

APPENDIX B

SURVEY OF PUBLIC DEFENDER DIRECTORS

WSBA DEATH PENALTY STUDY
SURVEY OF PUBLIC DEFENDER DIRECTORS

1. What is the population of your county? Greater than 400,000 _____
100,000 to 400,000 _____
Less than 100,000 _____

2. Please provide the annual salaries of the attorneys on your staff who have experience in trying a death penalty case and to whom you may assign a death penalty case. (Exclude personnel who may have such past experience but now work in positions where they would not be asked to try an aggravated first-degree murder case.)

Attorney 1 \$ _____
Attorney 2 \$ _____
Attorney 3 \$ _____
Attorney 4 \$ _____

(Add more pages if necessary).

If you have no such attorneys currently on staff, answer "N/A".

3. In addition to the attorneys listed in your answer to question 2, please provide the annual salaries of the attorneys on your staff who have experience in trying an aggravated first-degree murder case without a death penalty petition and to whom you may assign an aggravated first degree murder case without a death penalty petition. (Exclude personnel who may have such past experience but now work in positions where they would not be asked to try an aggravated first-degree murder case.)

Attorney 1 \$ _____
Attorney 2 \$ _____
Attorney 3 \$ _____
Attorney 4 \$ _____

(Add more pages if necessary).

If you have no such attorneys currently on staff, answer "N/A".

4. What fringe benefits do attorneys in your office receive?

_____ Medical _____ Dental _____ Disability Ins. _____ Pension
_____ Medical Ins. for the family _____ Other _____

5. When your office assigns a capital case to an attorney at the trial level, is the attorney responsible for other cases while working on the capital case?

Yes _____ No _____

6. What is your best estimate of the cost difference to your office between trying a case to verdict as a capital case and trying it to verdict as a non-capital case, including costs for attorney and support staff compensation, experts, consultants and overhead?

\$_____

7. In your opinion, what is a fair and reasonable salary for a death penalty qualified attorney working for a non-profit or governmental public defender agency?

\$_____ per year

8. In your opinion, what is a fair and reasonable hourly rate of compensation for a private attorney in a death penalty case:

(a) Who is qualified under SPCR2 to serve as lead counsel?

\$_____ per hour

(b) Who is qualified to serve as co-counsel?

\$_____ per hour

**DEATH PENALTY SURVEY
PUBLIC DEFENDER DIRECTORS
last update 3/21/06**

County Pop.	Annual Salary DP Experience Atty. 1	Annual Salary DP Experience Atty. 2	Annual Salary DP Experience Atty. 3	Annual Salary DP Experience Atty. 4	Annual Salary non-DP Experience Atty. 1	Annual Salary non-DP Experience Atty. 2	Annual Salary non-DP Experience Atty. 3	Annual Salary non-DP Experience Atty. 4	Fringe Benefits	Other cases while working on capital case?	Cost diff. between capital / non-capital case?	Fair annual salary for public DP qual. Atty	Fair hourly rate for private DP qual. Atty	Fair hourly rate for private co-counsel
<100,000	n/a	n/a	n/a	n/a	100,000	85,000	n/a	n/a	medical, pension	no	100,000	125,000	250	175
>400,000	113,404	103,103	103,103	90,581	103,103	90,581	n/a	n/a	medical (incl. family), dental, disability	yes, subject to change depending on the cases evolving posture & demands	500,000 - 1,000,000	100,000 us benefits	80 - 100	70
>400,000	87,517	n/a	n/a	n/a	87,881	n/a	n/a	n/a	medical, dental, disability	no	150,000-200,000	90,000	165	125
>400,000	n/a	n/a	57,648+	n/a	n/a	n/a	57,648	n/a	medical (incl. family), dental, disability, pension, paid vacation	usually not	300,000	75,000	150	100
>400000	106,090	89,820	83,820	83,820	83,820	83,820	n/a	n/a	medical (incl. 1/2 family), dental, disability	yes	n/a	n/a	n/a	n/a

County Pop.	Annual Salary DP Experience Atty. 1	Annual Salary DP Experience Atty. 2	Annual Salary DP Experience Atty. 3	Annual Salary DP Experience Atty. 4	Annual Salary non-DP Experience Atty. 1	Annual Salary non-DP Experience Atty. 2	Annual Salary non-DP Experience Atty. 3	Annual Salary non-DP Experience Atty. 4	Fringe Benefits	Other cases while working on capital case?	Cost diff. between capital / non-capital case?	Fair annual salary for public DP qual. Atty	Fair hourly rate for private DP qual. Atty	Fair hourly rate for private co-counsel
>400000	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	medical (incl. family), dental, disability	We have not had a capital case. If we get one it will cause some very real structural problems.	100,000	100,000	250 + expenses	250 + expenses
100,000 - 400,000	n/a	n/a	n/a	n/a	70,000	n/a	n/a	n/a	medical, dental, pension	n/a	200,000	90,000	200	150
100,000 - 400,000	n/a	n/a	n/a	n/a	102,336	90,636	85,440	71,424	medical (incl. family), dental, disability, paid holidays, annual leave, sick leave	no	n/a	75,000 - 90,000	150	100
100,000 - 400,000	103,000	96,000	84,000	n/a	70,000	70,000	n/a	n/a	medical (incl. family), dental, disability, pension	lead atty, no; 2nd atty yes	\$100,000+	80-90,000	100	75

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<100,000	n/a	n/a	n/a	n/a	100,000	85,000	n/a	n/a	medical, pension	no	100,000	125,000	250	175
>400,000	113,404	103,103	103,103	90,581	103,103	90,581	n/a	n/a	medical (incl. family), dental, disability	yes, subject to change depending on the cases evolving posture & demands	500,000 - 1,000,000	100,001 us benefits	80 - 100	70
>400,000	87,517	n/a	n/a	n/a	87,881	n/a	n/a	n/a	medical, dental, disability	no	150,000-200,000	90,000	165	125
>400,000	n/a	n/a	57,648+	n/a	n/a	n/a	57,648	n/a	medical (incl. family), dental, disability, pension, paid vacation	usually not	300,000	75,000	150	100
>400000	106,090	89,820	83,820	83,820	83,820	83,820	n/a	n/a	medical (incl. 1/2 family), dental, disability	yes	n/a	n/a	n/a	n/a

County Pop.	Annual Salary DP Experience Atty. 1	Annual Salary DP Experience Atty. 2	Annual Salary DP Experience Atty. 3	Annual Salary DP Experience Atty. 4	Annual Salary non-DP Experience Atty. 1	Annual Salary non-DP Experience Atty. 2	Annual Salary non-DP Experience Atty. 3	Annual Salary non-DP Experience Atty. 4	Fringe Benefits	Other cases while working on capital case?	Cost diff. between capital / non-capital case?	Fair annual salary for public DP qual. Atty	Fair hourly rate for private DP qual. Atty	Fair hourly rate for private co-counsel
>400000	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	medical (incl. family), dental, disability	We have not had a capital case. If we get one it will cause some very real structural problems.	100,000	100,000	250 + expenses	250 + expenses
100,000 - 400,000	n/a	n/a	n/a	n/a	70,000	n/a	n/a	n/a	medical, dental, pension	n/a	200,000	90,000	200	150
100,000 - 400,000	n/a	n/a	n/a	n/a	102,336	90,636	85,440	71,424	medical (incl. family), dental, disability, paid holidays, annual leave, sick leave	no	n/a	75,000 - 90,000	150	100
100,000 - 400,000	103,000	96,000	84,000	n/a	70,000	70,000	n/a	n/a	medical (incl. family), dental, disability, pension	lead atty, no; 2nd atty yes	\$100,000+	80-90,000	100	75

