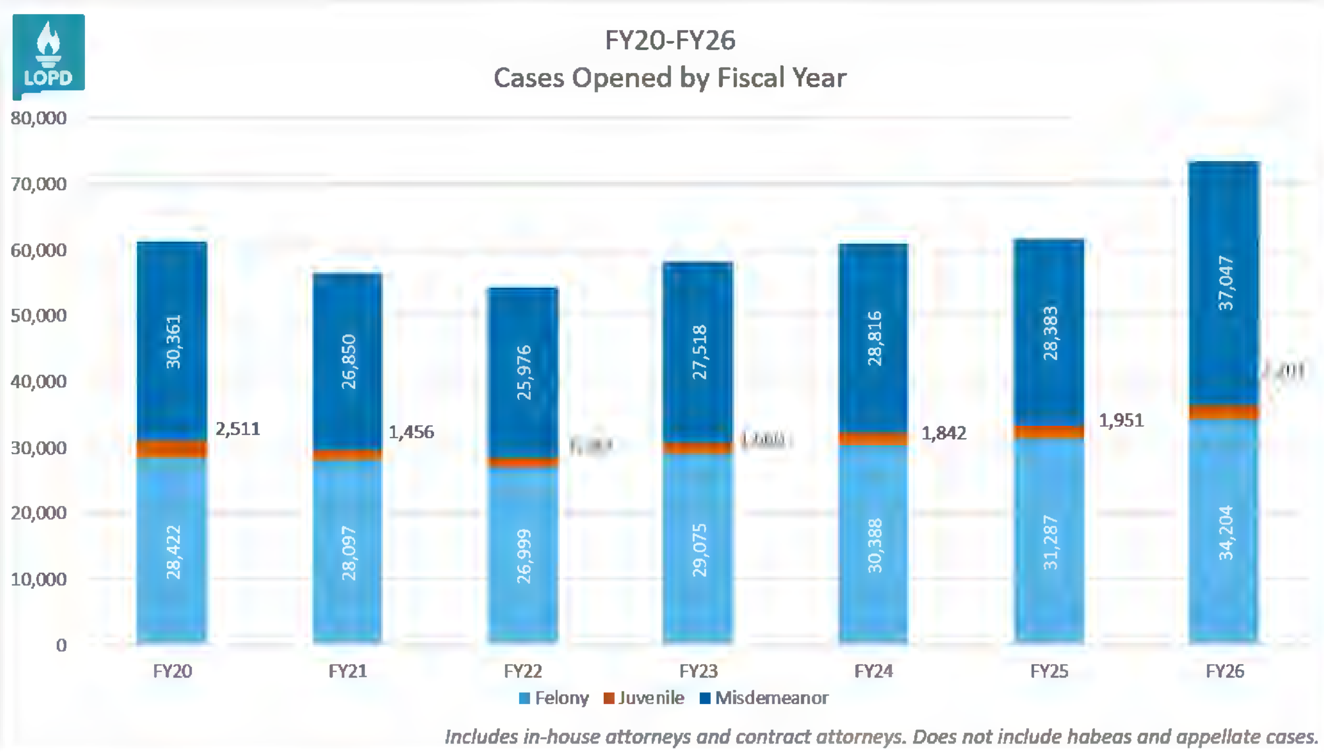
Chief Ben Baur delivers an update on LOPD workloads on June 22.

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.

# CRITICAL CHALLENGES AND EFFORTS TO ADDRESS THEM

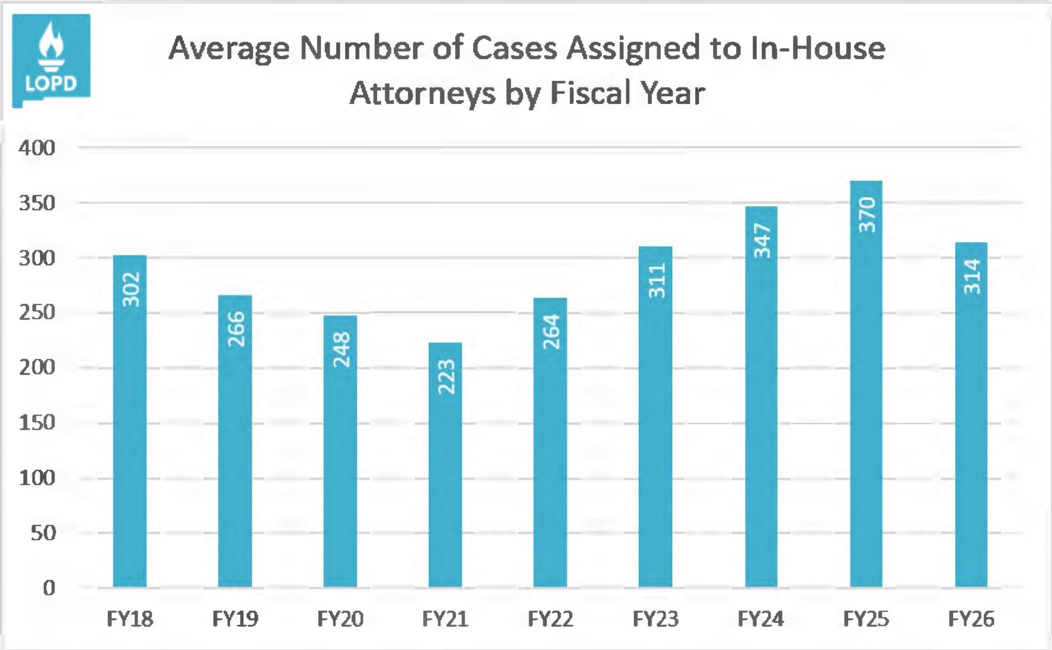
## Caseloads

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.

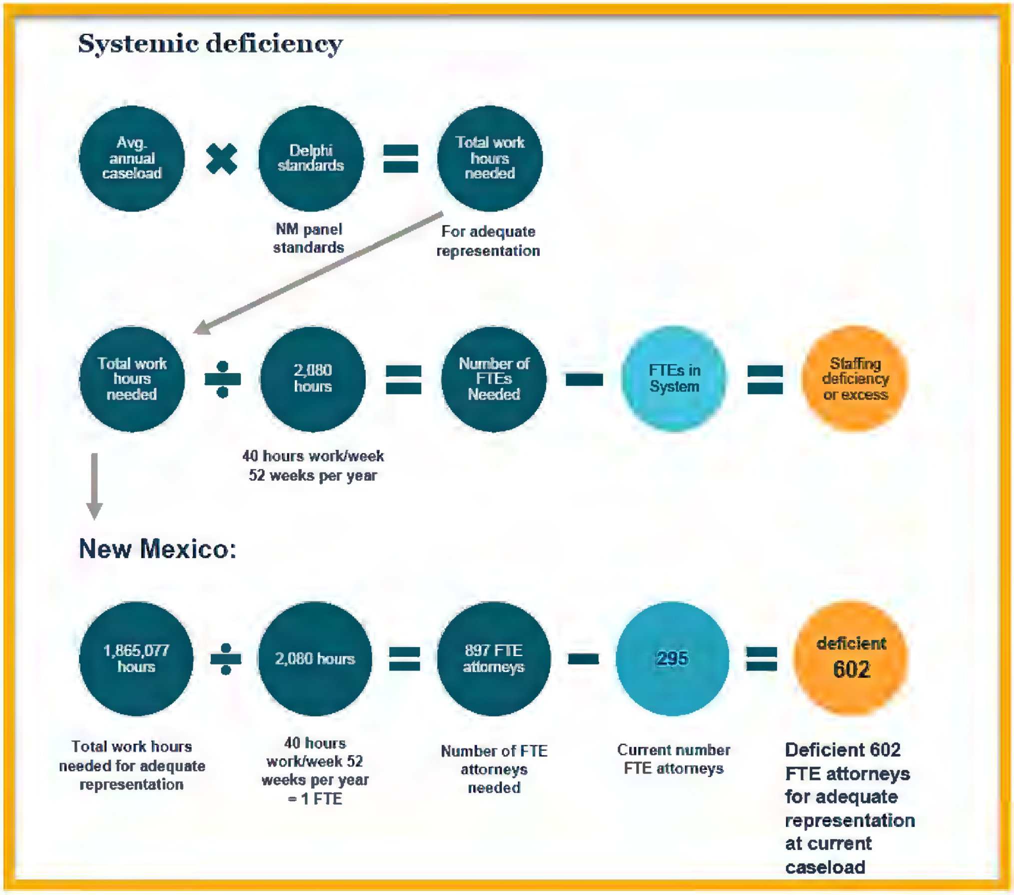
LOPD is also advocating policy changes, including reevaluating how drug possession offenses are treated under the Habitual Offender Act, emphasizing treatment and community-based interventions rather than increased incarceration for individuals whose underlying needs may be better met through supportive 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 has 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 lopdnm.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 devalued[1] 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 DWI/DV | $300.00 | $360.00 |
| Misdemeanor (other) | $180.00 | $220.00 |

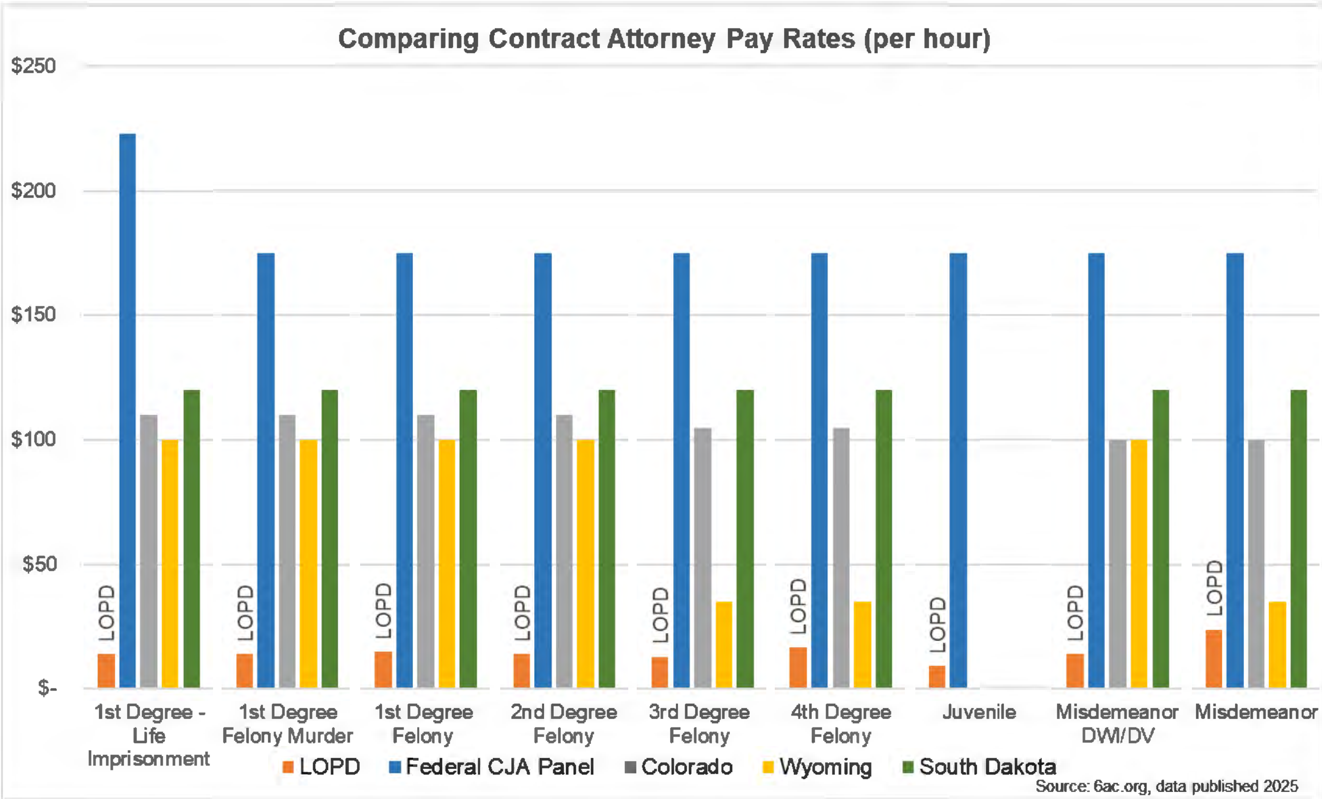
The State of New Mexico pays contract lawyers in civil cases $170 (for those with zero to two years of experience) to $245 (for over ten years of experience) **per hour** to protect the State's money through the Risk Management Division's contracts. Those hourly rates are laid out in the chart on the 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.

| 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% |

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 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.

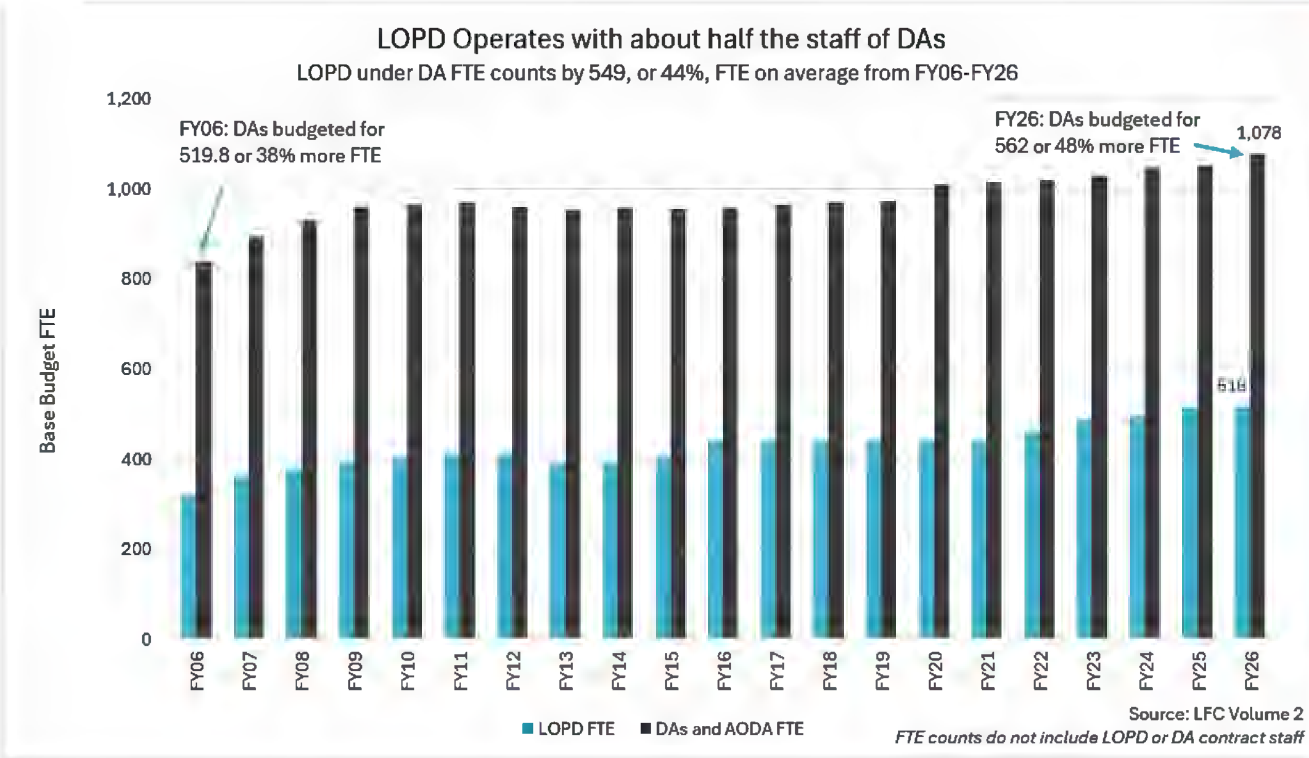
Despite increased advertising of contract work with LOPD through the RFP, it is becoming more difficult to recruit Contract Counsel, especially to the rural areas of New Mexico at the funded base rates. Once LOPD loses contractors in rural areas, it is becoming increasingly difficult to replace them.

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.

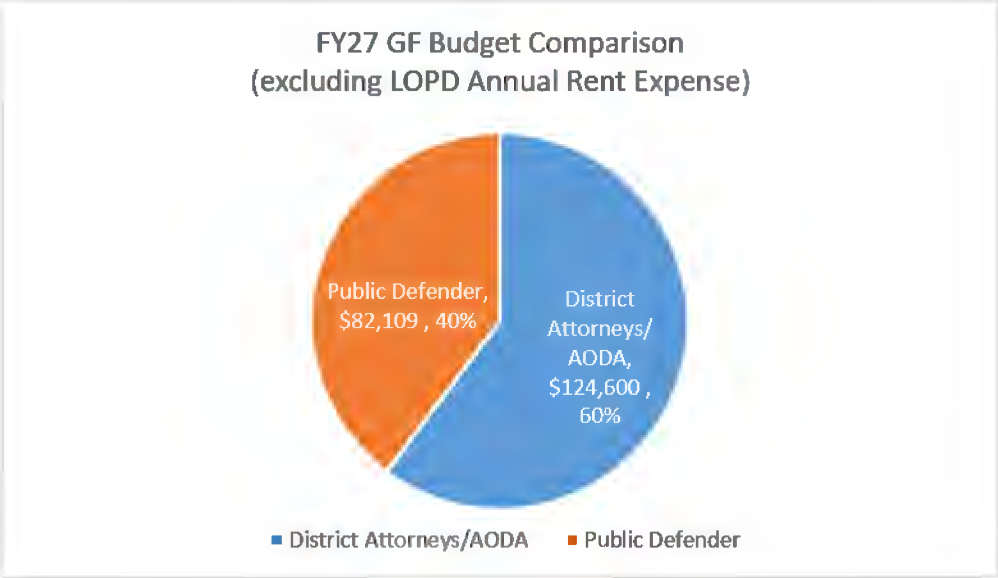
## Public Defense Funding and Necessary Staffing Levels

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.

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.

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.

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

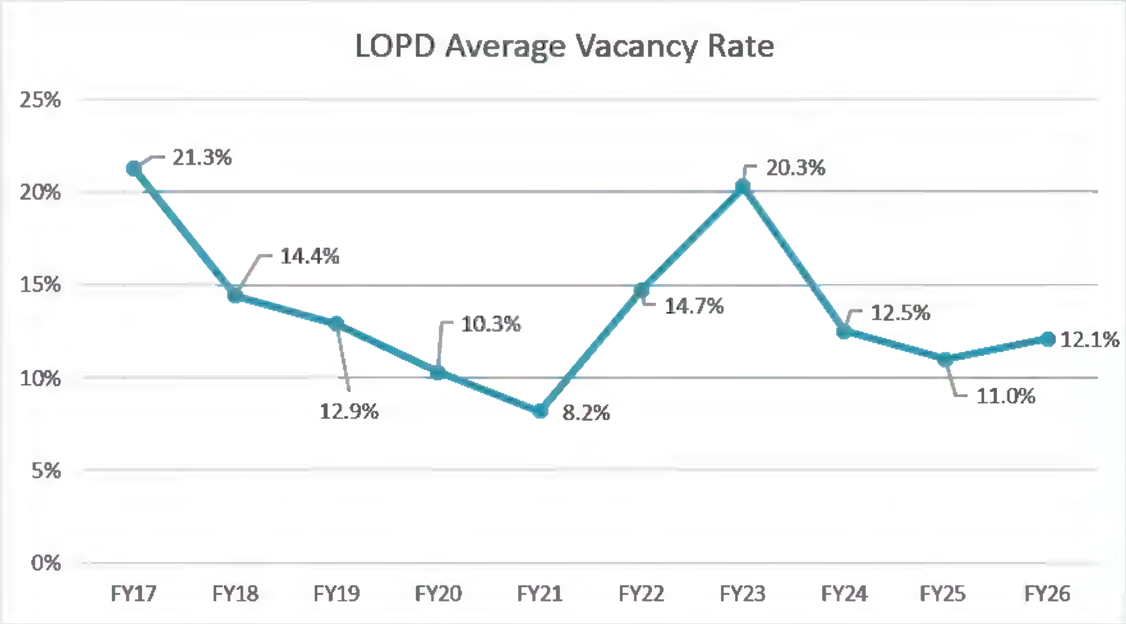
More women hold leadership roles at LOPD now than at any time in the last seven years. Additionally, the number of female managing attorneys has more than doubled since 2015, and for the last three years have steadily held more than 50% of managing attorney positions. As of July 2026, 70% of managing 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 Adrianne 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 finalzied 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.

NEW MEXICO
LAW OFFICES OF THE
PUBLIC DEFENDER

# Fiscal Year 2028
# Law Offices of the Public Defender
# IT STRATEGIC PLAN
# September 1, 2026


**Matthew Bevington**
**Chief Information Officer**

# Table of Contents

# I. EXECUTIVE SUMMARY

The Law Offices of the Public Defender (LOPD) I.T. unit supports the LOPD's mission by providing secure, reliable access to efficient technology tools, data systems, and services while minimizing downtime and ensuring a rapid response to technology and security needs. These services are essential to supporting effective client representation in more than 70,000 cases annually.

For FY28, the IT unit's focus includes strengthening cybersecurity, protecting organizational data and systems, improving infrastructure performance and reliability and enhancing monitoring and threat detection capabilities. Key security enhancements include the implementation of identify and threat protection measures, transport layer verification, and integration with Active Directory authentication heuristics to strengthen identity validation and detect potentially unauthorized activity. The internal infrastructure at LOPD's main office was substantially enhanced through the implementation of 10 GB interconnects across all core platform hardware, improving network capacity, performance, and resiliency. Internal vulnerability and security scanning capabilities were also expanded across both network and security environments.

To improve visibility into system health, network activity, and potential security threats, LOPD implemented internal monitoring of critical networking systems and established a foundational Security Information and Event Management (SIEM) capability. These tools provide enhanced detection, monitoring, and response capabilities and support the I.T. Unit's ongoing efforts to identify and address security threats before they impact LOPD operations.

Recently, LOPD also implemented the next generation of Halcyon and SentinelOne security products, further strengthening endpoint protection, threat detection, and incident response capabilities. Together, these initiatives establish a stronger and more resilient technology environment while supporting the confidentiality, integrity, and availability of the systems and information necessary to carry out LOPD's mission.

# II. AGENCY OVERVIEW

## A. 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. This I.T. Plan supports the agency mission by providing additional resources and support to the core staff and attorneys to improve client representation and services.

The I.T. unit supports LOPD by enabling access to efficient tools, data access points, and services with minimal downtime and fast response. This supports the Department's mission to provide effective client representation – LOPD assigned more than 95,000 cases in FY27.

## B. Agency Goals

Adequate funding is critical to LOPD's ability to meet its constitutional and statutory mandate of defending its clients, training lawyers and staff, conducting investigation and discovery activities, preparing for hearings and trials, and any necessary post-conviction work including constitutionally guaranteed appeals. LOPD serves a vital role in the criminal legal system by ensuring fairness in the criminal legal process, protecting every New Mexican's constitutional rights, and guaranteeing equal justice under the law. LOPD also strives to reduce recidivism in New Mexico communities by providing support through LOPD's social services, assisting clients with reintegration efforts, including connecting with treatment, supporting numerous treatment courts statewide, and participating in other innovative criminal legal reforms.

The LOPD I.T. department advances the agency's mission by leveraging technology to increase efficiency and speed, enhance services, expand capabilities and automate processes wherever feasible, while ensuring that technology investments are secure, sustainable and cost effective.

## C. Vision and Priorities

LOPD aspires to be a modern, innovative, secure, and efficient public defense agency that has the resources, systems, and technology necessary to provide high-quality representation to every client. The agency's vision includes strengthening operational efficiency, expanding organizational capacity, protecting confidential information, supporting employees, and ensuring that limited public resources are used responsibly.

The I.T. Strategic Plan directly supports these priorities by providing a secure, reliable, and responsive technology environment that enables LOPD employees to effectively perform their work. The plan prioritizes cybersecurity and protection of confidential client and agency information, system reliability and resiliency, improved access to data and technology, automation of manual processes, and the strategic use of technology to increase efficiency and expand organizational capabilities.

Through these efforts, I.T. serves as a strategic partner to the agency rather than solely a service function. Technology investments will be evaluated based on their ability to advance LOPD's mission, improve service delivery, support employees, reduce administrative burdens, strengthen security, and provide measurable value while remaining cost-effective and fiscally responsible.

## D. Agency Description and IT Organization Structure

The mandate of LOPD is to fulfill New Mexico's constitutional and statutory guarantees of providing legal services to indigent 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.

In 2012, the citizens of New Mexico passed a constitutional amendment declaring that the New Mexico Public Defender Department should be established as an independent state agency to be administered by a Chief Public Defender and overseen by a newly created 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.

LOPD provides legal services in every county and every judicial district in New Mexico. LOPD is the largest law firm in the State of New Mexico, employing approximately 240 staff attorneys, 255 support staff, and contracting the legal services of another 80 private attorneys statewide. In FY26, these attorneys represented clients in 66,491 cases assigned to LOPD defense lawyers and 28,545 assigned to contract defenders.

## ADMINISTRATION

With offices located in Santa Fe and Albuquerque, administrative services encompass 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 a number of 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.

**Statewide Units**

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

**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 when a request for interlocutory appeals of dispositive legal issues has been granted by an appellate court prior to final disposition or when appointed by the Supreme Court on certiorari review of a habeas corpus petition.

**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. Additionally, since the recent change in Rule 5-802 (habeas corpus), LOPD Habeas unit conducts a pre-appointment review on all pro se petitions submitted to the court.

**Major Crimes Defender Unit**

In FY19, LOPD reorganized the structure through which clients charged with serious violent felonies are represented by creating the Major Crimes Defender Unit with offices in Albuquerque, Roswell, and Las Cruces. 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**

LOPD continues its long-term goal to reduce the number of persons cycling through the criminal legal system. Social Workers have long been a critical part of that mission by assessing client needs and matching the client with the available community services. There are currently 30 staff in the Social Work Unit with Social Workers or Case Managers in every LOPD district office. LOPD Case Managers and Social Workers work mostly with felony cases, including with the Major Crimes Unit, as well as on serious violent offenses, probation violation cases, and with young adults and juveniles.

**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 that the public defender attorney staff cannot represent the client for legal conflicts of interest. In judicial districts and counties lacking district office operations, the unit must assign both primary and conflict of interest contract counsel.

**Public Defender District Offices**

The majority of LOPD's services are delivered through the thirteen current regional trial offices located in key population and caseload centers. Clients are represented from arrest through resolution of the case by staff trial lawyers in District Courts, Magistrate Courts, Children's Courts, and the Metropolitan Court.

**I.T.**

LOPD I.T. consists of eight team members supporting nearly 500 FTE. Given the size and complexity of the agency, the IT Strategic Plan and C2 requests prioritize the strategic use of technology to increase efficiency, expand capabilities, and maximize the impact of limited resources.

A particular area of focus is the evaluation and implementation of software that supports more efficient use of LOPD resources. LOPD is especially interested in opportunities to enhance methods of discovery, legal research, data review, motion analysis, document library utilization, organizational knowledge retention, and cybersecurity. These technologies improve access to information, increase consistency and accuracy, and allow employees to focus more time on direct client contact and services.

LOPD will investigate and evaluate solutions based on their potential to generate measurable cost savings, improve operational efficiency, enhance service delivery, and expand LOPD's capabilities. Any implementation will be approached strategically, with appropriate consideration of security, confidentiality, accuracy, reliability, privacy, and responsible use. Where technology can safely and effectively improve operations or reduce costs, LOPD aspires to adopt and utilize those capabilities to better support its employees and mission.

# III. IT ENVIRONMENT

## A. Major Applications

LOPD technology is built around a combination of cloud-based, on-premises, and virtualized systems that support the use of LOPD's case management system, document management, communication, collaboration, security, and data protection needs.

LOPD's primary application is Justice Work's DefenderData, a case management system. DefenderData is integrated with LOPD's on-premise document management system from LaserFiche, providing a connected environment for case information and document management.

LOPD's collaboration and productivity tools include Zoom Phone, with desktop-based texting and visual voicemail; Microsoft 365; Outlook Web Access; ESET antivirus and SnagIT, which are available to all employees. These tools provide employees with the communication, productivity, and collaboration capabilities necessary to support LOPD's statewide operations.

Data protection and infrastructure are supported through daily backups managed by the Veeam ONE suite. LOPD's Windows servers and Active Directory environment operate as virtual machines within VMware vSphere, providing a scalable and manageable infrastructure while supporting system availability, disaster recovery, and continuity of operations. Core Technology Platforms and Systems:

- HPE Servers
- HPE Nimble & Apollo Storage units
- Zoom Cloud phones
- VMware VSphere
- One and ten gigabyte switches
- WIFI 6 at select offices
- Veeam backup software
- OpenPath secure door systems
- Lumu.IO (AI security automation)
- Sonicwall Firewall
- Microsoft 365
- Microsoft Entra
- Proofpoint Defend
- Sonicwall Secure Mobile Access (SMA)
- Cisco Duo 2FA
- Cisco Umbrella
- Halcyon Anti-Cryptolocker
- Halcyon Data Exfiltration
- Sentinel One XDR
- Sentinel One MDR
- Sentinel One Identity Management
- Sentinel One Watchtower
- Sentinel One Purple AI

**TABLE 1.1: Major Applications**

| **Application Name** | **Purpose / What It Does** | **Mission Critical?** (Yes/No) | **Data Types Handled** | **Hosting Type** (On-Prem / Cloud / SaaS) | **Vendor or Internal** |
|---|---|---|---|---|---|
| Defender Data | Case Management System (CMS) | Yes | Client Case Data | Cloud SaaS | Vendor |

| | | | | | |
|---|---|---|---|---|---|
| HPE Quumlo | Bulk Storage File System | Yes | Primary Storage | On-Prem | Vendor |
| Zoom | Conferencing and Phones | Yes | VOIP | Cloud SaaS | Vendor |
| Vsphere | Virtual Machines | Yes | Virtual Servers | On-Prem | Vendor |
| Veeam | Backup Software | Yes | All server data | On-Prem | Vendor |
| OpenPath | Automated Doors | Yes | Entry points to offices | Cloud SaaS | Vendor |
| Microsoft 365 | Office software and Entra Authentication | Yes | User files and Active Directory | Cloud SaaS | Vendor |
| Lumu | AI traffic listener | Yes | All internet traffic | Cloud SaaS | Vendor |
| Proofpoint Defend | Email scanning and defense | Yes | All email | Cloud SaaS | Vendor |
| Cisco Duo | 2FA authentication | Yes | All authentication attempts. | Cloud SaaS | Vendor |
| Cisco Umbrella | Real-time DNS defense and filtering | Yes | All internet traffic | Cloud SaaS | Vendor |
| Halcyon | Anti-Cryptolocking system | Yes | Client Side processes | Cloud SaaS | Vendor |
| Halcyon Data Exfiltration | Outbound traffic analysis | Yes | All internet traffic | Cloud SaaS | Vendor |
| Sentinel One XDR | Core XDR system | Yes | All endpoint processes, including servers. | Cloud SaaS | Vendor |
| Sentinel One MDR | Managed security response | Yes | All endpoint processes, including servers | Cloud SaaS | Vendor |
| Sentinel One Identity | Identify based security flows and account verification | Yes | All endpoint processes, including servers. | Cloud SaaS | Vendor |
| Sentinel One Watchtower | Zero Day Security Patching | Yes | All endpoint processes, including servers | Cloud SaaS | Vendor |

| | | | | | |
|---|---|---|---|---|---|
| Sentinel One Purple AI | Data Analysis | Yes | Security Reporting and Investigation | Cloud SaaS | Vendor |
| Sonicwall SMA/VPN<br><br>(Secure mobile access.) | VPN System | Yes | All VPN traffic | On-Prem | Vendor |
| ESET Antivirus | Traditional antivirus. | Yes | Endpoint processes including servers | On-Prem | Vendor |
| Barracuda M365 email archiver | Email archiving, backup, data hold, investigations | Yes | All email | Cloud SaaS | Vendor |

## B. Security

LOPD has a multi-factor, multi-vector and layered approach to security. The IT unit's strategy is to cover each potential threat from every potential vector that the threat will either attack from or the method by which the attack is conducted. This includes the end goal of the attacker, whether that be denial of service, exfiltration of data, or compromise of authentication. This multi-factor approach is completely active inside every platform the LOPD relies on.

The second objective is speed of detection and speed of remediation. The system is built upon a series of locks so that anomalous detections are quarantined: the originator of the attack whether it be external or internal, is locked out and lateral movement is prevented along with blocking exfiltration traffic and command and control traffic. Each endpoint and server in the LOPD inventory acts as a listener to detect and isolate any questionable traffic or abnormal process. Every ingestion point, whether it be on the carrier lines for internet traffic or specialized traffic such as email, is routed through multiple layers of filtering and analysis points prior to entering or leaving the department.

- Sonicwall NSA (Firewall)
- Sonicwall SMA (Advanced VPN)
- Eset (Traditional Antivirus – All machines)
- Sentinel One XDR and MDR (Advanced Threat Protection – All machines)
- Sentinel One Identity Scanning Module (**NEW**)
- Sentinel One Watchtower
- Sentinel One SIEM & Purple AI (**NEW**)
- Lumu (AI outbound listener)
- Cisco Duo MFA
- Cisco Umbrella (Inbound and outbound DNS defense)
- Proofpoint (Inbound and outbound Advanced email defense)
- Halcyon (anti-keying and decrypt engine)
- Halcyon (Data Exfiltration Module) (**NEW**)

## C. Agency IT Certified Projects

**TABLE 1.2: Current Certified IT Projects**

| PROJECT NAME | |
|---|---|
| Project Description | N/A |
| Estimated Project Costs | |
| Current Funding | |
| Certified Project Phase | |
| Estimated Completion | |
| Strategic Priority | |
| **PROJECT NAME** | |
| Project Description | N/A |
| Estimated Project Costs | |
| Current Funding | |
| Certified Project Phase | |
| Estimated Completion | |
| Strategic Priority | |
| **PROJECT NAME** | |
| Project Description | N/A |
| Estimated Project Costs | |
| Current Funding | |
| Certified Project Phase | |
| Estimated Completion | |
| Strategic Priority | |
| Strategic Priority | |
| **PROJECT NAME** | |
| Project Description | N/A |
| Estimated Project Costs | |
| Current Funding | |
| Certified Project Phase | |
| Estimated Completion | |

| | |
|---|---|
| Strategic Priority | |

## D. Workforce

### i. Full Time Internal IT Employees

The LOPD I.T. Unit has a total of eight (8) internal FTE, with no vacancies.

Five are currently classified as IT Administrator 1 or 2 with none having a specific specialization. The unit also has one (1) I.T supervisor, one (1) I.T. Manager, and one (1) I.T. Director. All LOPD IT positions currently telework at a rate of one or up to two days per week, with the remainder of time in office.

### ii. IT Professional Services Contractors

LOPD currently does not have any professional contractors performing direct support for LOPD IT systems and applications.

## E. Challenges

The current environment and landscape have two primary areas of challenge for the LOPD IT team: security and enhancing productivity.

- Security Landscape: the escalating need for patching and adapting to new security threats is increasingly becoming critical. The complexity of patching and adapting is very draining to resources, both monetary and in time expenditure. The need to shift into AI defense is in its infancy and tools available are rapidly evolving.
- Enhancing Production: the desire to streamline processes and functions for end users is a high priority. LOPD will continue to identify and evaluate technology solutions that can streamline workflows, improve efficiency, reduce repetitive tasks, and enhance capabilities available to employees. Any implementation will also consider appropriate security measures, including data protection, access controls, and the prevention of unauthorized disclosure or loss of information.

# IV. FY26 KEY ACCOMPLISHMENTS

FY26 Strategic IT Accomplishments

**TABLE 1.3a: Priority 1**

| **STRATEGIC PRIORITY 1 – LOPD Platform modernization** | |
|---|---|
| **[STRATEGY STATEMENT – WHAT DOES THE STRATEGY ACCOMPLISH]**<br>**Platform modernization enhances existing infrastructure to dramatically increase capability and resources.** | |
| **FY26 Strategy 1** | High-speed backup interconnects |

| | |
|---|---|
| Accomplishments | Transceivers and interconnects upgraded for high-speed backup processes. |
| Outcomes/Metrics | Backup and restore times decreased from several hours to one hour or less. |
| **FY26 Strategy 2** | Enterprise Switch Upgrade |
| Accomplishments | Core Switches at the main office upgraded from 1 GB to 10 GB. |
| Outcomes/Metrics | Processing time and transfer are greatly increased from 1 Gbps transmission to 10 Gbps transmission. |
| **FY26 Strategy 3** | 10 GB network upgrade |
| Accomplishments | Main office upgraded to 10gb fiber ISP |
| Outcomes/Metrics | Main network hub upgraded to 10gb incoming and outgoing |
| **FY26 Strategy 4** | **Microsoft 365 full conversion** |
| Accomplishments | Moved from hybrid Microsoft 365 deployment to pure cloud deployment. |
| Outcomes/Metrics | Remaining Active Directory services moved completely to Microsoft Entra. |

**TABLE 1.3b: Priority 2**

| **STRATEGIC PRIORITY 2 – [STRATEGY NAME] Security enhancement** | |
|---|---|
| **[STRATEGY STATEMENT – WHAT DOES THE STRATEGY ACCOMPLISH]**<br>**Security enhancement builds adds capability or enhances capability for enterprise security services.** | |
| **FY26 Strategy 1** | Identity-Based Security |
| Accomplishments | Added identity-based auditing and monitoring to Sentinel One |
| Outcomes/Metrics | All user accounts now have heuristics and behavioral mapped logging for sign-on information with automatic lockouts depending on historical account behavior. |
| **FY26 Strategy 2** | Data exfiltration scanning |
| Accomplishments | Added data exfiltration scanning to Halcyon. |
| Outcomes/Metrics | All halcyon endpoints are now performing automatic data exfiltration, looking for data flows which are inconsistent with identity, data type, and size flows. |
| **FY26 Strategy 3** | SIEM Confluence Reporting |

| | |
|---|---|
| Accomplishments | Added Basic Sentinel One SIEM reporting capability. |
| Outcomes/Metrics | Reporting from multiple security products now correlated within Sentinel One and integrated into both XDR and MDR. |
| **FY26 Strategy 4** | AI security tool reporting and investigation |
| Accomplishments | Added Sentinel One Purple AI. |
| Outcomes/Metrics | Automatic report generation, analysis, and summary on security events. Natural language investigations and remediation. |

## F. FY26 Other Key IT Accomplishments

**TABLE 1.4: Other FY26 Key IT Accomplishments**

| | |
|---|---|
| **APPLICATION** | |
| Accomplishment | Case management system expansion |
| Value or Impact | New module for Contract Counsel with hourly contract attorney functions. |
| **DATA** | |
| Accomplishment | Backup enhancement |
| Value or Impact | New version of Veeam, numerous optimization enhancements for routing and data handling. |
| **PROCESS IMPROVEMENT** | |
| Accomplishment | Hardware replacement enhancements |
| Value or Impact | Faster replacement for employees |
| **WORKFORCE** | |
| Accomplishments | Sentinel One Purple AI |
| Value or Impact | Enhanced security. |
| **CUSTOMER SERVICE** | |
| Accomplishments | LaserFiche Workflow forms |
| Value or Impact | Improve efficiency and access to records. |
| **TELEWORK** | |

| | |
|---|---|
| Accomplishments | Remote access enhancements |
| Value or Impact | Entra optimizations |
| **SECURITY** | |
| Accomplishments | Scanning Enhancements |
| Value or Impact | Added multiple scanning engines increasing security depth and isolating potential for lateral movement internally |

# V. FY28 IT STRATEGIC GOALS AND STRATEGIES

**TABLE 1.5a: Strategic Goals Priority 1**

| **STRATEGIC PRIORITY 1 – Strategy Name SD-WAN Successor (CATO)** | |
|---|---|
| **Goal Statement** | |
| **FY28 Strategy 1** | Starlink Redundant Lines |
| Outcomes/Metrics | Install Starlink Data Lines as the active failover for all offices. |
| **FY28 Strategy 2** | ZTNA (Zero Trust Network Access) VPN |
| Outcomes/Metrics | Replacement of current VPN with new ZTNA Cato-based VPN. Removes central VPN hardware and makes VPN services carrier based. |
| **FY28 Strategy 3** | Folder-Based ZTNA MFA |
| Outcomes/Metrics | For high-security internal folders a secondary 2FA prompt will be triggered when accessing that resource. |
| **FY28 Strategy 4** | Secure Gateway & POPS (CATO) |
| Outcomes/Metrics | Elimination of central point of failure with complete cloud routing |

**TABLE 1.5b: Strategic Goals Priority 2**

| **STRATEGIC PRIORITY 2 – Strategy Name SIEM upgrade, security and legal analysis efficiency** |
|---|

| Goal Statement | |
|---|---|
| **FY28 Strategy 1** | Cisco Umbrella 2.0 |
| Outcomes/Metrics | Adds AI detection, classification and approval |
| **FY28 Strategy 2** | SIEM integration with security products |
| Outcomes/Metrics | Connect all security products and logs with SIEM |
| **FY28 Strategy 3** | I.T. AI (Purple) |
| Outcomes/Metrics | Automatic inspection and reporting on security log files tied into SIEM. |
| **FY28 Strategy 4** | Legal Efficiency Tools |
| Outcomes/Metrics | Standardize attorney platforms for discovery review, legal research, motions writing, and case review. |

**TABLE 1.5c: Strategic Goals Priority 3**

| STRATEGIC PRIORITY 3 – Strategy Name End user upgrades | |
|---|---|
| **Goal Statement** | |
| **FY28 Strategy 1** | ARM based Surface compatibility test |
| Outcomes/Metrics | Test new surface platform before attorney deployment. |
| **FY28 Strategy 2** | Windows 12 preparation |
| Outcomes/Metrics | Ensure department-wide compatibility with upcoming AI-centric windows release. |
| **FY28 Strategy 3** | ZTNA VPN deployment (Zero Trust Network Access) |

| | |
|---|---|
| Outcomes/Metrics | General replacement of existing VPN to higher security ZTNA VPN |
| **FY28 Strategy 4** | Folder enforced Multi-instance 2FA |

# VI. IT FISCAL AND BUDGET MANAGEMENT

[Double-click to open linked excel table to update]

| | | | | | |
|---|---|---|---|---|---|
| **General Fund** | 2,648.0 | 2,159.0 | 2,409.0 | 2,490.0 | 2,590.0 |
| **Other State Funds** | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| **Federal Funds** | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| **Internal Svc Funds/Interagency Transfer** | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| **Total** | **2,648.0** | **2,159.0** | **2,409.0** | **2,490.0** | **2,590.0** |

| Expendіture Categories *(dollars in thousands)* | | | | | |
|---|---|---|---|---|---|
| **Category or Account Description** | **FY25 Actual** | **FY26 Actual** | **FY27 OpBud** | **FY28 Request** | **FY29 Estimate** |
| **Personal Services & Employee Benefits** | 823.0 | 839.0 | 910.0 | 920.0 | 950.0 |
| **Contractual & Professional Services** | 559.0 | 410.0 | 540.0 | 610.0 | 650.0 |
| **IT Other Services** | 1,266.0 | 910.0 | 959.0 | 960.0 | 990.0 |
| **Other Financing Uses** | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| **Total** | **2,648.0** | **2,159.0** | **2,409.0** | **2,490.0** | **2,590.0** |

# VII. C2 COMPUTER SYSTEM ENHANCEMENT FUNDING (CSEF) REAUTHORIZATION

## G. Previously Issued Supplemental Funding

The LOPD has had one reauthorization in the past for the digital scanning of hard copy archives. This consisted of several thousand boxes of hard copy archives, which were manually scanned.

## H. List of C2 Funding Requests

The LOPD has two funding requests for FY28:

- Core Technology Refresh
- Attorney Legal Technology & Digital Evidence

## I. Requested Reauthorizations

None

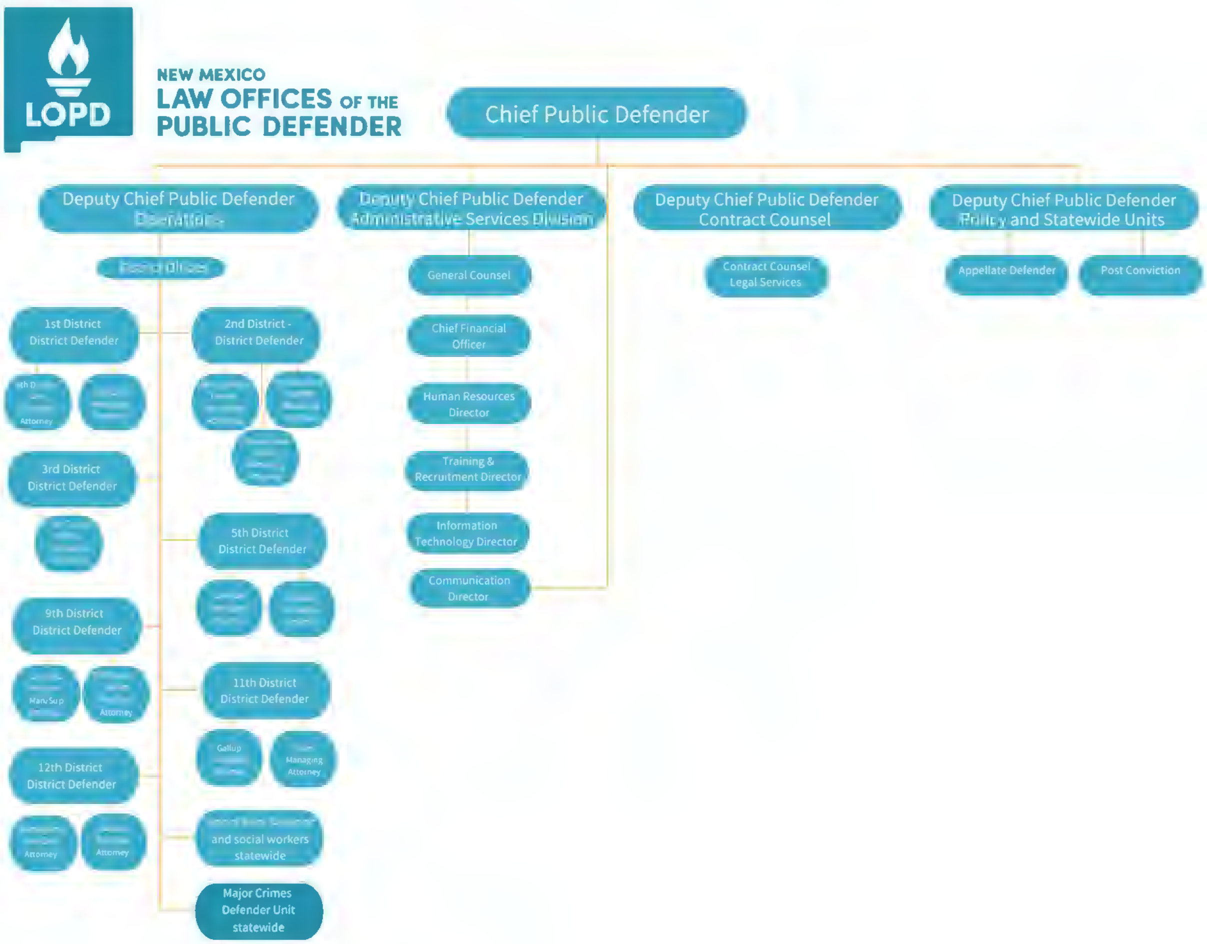
**TABLE 1.7: Request for Reauthorization of C2 Appropriations**

<table>
<tr><th colspan="5">Information Technology Request for Reauthorization of C2 Appropriations</th></tr>
<tr><td>Agency Name</td><td></td><td>Agency Code</td><td colspan="2"></td></tr>
<tr><td>Lead Agency Name Listed on Appropriation</td><td></td><td>Project Name</td><td colspan="2"></td></tr>
<tr><td colspan="3"># of Reauthorization Requests</td><td colspan="2"></td></tr>
<tr><td colspan="3">Source of Authorization<br>(e.g. Laws 2022, Chapter 54, Section 7 (12) or Grant/Federal Fund #)</td><td>Appropriation Amount<br>(in thousands)</td><td>Remaining Balance<br>(in thousands)</td></tr>
<tr><td colspan="3"></td><td>0.0</td><td>0.0</td></tr>
<tr><td colspan="3"></td><td>0.0</td><td>0.0</td></tr>
<tr><td colspan="3"></td><td>0.0</td><td>0.0</td></tr>
<tr><td colspan="3"></td><td>0.0</td><td>0.0</td></tr>
<tr><td colspan="3"></td><td>0.0</td><td>0.0</td></tr>
<tr><td colspan="3"></td><td>0.0</td><td>0.0</td></tr>
<tr><td>Total amount appropriated for project life<br>(in thousands)</td><td></td><td colspan="2">Will the project be completed within the next fiscal year?</td><td>☐ Yes</td></tr>
</table>

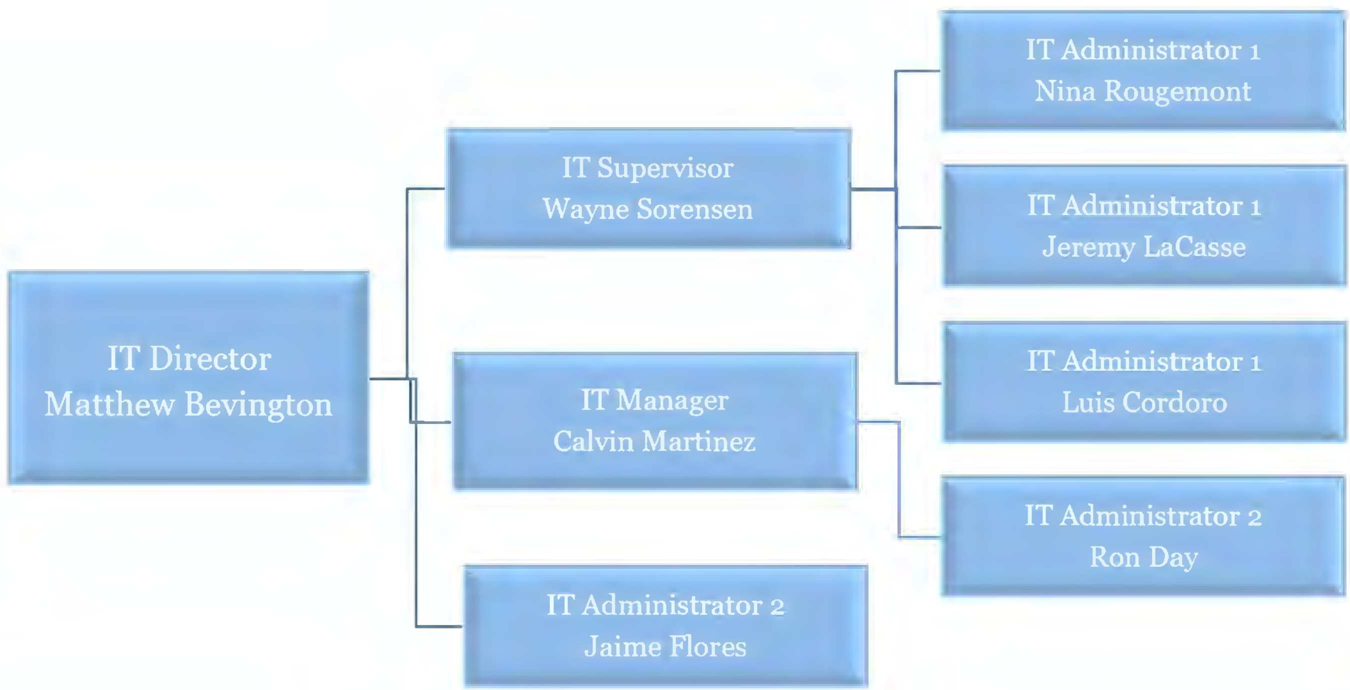
| | | | |
|---|---|---|---|
| | | | ☐ No |
| **Reason for Requesting Reauthorization** | | | |

# APPENDICES

## APPENDIX I: AGENCY ORGANIZATION CHART



# APPENDIX II: IT ORGANIZATION CHART



# APPENDIX III: C2 IT DATA PROCESSING CSEF

[Double-click to open linked excel table to update]

**C2: Information Technology**
**Data Processing - Computer Systems Enhancement Fund (CSEF)**

| Agency Name | Agency Code | Project Name | | |
|---|---|---|---|---|
| Law Offices of the Public Defender | 2800 | AI Attorney Legal Tools | | |
| **If Multi-Agency Project, please list the Participating Agencies.** | | **Priority** | **Projected Start Date** | **Projected End Date** |
| | | 2 | 7/1/2027 | 6/30/2029 |

| Revenue Project Cost *(dollars in thousands)* | | | | |
|---|---|---|---|---|
| **Category or Account Description** | **FY26 & Prev Actual** | **FY27 Budget** | **FY28 Request** | **Total** |
| **General Fund (CSEF)** | 0.0 | 0.0 | 762.5 | 762.5 |
| **Other State Funds *(*specify funds below)*** | 0.0 | 0.0 | 0.0 | 0.0 |
| **Federal Funds** | 0.0 | 0.0 | 0.0 | 0.0 |
| **Internal Svc Funds/Interagency Transfer** | 0.0 | 0.0 | 0.0 | 0.0 |
| **Total** | **0.0** | **0.0** | **762.5** | **762.5** |
| ***If Other State Funds, Specify Funding Source/Fund Name** | | | | |

| Expenditure Categories *(dollars in thousands)* | | | | |
|---|---|---|---|---|
| | **FY26 & Prev Actual** | **FY27 Budget** | **FY28 Request** | **Total** |
| **Personal Services & Employee Benefits** | 0.0 | 0.0 | 0.0 | 0.0 |
| **Professional Services** | 0.0 | 0.0 | 150.0 | 150.0 |
| **Travel/Lodging** | 0.0 | 0.0 | 12.5 | 12.5 |
| **IT Hardware** | 0.0 | 0.0 | 0.0 | 0.0 |
| **IT Software** | 0.0 | 0.0 | 600.0 | 600.0 |
| **Other** | 0.0 | 0.0 | 0.0 | 0.0 |
| **Total** | **0.0** | **0.0** | **762.5** | **762.5** |

| | **Print Name** | **Phone** | **Email Address** | **Date** |
|---|---|---|---|---|
| **Agency Cabinet Secretary/ Director (Mandatory)** | Bennett J. Baur | 505-395-2881 | bennettj.baur@lopdnm.us | 8/31/2026 |
| **Chief information Officer or IT Lead (Mandatory)** | Matthew Beving | 505-715-5801 | matt.bevington@lopdnm.us | 8/31/2026 |
| **Chief Finance Officer / Budget Director (Mandatory)** | Debbie O'Dell | 505-395-2865 | debbie.odell@lopdnm.us | 8/31/2026 |

## C2: Information Technology
## Data Processing - Computer Systems Enhancement Fund (CSEF)

| Agency Name | Agency Code | Project Name | | |
|---|---|---|---|---|
| Law Offices of the Public Defender | 2800 | Core Technology Refresh | | |
| **If Multi-Agency Project, please list the Participating Agencies.** | | **Priority** | **Projected Start Date** | **Projected End Date** |
| | | 1 | 7/1/2027 | 6/30/2029 |

| Revenue Project Cost *(dollars in thousands)* | | | | |
|---|---|---|---|---|
| **Category or Account Description** | **FY26 & Prev Actual** | **FY27 Budget** | **FY28 Request** | **Total** |
| **General Fund (CSEF)** | 0.0 | 0.0 | 3,250.0 | 3,250.0 |
| **Other State Funds *(*specify funds below)*** | 0.0 | 0.0 | 0.0 | 0.0 |
| **Federal Funds** | 0.0 | 0.0 | 0.0 | 0.0 |
| **Internal Svc Funds/Interagency Transfer** | 0.0 | 0.0 | 0.0 | 0.0 |
| **Total** | **0.0** | **0.0** | **3,250.0** | **3,250.0** |
| ***If Other State Funds, Specify Funding Source/Fund Name** | | | | |

| Expenditure Categories *(dollars in thousands)* | | | | |
|---|---|---|---|---|
| | **FY26 & Prev Actual** | **FY27 Budget** | **FY28 Request** | **Total** |
| **Personal Services & Employee Benefits** | 0.0 | 0.0 | 0.0 | 0.0 |
| **Professional Services** | 0.0 | 0.0 | 25.0 | 25.0 |
| **Travel/Lodging** | 0.0 | 0.0 | 25.0 | 25.0 |
| **IT Hardware** | 0.0 | 0.0 | 3,200.0 | 3,200.0 |
| **IT Software** | 0.0 | 0.0 | 0.0 | 0.0 |
| **Other** | 0.0 | 0.0 | 0.0 | 0.0 |
| **Total** | **0.0** | **0.0** | **3,250.0** | **3,250.0** |

| | Print Name | Phone | Email Address | Date |
|---|---|---|---|---|
| **Agency Cabinet Secretary/ Director (Mandatory)** | Bennett J. Baur | 505-395-2881 | Bennettj.baur@lopdnm.us | 8/31/2026 |
| **Chief information Officer or IT Lead (Mandatory)** | Matthew Beving | 505-715-5801 | matt.bevington@lopdnm.us | 8/31/2026 |
| **Chief Finance Officer / Budget Director (Mandatory)** | Debbie O'Dell | 505-395-2865 | Debbie.Odell@lopdnm.us | 8/31/2026 |

## Strategic Plan Approval

| | Print Name | Date |
|---|---|---|
| **Agency Cabinet Secretary/ Director** | **Bennett J. Baur** | 8/31/2026 |
| **Agency Chief Information Officer or IT Lead** | **Matthew Bevington** | 8/31/2026 |
| **Agency Chief Finance Officer** | **Debbie O'Dell** | 8/31/2026 |

NEW MEXICO
LAW OFFICES OF THE
PUBLIC DEFENDER

**Fiscal Year 28**
**Information Technology Funding (C2) Request**
**Core Technology Refresh**
**Full Business Case**

**Matthew Bevington**
Chief Information Officer

Updated: June 29, 2026

# Table of Contents

# I. Executive Summary

**Proposed Project Description:**

This project replaces core server infrastructure at the department as well as any ancillary equipment and software identified through this process. These servers host all virtual services and ancillary servers for the department. Our infrastructure is nine years old, is at end-of-life, and no longer qualifies for extended support.

This project also replaces attorney Microsoft Surface laptops with newer versions with additional memory.

**Business Need/Problem:**

The core servers are at end of life and replacement parts are no longer available. Most importantly, the RAID hard drive controllers (redundant array of Independent Disks) and hard drives within the servers are no longer available from the manufacturer. Replacement means an additional five years of guaranteed hardware support as well as increased security, speed, and reduced downtime.

Attorneys have exceeded the 16 GB of memory available on Microsoft Surfaces. This project upgrades the laptops to new models with 32 GB. The upgrade will prevent system crashes associated with memory constraints while using evidence and legal tools they utilize every day.

**Value and Benefits:**

This project prevents serious departmental downtime and expense associated with server hardware outages and individual attorney service times. For example, in the last year we have had three separate server RAID controller failures and have had difficulty in obtaining replacement parts. The new hardware is also hardened against AI attacks, which our current hardware does not support.

This project will also prevent attorneys from experiencing laptop system crashes associated with memory constraints while serving clients and in court.

**Project Objectives:**

The three large main virtual machine servers will be replaced as well as any ancillary equipment and software identified during this process and the existing virtual machines migrated. The storage pool size and memory pool size will also be increased.

The attorney Surface laptops will be replaced with 32 GB versions.

**Alignment with the IT Strategic Plan:**

The IT Strategic Plan is in alignment with this request by virtue of escalating security requirements along with the continuity of computing for maintaining production. Service time for parts replacement will be decreased to less than one business day. Availability of parts and service will be extended out to five years (2032).

The project will also ensure laptops can meet the needs of attorneys when reviewing discovery and other evidence.

**Proposed Agency General Appropriation Act (GAA) Language:**

To replace servers, laptops, and associated equipment or software.

# II. Project Background

## Project Description:

1. **Detailed Project Description:**

   Project replaces core server infrastructure at the department. These servers host all virtual services and ancillary servers for the department. Our infrastructure is nine years old, is at end-of-life, and no longer qualifies for extended support. This project also replaces attorney Microsoft Surface laptops with newer versions with additional memory.

2. **Type of Project:**

   This is a new solution replacing an existing solution.

3. **Technology Type:**

   The technology is off the shelf.

4. **Mission Critical Application:**

   This project is critical as it is the core and central computing components of the entire department comprising all local services. The project also replaces attorney laptops with new machines that can handle the evidence review systems currently required.

   The department has extended the life cycle of the existing main servers by using extended service agreements, which are now entering their final phase of availability. This has maximized the value and limited costs for as long as possible.

5. **Services Required (Non-Recurring Costs):**

   a. **Is the system being considered a hosted solution?**

      No. This project is completely on-prem.

   b. **Professional Services (Non-Recurring costs)**

      No professional service is required. LOPD has its own software for migrating and imaging systems.

   c. **Hardware Description (Non-Recurring Costs):**

      Acquisition of three HPE DL series servers.

Acquisition of 225 Microsoft Surface 8 laptops.

d. **Software Licenses (Non-Recurring Costs):**

No. All licensing is already accounted for.

e. **Training Description (Non-Recurring Costs):**

The project accounts for the costs of training associated with the security functions of both the new servers and the Surface Laptops, including manufacturer-provided training.

f. **Compliance and Security Description (Non-Recurring Costs):**

There are no costs associated with compliance and security.

g. **Facilities Description (Non-Recurring Costs):**

There are no costs associated with facilities.

h. **FTE Personnel Services Description (Non-Recurring Costs):**

No Additional FTE are needed to meet the project's objectives.

i. **Estimated Start Date:** July 2027

j. **Estimate End Date:** July 2028

k. **Partial Project Funding Feasibility:**

   i. **If full funding is not available, can value be delivered with partial funding until additional revenue becomes available (i.e. Project Initiation and Planning to perform business analysis, conduct industry surveys, generate RFI, or identify valid procurement methods.)?**

   Partial funding would allow for the replacement of the core server infrastructure and the attorney laptop replacement would be postponed. This would ensure the core functions are maintained, although heightened ticket volume for attorney difficulties with their existing Surface laptops would continue

   ii. **If the project can be phased for what purpose will the funding be used?**

   Replacement of three Core Dell Servers with three HPE DL Series Servers.

## Project History:

**Project Funding Request Category:**

| | |
|---|---|
| ☒ New Request | ☐ Continuation of previously funded |
| ☐ Phased Implementation | ☐ Repeat Funding Request (prev. denied) |

**Commented [MH1]:** There appears to be multiple tables for this - perhaps we need to provide some instructions around this expectation?

**Commented [DD1R2]:** @Hazlett, Melanie, DoIT Please turn into check boxes. Also, qualify information requested is only for new project funding request and/or reauthorization of existing projects. Your pal, Dave

**Table 1: Existing Project's Reauthorization Information**

| Fiscal Year | Certification Phase (if any) | Appropriation Amount | Funding Source *(Please include any reauthorizations if applicable)* | Reauthorization (Yes/No) |
|---|---|---|---|---|
| N/A | | | | |
| | | | | |
| | | | | |

**Table 2: Existing Project's Appropriation History**

| Appropriation History *Include All Funding Sources, e.g. Federal, State, County, Municipal Laws or Grants.* | | | | | | | |
|---|---|---|---|---|---|---|---|
| Fiscal Year | Funding Source Description | General Fund | Other State Funds | *Internal Serv Funds/ Inter Agency Transfer | Federal Funds | Other Funds | Total Amount |
| N/A | | | | | | | |
| | | | | | | | |
| **Total Appropriation:** | | | | | | | |
| **Total Appropriation Amount Minus Total Certified Funds (include this request):** | | | | | | | |

**Table 3: Existing Project's Certification History**

| Certification History | | | | | | | |
|---|---|---|---|---|---|---|---|
| Date | Certification Phase | Amount | Funding Source *(Use specific citations matching preceding table.)* | Contingency | Contingency Due Date | Requirement | Requirement Due Date |
| **N/A** | | | | | | | |
| | | | | | | | |
| **Total Certified:** | | | | | | | |

**Table 4: Project Key Milestones and Contract Deliverables**

| Project Key Milestones and Contract Deliverables | | | |
|---|---|---|---|
| Key Milestone and Contract Deliverables | Due Date | Completion Date | Project Phase |
| N/A | | | |
| | | | |

### Existing Project Independent Verification and Validation (IV&V)

1. **IV&V Vendor Name:**
   None, this project does not require IV&V.
2. **IV&V Report Effective Date:**
   None, this project does not require IV&V.
3. **Overall IV&V Status Rating:**
   None, this project does not require IV&V.
4. **Overall IV&V Status Summary:**
   None, this project does not require IV&V.
5. **Overall Trend Summary:**
   None, this project does not require IV&V.
6. **Accomplishments:**
   None, this project does not require IV&V.
7. **High Level Recommendations:**
   None, this project does not require IV&V.

## III. Risks

The LOPD will be utilizing in-house tools - Smart Deploy and V-motion - to directly migrate data to the new systems. This will be a direct, non-destructive migration with the complete ability to fall back. In the event of some catastrophic failure during the migration process whereby the original servers are lost, it would involve rebuilding the servers from backups onto the new servers instead of a straight migration.

There is little to no risk in migrating to new laptops for the attorneys – Smart Deploy is also used to image the replacement machine and the user specific data is then copied in a non-destructive method.

The following table provides a quick risk assessment of the proposed project's inherent risks.

**Table 6: Risk Assessment for Proposed Solution**

| | Criteria | Risk Score = 1 | Risk Score = 2 | Risk Score = 3 | Score |
|---|---|---|---|---|---|
| 1 | **Estimated project cost** | Less than $250K | $250K - $1M | Greater than $1M | 3 |
| 2 | **Estimated total calendar months before completion** | 6 or less | 6 to 12 | More than 12 | 1 |
| 3 | **Number of project team members** | 5 or less | 6 to 10 | More than 10 | 2 |

| | | | | | |
|---|---|---|---|---|---|
| 4 | **Number of subject matter experts required to execute the project** | 3 or less | 4 or 5 | 6 or more | 1 |
| 5 | **Project manager experience level** | 3 or more projects of similar scope | 1 to 2 projects of similar scope | No prior projects of similar scope | 1 |
| 6 | **Estimated total effort hours** | Less than 500 | 500 - 1800 | More than 1800 | 2 |
| 7 | **Number of sites/offices impacted by the project** | 1 | 2 to 5 | More than 5 | 3 |
| 8 | **Uniqueness of project's technical requirements** | Similar to others in the department | Similar to others, but complex | New and complex | 1 |
| 9 | **Impact of noncompliance with applicable laws and regulations** | None or minimal | Moderate | Significant | 1 |
| 10 | **Impact of 12-month project postponement on existing systems** | Existing systems can compensate with minimal costs | Existing or new systems can compensate with substantial costs | Existing systems must be curtailed because of the lack of proposed project | 1 |
| 11 | **Number of interfaces to existing systems affected** | 0 | 1 to 3 | More than 3 | 1 |
| 12 | **User requirements definition** | Clearly defined | Somewhat defined, but complex | Very vague and complex | 1 |

| **Total Risk Score:** | **18** |
|---|---|

## IV. Scope and Constraints

The following are elements of the project which are in-scope and out-of-scope that are identified to manage trade-offs during execution.

### Scope:

**Table 7: In Scope**

| In Scope | Description |
|---|---|
| Replacement of virtual server hardware | Replacement of three Dell servers which were considered large at the time of their purchase |
| Replacement of attorney Microsoft Surfaces | Replacement of 225 Microsoft Surface laptops with Microsoft Surface Laptop 8 models. |
| | |

**Table 8: Out of Scope**

| Out of Scope | Description | Reason Why |
|---|---|---|
| Replacement of main storage for servers | Large Apollo and Nimble storage arrays | Large storage arrays are still within their lifespan and do not need to be replaced at this time. |
| Server Attached storage. | Direct attached storage (DAS) to servers | No longer needed due to the large bulk arrays, transport recently upgraded to 10 GB. |
| Replacement support staff computers | Older desktops and early generation Microsoft Surfaces. | Older attorney laptops will be repurposed and distributed to LOPD support staff as an upgrade. |

**Constraints:**

**Table 9: Constraints**

| Constraints | |
|---|---|
| **Category** | **Description** |
| After Hours Migration | Smooth migration will require after-hours or weekend work. |
| Office by Office Surface Replacement | The replacement process for surfaces will take place on a per office schedule instead of a wholesale cutover |

## V. Industry Method(s) Used To Develop Accurate Cost Estimate

**Table 11: C2 Cost Breakdown**

| No. | METHOD USED | PURPOSE | C2 FUNDING REQUEST ($) |
|---|---|---|---|
| 1 | Request for Information (RFI) | Gather preliminary information from potential vendors on capabilities, pricing models, and feasibility | $3,250 |
| 2 | Request for Proposal (RFP) | To solicit comprehensive proposals that include technical solutions, cost breakdowns, and delivery schedules | |
| 3 | Market Surveys | Engage vendors through surveys to understand pricing capabilities | |
| 4 | Historical Cost Data Analysis | Review past expenditures on similar projects to predict future costs | |

| No. | METHOD USED | PURPOSE | C2 FUNDING REQUEST ($) |
|---|---|---|---|
| 5 | Interstate Collaboration and Networking | Contact other organizations such as National Association of State Procurement Officials (NASPO), the National Governors Association (NGA), and other industry specific organizations to gather cost data and procurement information. Attend conferences and webinars where states share project outcomes and cost data. | |
| 6 | State Specific Agencies | Contact counterparts in other states (e.g. Department of Health, Department of Transportation) to obtain data on similar project initiatives | |
| 7 | Other Method: [Entered by Agency the specific method used to capture information if those above do not apply] | Industry monitoring of supply chain, in particular pricing and availability for storage and memory since 2024 | |

## VI. Key Stakeholders

The following table identifies internal and external stakeholders, their project responsibilities and their expected impact on the project's success.

| Project Impact Scale: 1 = Low Impact; 2 = Medium Impact; 3 = High Impact |
|---|

| Internal Stakeholders | Department or Agency | Project Responsibilities | Project Impact |
|---|---|---|---|
| LOPD staff | LOPD | Utilize system | 1 |
| LOPD I.T. staff | LOPD | Image systems and migrate virtual machines | 1 |

| External Stakeholders | Company or Organization | Project Responsibilities | Project Impact |
|---|---|---|---|
| HPE | HPE | Deliver HPE DL Series Hardware | 3 |
| CDW | CDW | Deliver Surface Laptop 8's | 3 |

## VII. Objectives, Outcomes, Key Performance Indicators

The following are key project objectives with related deliverable outcomes and quantifiable Key Performance Indicators (KPIs).

**Table 12: KPI**

| Objectives | Outcomes/Deliverables | Benefits/KPIs (as applicable) |
|---|---|---|
| Install replacement servers and migrate virtual servers to new hardware. | Successfully migrate virtual servers using V-Motion | New Support Life Cycle replacing end-of-life hardware. |
| Migrate users to new Surface Laptop 8s. | Attorneys will have a new Surface laptop. | 32 GB memory upgrade |

## VIII. Benefits

The following is a list of tangible and intangible benefits anticipated from the project.

**Table 13: Tangible Benefits**

| Tangible Benefits | |
|---|---|
| Reduction in annual downtime due to hardware failure and the associated office downtime for waiting for limited hardware replacement parts | $1,400-$28,500 an hour saved production vs. outage (see alternative approach table below). |
| Reduction in system problems due to memory limitations of current Microsoft Surface laptops | Reduce or eliminate 30 helpdesk tickets per week involving application or operating system issues associated with memory limitations. |

**Table 14: Intangible Benefits**

| Intangible Benefits | Metrics |
|---|---|
| Reduction in stress and frustration from attorney staff | Reduce trouble tickets entered to help desk, reduce production delays and stress with filing deadlines. |

## IX. Alternative Approach Analysis

### Justification for Project Selection:

The following table includes viable alternatives, including preliminary research and analysis, that were eliminated in favor of the proposed project.

**Table 10: Alternative Approach**

| **Alternative Description** *(e.g. Status Quo, Enhancements, Replacement)* | **Reason Eliminated** | **Cost** | **Preliminary research and analysis conducted** *(Yes/No)* |
|---|---|---|---|
| Status Quo: Use existing hardware. | Increasing Hardware Failure Rate – Product loss (small office) | $1,400 an hour lost production | yes |
| Status Quo: Use existing hardware. | Increasing Hardware Failure Rate – Product loss (medium office) | $2,280.00 an hour lost production | yes |
| Status Quo: Use existing hardware. | Increasing Hardware Failure Rate – Product loss (department outage) | $28,500 an hour lost production | yes |

## X. Total Cost of Ownership

The following table lists the total potential cost to develop or acquire, implement, operate and maintain the proposed project for its entire life cycle.

**IX. Total Cost of Ownership**
**[Name of Recommended Solution]**
[The Total Cost of Ownership (TCO) is designed to capture the system lifecycle and should include costs to acquire or

| | Category | Previous Actuals[1] | FY27 | FY28 | FY29 | FY30 | FY31 | Total |
|---|---|---|---|---|---|---|---|---|
| **Non-Recurring Cost - Development & Implementation** | | **(in thousands)** | | | | | | |
| 200 | Personal Services and Employee Benefits | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 |
| 300 | Contractual Services | | | | | | | |
| | IT Professional Services: Project Management | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 |
| | IT Professional Services: IV&V | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 |
| | IT Professional Services: Business Analysis | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 |
| | IT Professional Services: Dev./Imp./Training/UAT | $0.0 | $0.0 | $25.0 | $0.0 | $0.0 | $0.0 | $25.0 |
| | Other Professional Services | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 |
| 400 | Other | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 |
| | Travel/Lodging | $0.0 | $0.0 | $25.0 | $0.0 | $0.0 | $0.0 | $25.0 |
| | Hardware | $0.0 | $0.0 | $3,200.0 | $0.0 | $0.0 | $0.0 | $3,200.0 |
| | Software Licenses | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 |
| | Facilities | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 |
| **Subtotal Non-Recurring Cost** | | **$0.0** | **$0.0** | **$3,250.0** | **$0.0** | **$0.0** | **$0.0** | **$3,250.0** |
| **Recurring Maintenance and Operations (M&O) Cost** | | **(in thousands)** | | | | | | |
| 200 | Personnel Services and Employee Benefits | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 |
| 300 | Contractual Services | | | | | | | |
| | IT Professional Services | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 |
| | Training | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 |
| 400 | Other | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 |
| | Hardware | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 |
| | Software Licenses | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 |
| | Facilities | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 |
| | Compliance and Security | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 |
| **Subtotal Recurring M&O Cost** | | **$0.0** | **$0.0** | **$0.0** | **$0.0** | **$0.0** | **$0.0** | **$0.0** |
| *[1] Applicable for on-going or existing project.* | | | | | | | | |
| **Total Cost** | | **$0.0** | **$0.0** | **$3,250.0** | **$0.0** | **$0.0** | **$0.0** | **$3,250.0** |

# XI. C2 Form – Computer System Enhancement Fund (CSEF)

| Agency Name | Agency Code | Project Name | | | |
|---|---|---|---|---|---|
| Law Offices of the Public Defender | 2800 | Core Technology Refresh | | | |
| If Multi-Agency Project, please list the Participating Agencies. | | | Priority | Projected Start Date | Projected End Date |
| | | | 1 | 7/1/2027 | 6/30/2029 |

| Revenue Project Cost *(dollars in thousands)* | | | | |
|---|---|---|---|---|
| Category or Account Description | FY26 & Prev Actual | FY27 Budget | FY28 Request | Total |
| General Fund (CSEF) | 0.0 | 0.0 | 3,250.0 | 3,250.0 |
| Other State Funds *(*specify funds below)* | 0.0 | 0.0 | 0.0 | 0.0 |
| Federal Funds | 0.0 | 0.0 | 0.0 | 0.0 |
| Internal Svc Funds/Interagency Transfer | 0.0 | 0.0 | 0.0 | 0.0 |
| **Total** | **0.0** | **0.0** | **3,250.0** | **3,250.0** |
| *If Other State Funds, Specify Funding Source/Fund Name | | | | |

| Expenditure Categories *(dollars in thousands)* | | | | |
|---|---|---|---|---|
| | FY26 & Prev Actual | FY27 Budget | FY28 Request | Total |
| Personal Services & Employee Benefits | 0.0 | 0.0 | 0.0 | 0.0 |
| Professional Services | 0.0 | 0.0 | 25.0 | 25.0 |
| Travel/Lodging | 0.0 | 0.0 | 25.0 | 25.0 |
| IT Hardware | 0.0 | 0.0 | 3,200.0 | 3,200.0 |
| IT Software | 0.0 | 0.0 | 0.0 | 0.0 |
| Other | 0.0 | 0.0 | 0.0 | 0.0 |
| **Total** | **0.0** | **0.0** | **3,250.0** | **3,250.0** |

| | Print Name | Phone | Email Address | Date |
|---|---|---|---|---|
| Agency Cabinet Secretary/ Director (Mandatory) | Bennett J. Baur | 505-395-2881 | Bennettj.Baur@lopdnm.us | 8/31/2026 |
| Chief information Officer or IT Lead (Mandatory) | Matthew Beving | 505-715-5801 | matt.bevington@lopdnm.us | 8/31/2026 |
| Chief Finance Officer / Budget Director (Mandatory) | Debbie O'Dell | 505-395-2865 | Debbie.Odell@lopdnm.us | 8/31/2026 |

## Approval of C2 Request Business Plan

| | Print Name | Date |
|---|---|---|
| Agency Cabinet Secretary/ Director | Bennett J. Baur | 8/31/2026 |
| Agency Chief Information Officer or IT Lead | Matthew Bevington | 8/31/2026 |
| Agency Chief Finance Officer | Debbie O'Dell | 8/31/2026 |

NEW MEXICO LAW OFFICES OF THE PUBLIC DEFENDER

# Fiscal Year 28
# Information Technology Funding (C2) Request
# Attorney Legal Technology and Digital Evidence
# Full Business Case


**Matthew Bevington**

Chief Information Officer


Updated: June 29, 2026

# Table of Contents

# I. Executive Summary

**Proposed Project Description:**

The project seeks to improve two of the most time intensive responsibilities for public defenders: motion generation and case review and the review of discovery and digital evidence. This project would add technology, such as Westlaw's CoCounsel, to LOPD attorneys' tool set for motion generation and case review, including evidence (also referred to as discovery) transcription. The evidence review tools will integrate with LOPD's case management system Defender Data.

**Business Need/Problem:**

Challenges with attorney recruitment and retention are leading to higher vacancy rates, resulting in increasing caseloads for each individual attorney. LOPD is currently charged with representation of more than 70,000 cases annually with a total FTE of 241 in-house attorney positions and about 90 contract attorneys.

**Value and Benefits:**

This project increases attorney efficiency and helps alleviate the strain of high caseloads. Investing in evidence review and motion technology will significantly improve per-case efficiency, helping existing attorney FTE absorb increasing digital evidence demands.

**Project Objectives:**

- Primary objective: Add Westlaw CoCounsel for every attorney in the public defender system.
- Secondary Objective: Automate one of the most time intensive aspects of defense representation: Discovery review.

This project would strengthen the Public Defender's ability to manage rapidly expanding digital evidence by deploying a suite of modern discovery tools and increase efficiency by enabling faster review of camera footage, security video, and mobile device extractions. It would also expand access to legal research and transcription services to improve attorney efficiency and accuracy and ensure constitutionally effective representation by equipping defenders with the technology necessary to meet current evidentiary demands statewide.

**Alignment with the IT Strategic Plan:**

This project aligns with LOPD's IT Strategic Plan by strengthening our ability to manage rapidly expanding digital evidence and supporting the department's core priority of improving efficiency, security, and attorney productivity. Deploying modern discovery processing tools directly advances the plan's goals of enhancing user experience, reducing time spent on tasks, and improving production across a statewide, mobile workforce.

Faster review of camera footage, security video, and mobile device extractions, along with expanded access to legal research and transcription services, supports the strategic emphasis on transitioning to secure online platforms, reducing system instability, and ensuring attorneys have reliable, high-performance tools.

By equipping defenders with technology that meets current evidentiary demands, the project reinforces the IT plan's mission of enabling staff to carry out their functions "in the fastest, most efficient way possible" and supports constitutionally effective representation throughout New Mexico.

**Proposed Agency General Appropriation Act (GAA) Language:**

For motion and discovery software.

# II. Project Background

## Project Description:

1. **Detailed Project Description:**

   The project seeks to improve two of the most time intensive responsibilities for public defenders: case organization, case review, case preparation, and the review of discovery and digital evidence. These tasks consume a disproportionate share of attorney time, especially as modern cases increasingly involve hours of lapel-camera footage, security video, mobile device extractions, and large volumes of digital records.

   Current caseloads far exceed recommended thresholds - the 2022 New Mexico Project estimated LOPD needed more than 600 additional attorneys, not including core staff to support them, to provide reasonably effective assistance of counsel. In other words, LOPD had 33% of the attorneys necessary to manage caseloads. Because LOPD bears constitutional liability for ensuring effective representation, reducing attorney caseload pressure is essential.

   By deploying tools that accelerate evidence review and streamline motion drafting, this project directly supports more sustainable caseload levels and strengthens the department's ability to meet its constitutional mandate.

2. **Type of Project:**

   This software is a new solution.

3. **Technology Type:**

   Software as a service.

4. **Mission Critical Application:**

This project directly supports the core mission and function of the LOPD, which is effective client representation. By equipping defenders with technology that meets current evidentiary demands, the project reinforces the IT plan's mission of enabling staff to carry out their functions "in the fastest, most efficient way possible" and supports constitutionally effective representation throughout New Mexico.

5. **Services Required (Non-Recurring Costs):**

   a. **Is the system being considered a hosted solution?**

      The system is a hosted SAAS solution.

   b. **Professional Services (Non-Recurring costs)**

      Professional services will be required to integrate between our case management system (Defender Data) and the discovery review system.

   c. **Hardware Description (Non-Recurring Costs):**

      No hardware involved.

   d. **Software Licenses (Non-Recurring Costs):**

      Project includes costs of licenses for Westlaw CoCounsel and licenses for discovery review.

   e. **Training Description (Non-Recurring Costs):**

      Project includes costs of training for IT staff regarding security involved to maintain these systems as well as vendor-led training for attorneys and paralegals staff on the new tools.

   f. **Compliance and Security Description (Non-Recurring Costs):**

      Products to be acquired are legal-industry specific and comply with the best practices. These costs are included in the licensing fees.

   g. **Facilities Description (Non-Recurring Costs):**

      Not applicable.

   h. **FTE Personnel Services Description (Non-Recurring Costs):**

      The project will be implemented using existing FTE, no additional FTE required for this project.

   i. **Estimated Start Date:**

      July 2027

   j. **Estimate End Date:**

      June 2029

   k. **Partial Project Funding Feasibility:**

i. **Partial Funding:**

If full funding is not available, partial funding would allow for the purchase and implementation of one of the two tools listed in this project. LOPD will make further requests in future years to implement the rest of the project.

ii. **Phased option:**

A phased approach would mean deploying tools to a portion of the population of attorneys rather than a general departmentwide deployment. LOPD will make further requests in future years to implement the rest of the project.

## Project History:

**Project Funding Request Category:**

☒ New Request
☐ Continuation of previously funded
☐ Phased Implementation
☐ Repeat Funding Request (prev. denied)

**Table 1: Existing Project's Reauthorization Information**

| Fiscal Year | Certification Phase (if any) | Appropriation Amount | Funding Source *(Please include any reauthorizations if applicable)* | Reauthorization (Yes/No) |
|---|---|---|---|---|
| N/A | | | | |
| | | | | |
| | | | | |

**Table 2: Existing Project's Appropriation History**

| Appropriation History<br>*Include All Funding Sources, e.g. Federal, State, County, Municipal Laws or Grants.* | | | | | | | |
|---|---|---|---|---|---|---|---|
| Fiscal Year | Funding Source Description | General Fund | Other State Funds | *Internal Serv Funds/ Inter Agency Transfer | Federal Funds | Other Funds | Total Amount |
| N/A | | | | | | | |
| | | | | | | | |
| Total Appropriation: | | | | | | | |
| Total Appropriation Amount Minus Total Certified Funds (include this request): | | | | | | | |

**Table 3: Existing Project's Certification History**

| Certification History | | | | | | | |
|---|---|---|---|---|---|---|---|
| Date | Certification Phase | Amount | Funding Source *(Use specific citations matching preceding table.)* | Contingency | Contingency Due Date | Requirement | Requirement Due Date |
| N/A | | | | | | | |
| | | | | | | | |
| Total Certified: | | | | | | | |

**Table 4: Project Key Milestones and Contract Deliverables**

| Project Key Milestones and Contract Deliverables | | | |
|---|---|---|---|
| Key Milestone and Contract Deliverables | Due Date | Completion Date | Project Phase |
| N/A | | | |
| | | | |

## Existing Project Independent Verification and Validation (IV&V)

1. **IV&V Vendor Name:**

   None, this is a SaaS project that does not require IV&V.

2. **IV&V Report Effective Date:**

   None, this is a SaaS project that does not require IV&V.

3. **Overall IV&V Status Rating:**

   None, this is a SaaS project that does not require IV&V.

4. **Overall IV&V Status Summary:**

   None, this is a SaaS project that does not require IV&V.

5. **Overall Trend Summary:**

   None, this is a SaaS project that does not require IV&V.

6. **Accomplishments:**

   None, this is a SaaS project that does not require IV&V.

7. **High Level Recommendations:**

   None, this is a SaaS project that does not require IV&V.

# III. Risks

The primary method of mitigating or reducing the impact or identified risks to this project revolves around using familiar interfaces. Westlaw CoCounsel will be integrated into the already familiar Westlaw tool that our attorneys utilize daily and is integrated into the functions they already use. We will also have vendor-provided training for all department attorneys so they can effectively utilize this new tool. In the case of the Evidence and Discovery Automation tool, we will be integrating this function into the LOPD Case Management System natively, thus bypassing the need for the attorneys to utilize the tool itself. The evidence processing will be a background function and its output automatically delivered to the attorney's case inside of the case management system. It is our intention to reduce the amount of difficulty to the end user to mitigate risk and increase utilization.

The following table provides a quick risk assessment of the proposed project's inherent risks.

**Table 6: Risk Assessment for Proposed Solution**

| | Criteria | Risk Score = 1 | Risk Score = 2 | Risk Score = 3 | Score |
|---|---|---|---|---|---|
| 1 | **Estimated project cost** | Less than $250K | $250K - $1M | Greater than $1M | |
| 2 | **Estimated total calendar months before completion** | 6 or less | 6 to 12 | More than 12 | 3 |
| 3 | **Number of project team members** | 5 or less | 6 to 10 | More than 10 | 2 |
| 4 | **Number of subject matter experts required to execute the project** | 3 or less | 4 or 5 | 6 or more | 1 |
| 5 | **Project manager experience level** | 3 or more projects of similar scope | 1 to 2 projects of similar scope | No prior projects of similar scope | 1 |
| 6 | **Estimated total effort hours** | Less than 500 | 500 - 1800 | More than 1800 | 2 |
| 7 | **Number of sites/offices impacted by the project** | 1 | 2 to 5 | More than 5 | 3 |
| 8 | **Uniqueness of project's technical requirements** | Similar to others in the department | Similar to others, but complex | New and complex | 1 |

| | | | | | |
|---|---|---|---|---|---|
| 9 | **Impact of noncompliance with applicable laws and regulations** | None or minimal | Moderate | Significant | 1 |
| 10 | **Impact of 12-month project postponement on existing systems** | Existing systems can compensate with minimal costs | Existing or new systems can compensate with substantial costs | Existing systems must be curtailed because of the lack of proposed project | 2 |
| 11 | **Number of interfaces to existing systems affected** | 0 | 1 to 3 | More than 3 | 2 |
| 12 | **User requirements definition** | Clearly defined | Somewhat defined, but complex | Very vague and complex | 1 |

| | |
|---|---|
| **Total Risk Score:** | **19** |

## IV. Scope and Constraints

The following are elements of the project which are in-scope and out-of-scope that are identified to manage trade-offs during execution.

### Scope:

**Table 7: In Scope**

| In Scope | Description |
|---|---|
| Creation of Westlaw CoCounsell Accounts for Attorneys | Procurement of Westlaw CoCounsel accounts |
| Creation of accounts for evidence review and transcription. | Procurement of evidence review and transcription software |
| Integration of evidence review and transcription with case management software. | Evidence transcription software will be tied to the Defender Data case management system via API. |

**Table 8: Out of Scope**

| Out of Scope | Description | Reason Why |
|---|---|---|
| Integration of Westlaw with Case Management System. | Integration of case management system with legal research tools | Closed system. |
| Internal RAG tool. | Locally hosted RAG (Retreival Augmented Generation) motion generation tool. This would have been a fully owned and operated closed AI system. | Costly and development intensive. |

**Constraints:**

**Table 9: Constraints**

| Constraints | |
|---|---|
| **Category** | **Description** |
| Proper training for new system. | Advanced tools will require training for attorney population. |
| | |

## V. Industry Method(s) Used To Develop Accurate Cost Estimate

**Table 11: C2 Cost Breakdown**

| No. | METHOD USED | PURPOSE | C2 FUNDING REQUEST ($) |
|---|---|---|---|
| 1 | Request for Information (RFI) | Gather preliminary information from potential vendors on capabilities, pricing models, and feasibility | $1,550 |
| 2 | Request for Proposal (RFP) | To solicit comprehensive proposals that include technical solutions, cost breakdowns, and delivery schedules | |
| 3 | Market Surveys | Engage vendors through surveys to understand pricing capabilities | |
| 4 | Historical Cost Data Analysis | Review past expenditures on similar projects to predict future costs | |
| 5 | Interstate Collaboration and Networking | Contact other organizations such as National Association of State Procurement Officials (NASPO), the National Governors Association (NGA), and other industry specific organizations to gather cost data and procurement information. Attend conferences and webinars where states share project outcomes and cost data. | |
| 6 | State Specific Agencies | Contact counterparts in other states (e.g. Department of Health, Department of Transportation) to obtain data on similar project initiatives | |
| 7 | Other Method: [Entered by Agency the specific method | Close monitoring and research for legal products over the last two years. Comprising multiple vendors and | |

| No. | METHOD USED | PURPOSE | C2 FUNDING REQUEST ($) |
|---|---|---|---|
| | used to capture information if those above do not apply] | technologies, including testing and evaluations involving attorneys and real-world cases for performance measurement. | |

## VI. Key Stakeholders

The following table identifies internal and external stakeholders, their project responsibilities and their expected impact on the project's success.

**Project Impact Scale:**
**1 = Low Impact; 2 = Medium Impact; 3 = High Impact**

| Internal Stakeholders | Department or Agency | Project Responsibilities | Project Impact |
|---|---|---|---|
| LOPD attorneys | LOPD | Test and use of new tools. | 3 |
| | | | |

| External Stakeholders | Company or Organization | Project Responsibilities | Project Impact |
|---|---|---|---|
| Justice Works/Defender Data case management system | Justice Works/ Defender Data case management system | API calls to Case Management System | 3 |
| Westlaw | Thomson Reuters | Deliver training to attorneys for new system | 2 |

## VII. Objectives, Outcomes, Key Performance Indicators

The following are key project objectives with related deliverable outcomes and quantifiable Key Performance Indicators (KPIs).

**Table 12: KPI**

| Objectives | Outcomes/Deliverables | Benefits/KPIs (as applicable) |
|---|---|---|
| Increase speed of deliverables and decrease effort for motion | Integrate LOPD document library data with Westlaw | Reduction in time from hours to minutes. Potential |

| | | |
|---|---|---|
| writing tasks needed in every case. | data ingest. Produce a tool which is optimized for LOPD work. | savings in attorney time cut from several hundred dollars per motion and review |
| Integrate evidence transcription software with Defender Data Case Management System. | Ingest and process and transcribe incoming evidence collected by justice partners. | Estimated savings in attorney time, cut from 10 to 20 hours on evidence-intensive cases to two hours |

# VIII. Benefits

The following is a list of tangible and intangible benefits anticipated from the project.

**Table 13: Tangible Benefits**

| Tangible Benefits | |
|---|---|
| Modern discovery-processing software is essential to improving efficiency and strengthening representation statewide. | Software may reduce time spent motion research and drafting by half. |
| Evidence and discovery review automation increases efficiency exponentially. | In testing, an in-house staffer saved 8 hours per case on a 10-hour discovery review. |

**Table 14: Intangible Benefits**

| Intangible Benefits | Metrics |
|---|---|
| Legal-specific tool optimized for LOPD work. | One of two of the only industry available legal-centric tools. |
| Workflow and interface already familiar to LOPD attorneys. | Built within the existing Westlaw ecosystem used statewide; reduces onboarding time. |

# IX. Alternative Approach Analysis

## Justification for Project Selection:

The following table includes viable alternatives, including preliminary research and analysis, that were eliminated in favor of the proposed project.

**Table 10: Alternative Approach**

| **Alternative Description** *(e.g. Status Quo, Enhancements, Replacement)* | **Reason Eliminated** | **Cost** | **Preliminary research and analysis conducted** *(Yes/No)* |
|---|---|---|---|
| Status Quo | Inefficient, ineffective, and further lowers morale. | Indeterminate but substantial | Yes. Leaving the workloads caused by extremely burdensome evidence review and motion drafting unaddressed is inexpensive and further drives burnout and vacancy rates. While difficult to calculate these costs directly, staff attrition from burnout costs millions each year. |
| Hire additional attorneys and support staff | Difficulty in recruitment, retention, and uncertain legislative support. | Substantial | Yes. Adding one attorney FTE costs an average $181,000 while support staff costs an average $116,000, including all benefits and other costs. Even adding 100 FTE of the 600 recommended in the 2022 workload study would cost more then $18 million per year. |

# X. Total Cost of Ownership

The following table lists the total potential cost to develop or acquire, implement, operate and maintain the proposed project for its entire life cycle.

| Category | | Previous Actuals[1] | FY27 | FY28 | FY29 | FY30 | FY31 | Total |
|---|---|---|---|---|---|---|---|---|
| **Non-Recurring Cost - Development & Implementation** | | **(in thousands)** | | | | | | |
| 200 | Personal Services and Employee Benefits | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 |
| 300 | Contractual Services | | | | | | | |
| | IT Professional Services: Project Management | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 |
| | IT Professional Services: IV&V | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 |
| | IT Professional Services: Business Analysis | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 |
| | IT Professional Services: Dev./Imp./Training/UAT | $0.0 | $0.0 | $150.0 | $150.0 | $150.0 | $150.0 | $600.0 |
| | Other Professional Services | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 |
| 400 | Other | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 |
| | Travel/Lodging | $0.0 | $0.0 | $12.5 | $12.5 | $0.0 | $0.0 | $25.0 |
| | Hardware | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 |
| | Software Licenses | $0.0 | $0.0 | $600.0 | $600.0 | $600.0 | $600.0 | $2,400.0 |
| | Facilities | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 |
| **Subtotal Non-Recurring Cost** | | **$0.0** | **$0.0** | **$762.5** | **$762.5** | **$750.0** | **$750.0** | **$3,025.0** |
| **Recurring Maintenance and Operations (M&O) Cost** | | **(in thousands)** | | | | | | |
| 200 | Personnel Services and Employee Benefits | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 |
| 300 | Contractual Services | | | | | | | |
| | IT Professional Services | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 |
| | Training | $0.0 | $0.0 | $12.5 | $12.5 | $0.0 | $0.0 | $25.0 |
| 400 | Other | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 |
| | Hardware | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 |
| | Software Licenses | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 |
| | Facilities | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 |
| | Compliance and Security | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 | $0.0 |
| **Subtotal Recurring M&O Cost** | | **$0.0** | **$0.0** | **$12.5** | **$12.5** | **$0.0** | **$0.0** | **$25.0** |
| *[1] Applicable for on-going or existing project.* | | | | | | | | |
| **Total Cost** | | **$0.0** | **$0.0** | **$775.0** | **$775.0** | **$750.0** | **$750.0** | **$3,050.0** |

# XI. C2 Form – Computer System Enhancement Fund (CSEF)

**C2: Information Technology**
**Data Processing - Computer Systems Enhancement Fund (CSEF)**

| Agency Name | Agency Code | Project Name | | |
|---|---|---|---|---|
| Law Offices of the Public Defender | 2800 | AI Attorney Legal Tools | | |
| **If Multi-Agency Project, please list the Participating Agencies.** | | **Priority** | **Projected Start Date** | **Projected End Date** |
| | | 2 | 7/1/2027 | 6/30/2029 |

| **Revenue Project Cost *(dollars in thousands)*** | | | | |
|---|---|---|---|---|
| **Category or Account Description** | **FY26 & Prev Actual** | **FY27 Budget** | **FY28 Request** | **Total** |
| **General Fund (CSEF)** | 0.0 | 0.0 | 762.5 | 762.5 |
| **Other State Funds *(*specify funds below)*** | 0.0 | 0.0 | 0.0 | 0.0 |
| **Federal Funds** | 0.0 | 0.0 | . | 0.0 |
| **Internal Svc Funds/Interagency Transfer** | 0.0 | 0.0 | 0.0 | 0.0 |
| **Total** | **0.0** | **0.0** | **762.5** | **762.5** |
| ***If Other State Funds, Specify Funding Source/Fund Name** | | | | |

| **Expenditure Categories *(dollars in thousands)*** | | | | |
|---|---|---|---|---|
| | **FY26 & Prev Actual** | **FY27 Budget** | **FY28 Request** | **Total** |
| **Personal Services & Employee Benefits** | 0.0 | 0.0 | 0.0 | 0.0 |
| **Professional Services** | 0.0 | 0.0 | 150.0 | 150.0 |
| **Travel/Lodging** | 0.0 | 0.0 | 12.5 | 12.5 |
| **IT Hardware** | 0.0 | 0.0 | 0.0 | 0.0 |
| **IT Software** | 0.0 | 0.0 | 600.0 | 600.0 |
| **Other** | 0.0 | 0.0 | 0.0 | 0.0 |
| **Total** | **0.0** | **0.0** | **762.5** | **762.5** |

| | **Print Name** | **Phone** | **Email Address** | **Date** |
|---|---|---|---|---|
| **Agency Cabinet Secretary/ Director (Mandatory)** | Bennett J. Baur | 505-395-2881 | Bennetj.Baur@opdnm.us | 8/31/2026 |
| **Chief information Officer or IT Lead (Mandatory)** | Matthew Beving | 505-715-5801 | matt.bevington@opdnm.us | 8/31/2026 |
| **Chief Finance Officer / Budget Director (Mandatory)** | Debbie O'Dell | 505-395-2865 | Debbie.odell@opdnm.us | 8/31/2026 |

## Approval of C2 Request Business Plan

| | Print Name | Date |
|---|---|---|
| Agency Cabinet Secretary/ Director | Bennett J. Baur | 8/31/2026 |
| Agency Chief Information Officer or IT Lead | Matthew Bevington | 8/31/2026 |
| Agency Chief Finance Officer | Debbie O'Dell | 8/31/2026 |