

## Contract / Leases / Agreements / Grants Form

This is	New			Renewal	<input checked="" type="checkbox"/>	Filling this out on a computer? Please type an X into the appropriate box.
This is a Grant	Yes	<input checked="" type="checkbox"/>		No		If you marked YES this needs to go through Grant Review.
This is an	Agreement _____ Contract _____ Lease _____ Other _____:					
Name of Entity who Contract / Lease / Agreement / Grant is with	State of Michigan - Michigan Indigent Defense Commission (MIDC)					
Project Name	MIDC					
Attorney Review	All Contracts / Leases / Agreements / Grants must have Attorney Review and approval through the Commissioner's Office.					
Insurance Review	All Contracts / Leases / Agreements / Grants must have appropriate insurance coverage per the attached list. It is the Department Heads responsibility to make sure that all requirements are met and listed on the insurance certificate.					
Total Amount	\$ 774,867.98 (State Grant Contribution)					
Organization Match	\$ - (\$610,227.97)					
County Match	\$ 164,640.01					

I have reviewed and approved this Contract / Lease / Agreement / Grant and attached appropriate insurance:

The Department Head Requesting	Date Signed

**GRANT REVIEW COMMITTEE APPROVAL:**

County Clerk: <i>[Signature]</i>	Date Signed: 4-19-22	I am requesting a meeting
County Treasurer: <i>[Signature]</i>	Date Signed: 4-18-22	I am requesting a meeting
Finance Chairman: <i>[Signature]</i>	Date Signed: 4/14/22	I am requesting a meeting
County Administrator: <i>[Signature]</i>	Date Signed: 4/18/22	I am requesting a meeting

Please do NOT mark below this line

.....

**INTEROFFICE USE ONLY**

Date Received:	Date Sent for Attorney Review:
Attorney Approval Received:	Insurance Received:



## Compliance Plan and Cost Analysis Renewal - FY 2023

### Applicant

FOR OFFICE USE ONLY:	Version # _____	APP # _____
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#### 1. Applicant Information

- a. Applicant Name Alpena County
- b. Organizational Unit Alpena County
- c. Address 114 S. Second Ave.
- d. Address 2
- e. City Alpena State MI Zip 49707
- f. Federal ID Number 98-9354824 Reference No. Unique Entity Id.
- g. Agency's fiscal year (beginning month and day) January-01
- h. Agency Type
  - City
  - Township
  - County
  - Village

#### 2. Project Information

- a. Project Name Compliance Plan and Cost Analysis Renewal - FY 2023
- b. Is implementing agency same as Applicant  Yes  No
- c. Implementing Agency Name
- d. Project Start Date Oct-01-2022 End Date Sep-30-2023
- e. Amount of Funds Requested \$610,227.97 Project Cost \$774,867.98
- f. Agency Local Share: 164,640.01

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**3. Contacts**

a. Authorized Official

Name Robert Adrian  
Title Chair, Board of County Commissioners  
Mailing Address 227 Dawson St  
City Alpena State MI Zip 49707  
Telephone (989) 464-6334 Fax  
E-mail Address robertadrian@alpenacounty.org

b. Project Director / Primary Contact

Name William Pfeifer  
Title Attorney Administrator  
Mailing Address 114 S. 2nd Avenue  
City ALPENA State MI Zip 49707  
Telephone (989) 255-8316 - 9892558316 Fax  
E-mail Address bill@alpenalegal.com

c. Financial Officer

Name William Pfeifer  
Title Attorney Administrator  
Mailing Address 114 S. 2nd Avenue  
City ALPENA State MI Zip 49707  
Telephone (989) 255-8316 - 9892558316 Fax  
E-mail Address bill@alpenalegal.com

## Additional Information

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### Submitter Information

Funding Unit/System Name:      Alpena County

I hereby certify that I am authorized to submit the application and the information and representations contained in the application is true and correct.

#### Submitted By (include name, title, email address and phone number):

Name:

Title:

Email Address:

Phone Number:

**Date:**

Signature:

### Delivery System Model

1. What type of indigent defense delivery system do you have currently? (indicate all that apply):
  - Public Defender Office (county employees)
  - Public Defender Office (non-profit/vendor model)
  - Managed Assigned Counsel System (Name of MAC Attorney Manager and P#:) [William A. Pfeifer P45263]
  - Contract Defender System
  - Regionalized system or coordination with other trial court funding units

If you are unsure about your type of indigent defense delivery system, more information can be found in MIDC's report entitled Delivery System Reform Models (2016), posted here: <https://michiganidc.gov/resources>. Questions can also be directed to your MIDC Regional Manager.

2. Are you proposing to change your type of indigent defense delivery system for next year? Please respond Yes or No.       Yes       No
3. If you are changing your indigent defense delivery system, what model do you plan to use next year?

## Standard 1 - Training and Education

FOR OFFICE USE ONLY:      Version # _____      APP # _____
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### Standard 1 (Page 1)

#### Training of Attorneys

- |    |  |   |
|----|--|---|
| 4. | Number of attorneys who accept adult criminal defense assignments as of October 1, 2022                  | 8 |
| 5. | Number of attorneys with less than 2 years of Michigan criminal defense experience as of October 1, 2022 | 0 |

**In the cost analysis**, please include a list of names and P#s of all the attorneys who accept adult criminal defense case assignments in your system, including conflict counsel and counsel for youths charged as adults.

6. What is your plan for training attorneys with less than 2 years of Michigan criminal defense experience?

Attorneys with less than two years of experience would be assigned an experienced mentor attorney, and would be required to attend a basic skills requisition class as part of their annual training requirement.

### Standard 1 (Page 2)

7. Please describe your system's training plan, including how compliance will be tracked for reporting requirements:

The MAC Manager will be responsible for making sure that each attorney accepting cases has the required 12 hours of training including those attorneys at the Public Defender office. All expenditures will be tracked and approved by the MAC Manager as well. The approved training will be CDAM offered approved training or other MIDC approved training.

### Standard 1 (Page 3)

8. If an attorney does not complete the required training, how will the system address the noncompliance?

The attorney will no longer be able to receive new assignments and those at the public defender office will be subject to discipline/dismissal. The attorney may be allowed to resume taking cases upon verified completion of training hours by the MAC Manager.

9. Any changes in your funding needs from the prior year for Standard 1? Please respond Yes or No.       Yes       No

**If yes, please describe in the cost analysis.**

## Standard 2 - Initial Interview

FOR OFFICE USE ONLY:

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APP # \_\_\_\_\_

### Standard 2 (Page 1)

#### Initial Client Interviews

10. The MIDC Standards now require the selection and assignments of attorneys to be done independently from the judiciary. How and when are defense attorneys notified of new assignments?

Indigency applications will be routed to the Public Defender Office upon receipt by jail staff, court staff, and arraignment attorneys. Public Defender staff will review all applications to determine eligibility. Eligible cases will then be reviewed by the Chief Defender to determine initial conflicts and make appropriate assignments. If there is no conflict, cases are assigned to staff attorneys. Conflict cases and overflow cases are referred to the MAC Manager via email, and the MAC Manger will then file his appearance or assign cases to other conflict counsel. Our goal is to have cases assigned to counsel within one business day of receipt of the application. If an application is denied, a letter of explanation will be provided to the applicant and to the court within that same time frame.

### Standard 2 (Page 2)

11. How are you verifying that in-custody attorney client interviews occur within three business days?

Public Defender staff will document initial contacts within the case management system. The chief defender will be responsible for tracking this standard for the cases in that office and providing verification of compliance with this standard to the MAC Manager. The MAC Manager may randomly check a number of files as part of his responsibilities. The MAC Manager will also be responsible for checking compliance of conflict/overflow counsel cases. The MAC Manager will verify compliance through submitted billing statements.

### Standard 2 (Page 3)

12. How are you verifying attorneys' introductory communications with out-of-custody clients?

In the Public Defender Office, introductory letters will be sent within one day of appointment. Copies of the letters will be saved to the case management system and compliance will be verified by the Chief Defender. The MAC Manager will be responsible for randomly checking a number of cases with clients for compliance. The MAC Manager will also be verifying compliance with the standard through the attorney billing statements and may request direct proof through the attorneys.

### Standard 2 (Page 4)

13. How are you compensating attorneys for conducting initial interviews? Please include whether you intend to compensate attorneys differently for in-custody and out-of-custody interviews.

There will be no separate compensation for the Public Defender office attorneys. Conflict counsel will be compensated depending on the level of case 100/110/120 per hour. There will be no difference in compensation regardless of in or out of custody.

14. Any changes in your funding needs from the prior year for Initial Interviews? Please  Yes  No  
respond Yes or No.

**If yes, please describe in the cost analysis.**

**Standard 2 (Page 5)**

**Confidential Meeting Spaces**

- |     |  |   |
|-----|--|---|
| 15. | How many confidential meeting spaces are in the jail?                              | 3 |
| 16. | What is the TOTAL amount of confidential meeting spaces in the courthouse?         | 4 |
| 17. | How many confidential meeting spaces in the courthouse are for in-custody clients? | 2 |

Please describe these spaces.

Both the district court and circuit court have 1 space each for in-custody client consultations. These spaces are equipped with appropriate furniture and white noise machines for privacy. Confidential meeting spaces at the new jail will require soundproofing and white noise machines.

**Standard 2 (Page 6)**

- |     |  |   |
|-----|--|---|
| 18. | How many confidential meeting spaces in the courthouse are for out-of-custody clients? | 2 |
|-----|--|---|

Please describe these spaces.

All spaces are equipped with appropriate furniture and white noise machines for privacy.

**Standard 2 (Page 7)**

19. Any changes from the prior year's compliance plan for your confidential meeting spaces? Please respond Yes or No.  Yes  No

If Yes, please describe the proposed changes.

Alpena County has constructed a new jail. Montmorency County inmates are housed there as well. We are in the process of soundproofing the confidential meeting spaces at the new jail and installing white noise machines.

20. Any changes from the prior year's funding needs for confidential meeting spaces? Please respond Yes or No.  Yes  No

**If yes, please describe in the cost analysis.**



### Standard 3 - Investigation and Experts

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#### Standard 3 (Page 1)

##### Experts and Investigators

21. The MIDC Standards now require approval of expert and investigative assistance to be independent from the judiciary. Describe the process of how attorneys request expert witness assistance for their indigent clients:

All requests are submitted in writing on a designated form. The Public Defender office will review requests in house subject to tracking by the MAC Manager. the MAC Manager will determine and track requests of conflict/overflow counsel. An outside MAC Manager or attorney will review requests of the MAC Manager clients.

#### Standard 3 (Page 2)

22. Any change from the prior year's process to request expert witness assistance?     Yes     No  
Please respond Yes or No.

If yes, please explain the change:

#### Standard 3 (Page 3)

23. Describe the process of how attorneys request investigative assistance:

Same procedure as outlined above for Expert assistance.

#### Standard 3 (Page 4)

24. Any change from the prior year's process to request investigative assistance?     Yes     No  
Please respond Yes or No.

If yes, please explain the change:

#### Standard 3 (Page 5)

25. How are attorney requests (whether approved or denied) for experts and investigators tracked by the system?  
Please include approved and denied requests.

By the Public Defender for in house cases and by the MAC Manager for conflict/overflow counsel.

26. Any change from the prior year's funding needs for Standard 3? Please respond     Yes     No  
Yes or No.

**If yes, please describe in the cost analysis.**

**Standard 4 - Counsel at First Appearance**

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**Standard 4 (Page 1)**

**Counsel at First Appearance and Other Critical Stages**

27. The MIDC Standards now require the selection and assignments of attorneys to be done independently from the judiciary. How are you providing counsel at first appearance and all arraignments? Please provide detail for circuit and district court coverage.

The county will contract separately with 2 or 3 attorneys to be on call for all arraignments in district court. Assigned attorneys will handle arraignments in circuit court on their individual cases. The MAC Manager will be responsible for selecting the CAFA attorneys.

**Standard 4 (Page 2)**

28. How are you providing counsel at all other critical stages? Please provide details:

Assigned counsel including the attorneys in the Public Defender Office are responsible for representation at all other critical stages.

**Standard 4 (Page 3)**

29. How are you compensating attorneys for Standard 4? Please provide detail for compensating counsel at first appearance and compensating counsel at all other critical stages.

The attorneys in the Public Defender office are not receiving separate compensation for standard 4. Conflict/overflow counsel will be paid depending on case level 100/110/120 per hour. The CAFA attorneys (2 or 3) will be compensated on a weekly basis. The total amount to be split for the arraignment coverage and on call responsibilities will be a total of \$ 800.00 dollars per week.

**Standard 4 (Page 4)**

30. Do you have a prison in your County?  Yes  No

If Yes, how is counsel provided to people charged with crimes while incarcerated in the prison?

Do you seek reimbursement for the cost of counsel from the Michigan Department of Corrections?  Yes  No

**Standard 4 (Page 5)**

31. Are there or will there be any misdemeanor cases where your court accepts pleas without the defendant appearing before a magistrate or a judge? For example, pleas by mail, over the counter pleas, pleas online, etc. Please answer Yes or No.  Yes  No

32. Describe how counsel is offered to a defendant making a plea who does not appear before a magistrate or judge:

At this time if a Defendant is charged with a payable misdemeanor they have direct contact with the court and are not introduced or assigned CAFA attorneys. Pursuant to the court's policy of sentencing to fines and costs only on certain payable misdemeanors, defendants charged with those misdemeanors are not at risk of being sentenced to jail or probation, so we do not provide counsel.

**Standard 4 (Page 6)**

33. Any change from the prior year's attorney compensation for Standard 4? Please respond Yes or No.  Yes  No

**If yes, please describe in the cost analysis.**

34. Any change from the prior year's funding needs for Standard 4? Please respond Yes or No.  Yes  No

**If yes, please describe in the cost analysis.**

**Standard 5 - Attorney Assignment**

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**Standard 5 (Page 1)**

The MIDC Standards now require independence from the court including the selection and assignment of attorneys, attorney compensation and approval of requests for expert and investigative assistance.

35. How will attorneys be selected to provide adult indigent criminal defense services in your indigent defense system? Please describe any eligibility requirements needed by the attorneys as well as the selection process:

The Chief Public Defender will hire and select attorneys in house for those cases assigned to that office. While substantial criminal law experience is preferred, new attorneys with strong interest in criminal law and public service may be hired and would be mentored by a more senior attorney. The Public Defender office will provide a salary and benefits to their employees.

The MAC Manager will select conflict/overflow contract attorneys who have substantial criminal law experience. Conflict/overflow counsel will be paid according to case type 100/110/120 per hour.

Cases will be assigned to individual attorneys based upon their experience pursuant to the requirements set forth in Standard 7.

**Standard 5 (Page 2)**

36. Will the selection process be facilitated by a committee of stakeholders?       Yes       No

If so, please list the titles of participating officials, agencies, or departments as appropriate.

**Standard 5 (Page 3)**

37. Who will approve an attorney's eligibility to receive assigned cases?      Chief Defender for PD Office; William A. Pfeifer for MAC roster

38. Who will assign work to the attorneys in the indigent defense system? Please include the person's name, title, employer and/or supervisor.

Person's Name: Rick Steiger/PD; William A. Pfeifer/MAC

Title: Chief Defender; MAC Manager

Employer and/or Supervisor: NE Mich Regional Defender; Alpena County

39. Who will review and approve attorney billing?      N/A for PD Office; William A. Pfeifer for MAC billing
40. Who will approve requests for expert and investigative assistance?      Rick Steiger/PD; William A. Pfeifer/MAC
41. Who will review and approve expert and investigative billing?      Rick Steiger/PD; William A. Pfeifer/MAC

**Standard 5 (Page 4)**

42. What is your appeal process to resolve any potential conflicts between the assigned attorney and the person(s) assigning casework?

The Chief Defender assigns cases in the PD office. Depending on the nature of the conflict, the Deputy Defender may assist with resolution. Otherwise, the MAC manager will assist with resolving

such conflicts in the PD office. Conflicts that arise on the MAC roster will be handled on a case-by-case basis with an outside MAC Manager. Currently Mr. Chad Peltier from Luce County handles these as necessary. The MAC Manager here handles the same type of issues for Luce County if required.

**Standard 5 (Page 5)**

43. What is your appeal process to resolve any potential conflicts between the assigned attorney and the person(s) or reviewing/approving billing?

This is not an issue within the PD office. For MAC attorneys, the plan is to manage those on a case by case basis with an outside MAC Manager.

**Standard 5 (Page 6)**

44. What is your appeal process to resolve denied or partially denied requests for expert or investigative assistance?

If a deputy defender's request is denied by the Chief Defender, the MAC Manager would address any appeals.

If the MAC Manager denies a request from a MAC attorney, the appeal would be addressed by an outside MAC Manager. This is currently done by Mr. Chad Peltier from Luce County. See Answer # 42 Above.

## Determining Indigency, Contribution, Reimbursement

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### Indigency (Page 1)

45. Will judges and/or court staff conduct all indigency screening in every proceeding?  Yes  No  
Please answer Yes or No

If no, who will screen for indigency? Public Defender Staff Indigency Analysts

Is this screener the Appointing Authority?  Yes  No

If the screener is not the Appointing Authority, does the Appointing Authority oversee the screening process?  Yes  No

Briefly describe your process for screening for indigency.

Application forms will be provided at the jail and at the courts. Jail and court staff will forward completed applications to the Public Defender Office upon receipt. Trained staff will review the applications. If approved, the file will be forwarded to the Chief Defender for appointment of an attorney. If denied, a letter of explanation will be provided to the applicant and to the court. Copies of all applications and related documents will be retained in a file at the Public Defender Office.

### Indigency (Page 2)

What is the process for appealing a determination that a person does not qualify for appointed counsel?

If a defendant disagrees with the denial of a request for appointed counsel, defendant can request a review of the determination by the judge assigned to defendant's case. This right of review also applies to Defendant's second or subsequent request for counsel.

Defendant can request a review by making an oral motion while on the record or by filing a Request for Review of Appointing Authority Determination form or other document seeking review with the court. The appointing authority will provide defendant with a copy of the Request for Review of Appointing Authority Determination form with its denial of the request for appointed counsel.

### Indigency (Page 3)

46. Are you designating an Appointing Authority to conduct indigency screening for purposes of MCR 6.005(B)?  Yes  No

Will you seek contribution from partially indigent defendants?  Yes  No

47. In cases where contribution is appropriate, who is going to make request with the court for contribution?
48. In cases where contribution is appropriate, what is your process for determining the amount that a person should contribute during the pendency of the case to their defense?

### Indigency (Page 4)

49. What is your process for obtaining contribution?

### Indigency (Page 5)

50. What is the process for challenging a request for contribution?

**Miscellaneous**

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**Personnel**

**In the cost analysis**, please provide detail about all personnel employed by the funding unit. This should include DIRECT SERVICE PROVIDERS (Public Defender Chief, Deputy Chief, Assistant Defenders, and staff of the defender office employed by the system) as well as ANCILLARY STAFF (court clerks, sheriff employees, etc.)

**Ancillary Staff**

51. In limited circumstances, the MIDC can fund some other system staffing needs if required to implement one of the MIDC standards. These requests are evaluated each year.

52. Do you have any ancillary staff? Please answer Yes or No.  Yes  No

If yes, what standard(s) or reporting needs do they meet?

If yes, how are you tracking time for ancillary staff?

53. For existing ancillary staff, are there any personnel positions/hours eliminated, reduced or increased from the prior year? Please answer Yes or No.  Yes  No

**If yes, please explain in the cost analysis.**

54. Are any additional ancillary staff positions or hours requested from the prior year? Please answer Yes or No.  Yes  No

**If yes, please explain in the cost analysis.**

**Reimbursement Costs for Creating Plan**

An indigent criminal defense system may submit to the MIDC an estimate of the cost of developing a plan and cost analysis for implementing the plan under MCL 780.993(2). Please attach documentation of planning time for FY22, if seeking reimbursement under this provision.

Are you requesting reimbursement of planning costs?  Yes  No

If yes, do you have receipts showing that non-funding unit employees have been paid?  Yes  No

What is the amount you are seeking in reimbursement?

**Reminders**

- You must also complete a cost analysis.
- In order to complete your application, you must update or confirm the list of the attorneys providing services with P numbers.
- If applicable, you must submit documentation supporting your request under MCL 780.993(2) for reimbursement for the cost of compliance planning.

**List of the attorneys providing services**

**Attorneys Accepting Assignments**

Name of Attorney	Bar Number	Title	Type of Office	Years Practicin



				g Criminal Defense in Michigan
Bayot, Ronald	58039		Public Defender	24.0
Pfeifer, William	45263		Private Attorneys	31.0
Steiger, Richard	60238		Public Defender	23.0
Miller, Julie	64736		Public Defender	20.0
Grenkowicz, Dennis	35014		Public Defender	39.0
Pommerenke, Devin	83557		Private Attorneys	3.0
Wojda, Matthew	72766		Private Attorneys	13.0
Bauer, Joel	66034		Private Attorneys	19.0

## Cost Analysis

### Instructions for Completion of the Fiscal Year 2023 Cost Analysis

Please complete all sections of the spreadsheet and narrative relevant to your request for grant funds. The cost analysis request is for the total adult criminal indigent defense system cost funded by the state grant, local share, and other funding sources. As noted in the narrative for each budget category, please highlight or make note of a new or changed budget request for FY23. Justification of expenses should include a clear statement as to how the position, contract, or item is a direct expense of the local indigent defense system. The request must include calculations for rates, hours and pricing of requested items. Please refer to the MIDC's GRANT MANUAL for guidance as to allowable costs. Click on 'Show Documents' to view the Grant Manual.

Does or will your system use a vendor/nonprofit model public defender office to provide indigent defense services?  Yes  No

Cost Analysis Detail for Compliance Plan and Cost Analysis Renewal - FY 2023  
 Agency: Alpena County  
 Application: Compliance Plan and Cost Analysis Renewal - FY 2023

4/18/2022

FOR OFFICE USE ONLY:		Version # _____	APP # _____				
Line Item	Qty	Rate	Units	UOM	Total	State Grant	
<b>DIRECT EXPENSES</b>							
<b>Program Expenses</b>							
1	<b>Personnel</b>						
2	<b>Fringe Benefits</b>						
<b>Contractual</b>							
1	<b>Contracts for Attorneys</b>						
	Managed Assigned Counsel Administration	1.0000	1000.000	12.000	MTH	12,000.00	12,000.00
	CAFA contract attorneys 2 or 3	2.0000	400.000	52.000	WKS	41,600.00	41,600.00
	Vendor / Non-Profit Office	1.0000	546862.980	1.000	VAR	546,862.98	546,862.98
	Conflict Case Defense	1.0000	136450.000	1.000	HRS	136,450.00	136,450.00
	Notes : Conflict and Overflow attorneys will be paid \$ 100 per hour for Misdemeanors, \$ 110.00 per hour for Felony and \$ 120.00 per hour for Capital Felony cases. 5 Capital cases X 120 per hour X 100 hours = \$ 60,000.00 30 Felony cases X 110 per hour X 14 hours = \$ 46,200.00 55 Misdemeanors X 100 per hour X 5.5 hours = 30,250.00  We have added 3 additional Capital cases in anticipation of a Murder case with several potential defendants that is likely to be charged later this calendar year. It is also likely that we may have to employ counsel that is outside our area due to potential conflicts with case.						
<b>Total for Contracts for Attorneys</b>						736,912.98	736,912.98

Cost Analysis Detail for Compliance Plan and Cost Analysis Renewal - FY 2023  
 Agency: Alpena County  
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4/18/2022

Line Item	Qty	Rate	Units	UOM	Total	State Grant
<b>2 Contracts for Experts and Investigators</b>						
Experts Notes : MIDC approved rates for Experts	1.0000	7500.000	1.000	MIDC	7,500.00	7,500.00
Investigators Notes : MIDC approved rates for Investigators	1.0000	12500.000	1.000	MIDC	12,500.00	12,500.00
<b>Total for Contracts for Experts and Investigators</b>					20,000.00	20,000.00
<b>3 Contracts for Construction</b>						
<b>4 Contracts Other</b>						
Soundproofing Notes : Estimated cost to contract with electrical company and soundproofing contractor to install white noise machines and soundproofing material in the three confidential meeting rooms at the new county jail.	3.0000	1500.000	1.000	VAR	4,500.00	4,500.00
<b>Total Contractual</b>					761,412.98	761,412.98
<b>Other Expenses</b>						
<b>1 Equipment</b>						
<b>2 Training/Travel</b>						
Training-12 hrs CLE per attorney	12.0000	30.000	8.000	HRS	2,880.00	2,880.00
Lodging-2 nights for 8 attorneys	1.0000	120.000	16.000	NGT	1,920.00	1,920.00
Mileage-IRS rate for 8 attorneys	500.0000	0.560	8.000	MIL	2,240.00	2,240.00
Meals-65 dollars for 2 days for 8 attorneys	1.0000	65.000	16.000	DAY	1,040.00	1,040.00
Training-CDAM Trial College for two attorneys	2.0000	1400.000	1.000	FS	2,800.00	2,800.00

Cost Analysis Detail for Compliance Plan and Cost Analysis Renewal - FY 2023  
 Agency: Alpena County  
 Application: Compliance Plan and Cost Analysis Renewal - FY 2023

4/18/2022

	Line Item	Qty	Rate	Units	UOM	Total	State Grant
	SADO Membership	5.0000	75.000	1.000	FS	375.00	375.00
	NAPD Membership	5.0000	40.000	1.000	FS	200.00	200.00
<b>Total for Training/Travel</b>						11,455.00	11,455.00
<b>3</b>	<b>Supplies/Services</b>						
	Transcripts/Records	1.0000	2000.000	0.000	VAR	2,000.00	2,000.00
<b>Total Other Expenses</b>						13,455.00	13,455.00
<b>TOTAL DIRECT EXPENSES</b>						<b>774,867.98</b>	<b>774,867.98</b>
<b>INDIRECT EXPENSES</b>							
<b>Indirect Costs</b>							
<b>1</b>	<b>Indirect Costs</b>						
<b>Total Indirect Costs</b>						0.00	0.00
<b>TOTAL INDIRECT EXPENSES</b>						0.00	0.00
<b>TOTAL EXPENDITURES</b>						<b>774,867.98</b>	<b>774,867.98</b>

Cost Analysis Summary for Compliance Plan and Cost Analysis Renewal - FY 2023  
 Agency: Alpena County  
 Application: Compliance Plan and Cost Analysis Renewal - FY 2023

4/18/2022

	Category	Total	State Grant	Narrative
<b>DIRECT EXPENSES</b>				
<b>Program Expenses</b>				
1	Personnel	0.00	0.00	
2	Fringe Benefits	0.00	0.00	
<b>Contractual</b>				
1	Contracts for Attorneys	736,912.98	736,912.98	The Grant manager will be responsible for duties related to the tracking and administration of the system. Costs for conflict/overflow counsel are based of best faith estimates of need.
2	Contracts for Experts and Investigators	20,000.00	20,000.00	We have seen a steady increase in utilization of investigative assistance and expert consultation. In addition, we are awaiting charges on multiple defendants in two capital cases that will likely require significant investigative assistance, as well as possible expert consultation.
3	Contracts for Construction	0.00	0.00	
4	Contracts Other	4,500.00	4,500.00	Contract with electrical company and soundproofing contractor to install white noise machines and soundproofing material in the three confidential meeting rooms at the new county jail.
<b>Total Contractual</b>		761,412.98	761,412.98	
<b>Other Expenses</b>				
1	Equipment	0.00	0.00	
2	Training/Travel	11,455.00	11,455.00	Training for 8 attorneys for 12 hours of required training.
3	Supplies/Services	2,000.00	2,000.00	This amount is estimated based on number of conflict cases and good faith estimate of system needs for theses services.
<b>Total Other Expenses</b>		13,455.00	13,455.00	

Cost Analysis Summary for Compliance Plan and Cost Analysis Renewal - FY 2023  
 Agency: Alpena County  
 Application: Compliance Plan and Cost Analysis Renewal - FY 2023

4/18/2022

	Category	Total	State Grant	Narrative
<b>TOTAL DIRECT EXPENSES</b>		774,867.98	774,867.98	
<b>INDIRECT EXPENSES</b>				
<b>Indirect Costs</b>				
1	Indirect Costs	0.00	0.00	
<b>Total Indirect Costs</b>		0.00	0.00	
<b>TOTAL INDIRECT EXPENSES</b>		0.00	0.00	
<b>TOTAL EXPENDITURES</b>		<b>774,867.98</b>	<b>774,867.98</b>	

**Source of Funds**

	Category	Total	State Grant	Local Share	Other Funding Sources	Narrative
1	<b>Source of Funds</b>					
	State Grant Contribution	610,227.97	610,227.97	0.00	0.00	
	Local Share Contribution	164,640.01	0.00	164,640.01	0.00	
	Program Revenue	0.00	0.00	0.00	0.00	
	Previous Year Unspent Funds	0.00	0.00	0.00	0.00	
	<b>Total Source of Funds</b>	774,867.98	610,227.97	164,640.01	0.00	
	<b>Totals</b>	774,867.98	610,227.97	164,640.01	0.00	

**Vendor / Non-Profit Office**

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**Document your policy, plan and/or contract language**

As part of your process for monitoring the compliance of the contract with your vendor for providing indigent defense services, please document here your policy, plan and/or contract language that identifies how payments are made to the vendor (frequency, by allotments, by invoice billing, for example) and how funds if advanced by you and unexpended by the vendor at the close of the grant year are reported to you and accounted for.

The policy is that payments will be made in advance on or around the 1st of each month. If the Public Defender office has more than 1 month's operating capital in its account at the end of any fiscal quarter payment may be withheld by the county/counties until those existing funds are spent down. The funds remaining in the Public Defender account at the end of the fiscal year are still owned by the county/counties/state and are to be credited according to State of Michigan MIDC contracts and Policy.

Please upload a copy of your policy

**Personnel**

**Enter information in this section only if you selected 'Yes' for 'Does or will your system use a vendor/nonprofit model public defender office to provide indigent defense services?'**

List all positions to be funded by the grant budget (state grant/local share). Please \* highlight all positions that are new personnel requests and provide justification for need.

Description	New	Qty	Hours	Rate	State Grant	Notes
Chief Public Defender	No	1.00	1,365.00	53.46	72,972.90	reflects 75% of 1820 total hours (25% charged to Montmorency) 3.5% increase commensurate with increase for Alpena County non-union employees
Deputy Public Defender	No	1.00	1,365.00	52.32	71,416.80	reflects 75% of 1820 total hours, 3.5% increase.
Asst. Public Defender	No	1.00	1,365.00	45.50	62,107.50	reflects 75% of 1820 total hours, 3.5% increase.
Asst. Public Defender	No	1.00	1,365.00	37.42	51,078.30	reflects 75% of 1820 total hours, 3.5% increase plus additional 10%. This position was initially budgeted for an entry level attorney. Mr. Grenkowitz is experienced and capable of much more complex work, justifying a salary increase.
Office Manager	No	1.00	1,365.00	29.58	40,376.70	reflects 75% of 1820 total hours, 3.5% increase.
Legal Secretary	No	1.00	1,365.00	22.46	30,657.90	reflects 75% of 1820 total



						hours, 3.5% increase plus additional 10% as this employee will take on additional responsibilities as an indigency analyst.
Other (Social Worker)	Yes	1.00	1,365.00	28.58	39,011.70	reflects 75% of 1820 total hours. This is a new position, added to assist in providing holistic defense. The social worker will perform intakes and assessments, assist with indigency determinations, make referrals for services, prepare sentence mitigation reports and present them in court, provide guidance and support to clients and their families throughout the legal process, act as a liaison with various agencies, perform community outreach activities, collect and manage data, and perform other duties as assigned. We are budgeting for the high end of our salary range. The actual salary could be less, depending on qualifications and experience of the new hire.
<b>TOTAL</b>					367,621.80	

**Fringe Benefits and Other Employment Perks**

List all positions within the nonprofit. Please highlight all positions that are new personnel requests and provide justification for need. Please note if there is an increase/decrease in cost from last fiscal year for each employee.

Description	Percent.	Units	State Grant	Notes
Employer FICA	7.650	367,621.80	28,123.07	
Workmens Compensation	0.160	367,621.80	588.20	
Unemployment Insurance	0.500	367,621.80	1,838.11	
Consolidated Fringes	22.000	367,621.80	80,876.80	Retirement, Medical, Dental, Vision, Life, STD/LTD
<b>TOTAL</b>			111,426.18	

**Contract/Conflict for Attorneys**

List all possible rate scenarios for attorney contracts that apply (i.e., hourly, event based, annual contract paid monthly). Please highlight rates or attorney line requests that are a change from the approved contract and contract rates

Description	New	Hours	Rate	State Grant	Notes
<b>TOTAL</b>					

**Construction/Office Space Improvement Projects**

Provide as much detail as possible for each requested project identifying the need for the project, the component costs, and if possible, the estimate or project quote. Attach a separate document if needed and submit a copy of all estimates and quotes.

Description	Qty	Rate	State Grant	Notes	Attachment
<b>TOTAL</b>					

**Contracts Other**

Provide justification for all other contract costs. Please highlight a new request.

Description	New	Qty	Rate	State Grant	Notes
Westlaw Edge	No	12.00	301.50	3,618.00	75% of the monthly contract rate of \$402
Copier Lease	No	12.00	48.75	585.00	75% of the monthly contract rate of \$65
Office Lease Atlanta	No	12.00	225.00	2,700.00	75% of the monthly rent of \$300
Office Lease Alpena	No	12.00	1,875.00	22,500.00	75% of total monthly rent of \$2,500
<b>TOTAL</b>				29,403.00	

**Equipment**

Provide justification for new equipment requests. Please note if equipment is being replaced and state when the original item was acquired.

Description	Vendor	New	Qty	Rate	State Grant	Notes
<b>TOTAL</b>						

**Training/Travel**

Provide travel and training justification and \*highlight new or changed requests.

Please note any out of state training/travel.

Description	Vendor	New	Qty	Rate	State Grant	Notes
Bar Membership	SBM	No	3.00	315.00	945.00	
Mileage	employees	No	3,500.00	0.56	1,960.00	client visits, etc.

NAPD Membership	NAPD	No	3.00	40.00	120.00	
SADO Membership	SADO	No	3.00	75.00	225.00	
Other (License/Membership for SW)	SOM/TBD	Yes	0.75	317.00	237.75	75% of estimated license fee and social worker association membership fee
Training	TBD	Yes	15.00	18.75	281.25	75% of the cost of 15 hours of required continuing education for the social worker. at estimated rate of \$25 per hour.
<b>TOTAL</b>					<b>3,769.00</b>	

**Supplies/Services**

Provide justification for supplies requests. Please note if there is an increase/decrease in these costs.

Description	Vendor	Increase	Qty	Rate	State Grant	Notes
Office Supplies	various	No	0.75	13,029.00	9,771.75	75% of total cost for supplies
Other (Accountant)	Straley, Lamp & Kraenzlein	Yes	0.75	3,600.00	2,700.00	75% of total cost for accounting services
Other (Office Cleaning/Trash/Snow Removal)	TBD	No	0.75	2,400.00	1,800.00	75% of annual cost for cleaning, maintenance, and snow removal
Other (Software Subscriptions)	Various	No	0.75	5,420.00	4,065.00	75% of annual cost for Defender Data, Microsoft Office, and Quickbooks
Other (Transcripts/Records)	Various	No	1.00	3,500.00	3,500.00	
Other (Professional Liability Ins)	Pro Assurance	No	0.75	2,600.00	1,950.00	75% of annual premium
Other (Business Ins)	Chubb	Yes	0.75	900.00	675.00	75% of annual premium
Other (Tech Services)	1010	Yes	0.75	2,500.00	1,875.00	75% of annual costs for IT services
Other (Utilities)	varied	No	0.75	3,875.00	2,906.25	75% of annual cost for gas, electric, water & sewer
Other (Phones/Internet)	1010/Charter	No	0.75	6,540.00	4,905.00	75% of annual cost for internet access, phone equipment and service, cell phone stipends of \$25 per employee per month

Vendor / Non-Profit Office for Compliance Plan and Cost Analysis Renewal - FY 2023 4/18/2022  
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Other (Document Destruction Service)	Michigan Confidential	Yes	0.75	660.00	495.00	75% of annual cost at \$55 per month for service
<b>TOTAL</b>					34,643.00	

**Additional Services/Funding Not Provided Under The MIDC Act**

If the nonprofit PD office provides additional services out of the scope of the MIDC Grant, please demonstrate that those services are not paid for with MIDC funding.

Additional Services/Funding Not Provided Under The MIDC Act	Service	Total Dollars From Other Source
<b>TOTAL</b>		

**Vendor / Non-Profit Office Summary**

Expense Category	State Grant
Personnel	367,621.80
Fringe Benefits and Other Employment Perks	111,426.18
Contractual Contract/Conflict for Attorneys	
Construction/Office Space Improvement Projects	
Contracts Other	29,403.00
Equipment	
Training/Travel	3,769.00
Supplies/Services	34,643.00
<b>TOTAL</b>	<b>546,862.98</b>

Additional Services/Funding Not Provided Under The MIDC Act

## Compliance Plan and Cost Analysis Renewal - FY 2023

### Applicant

FOR OFFICE USE ONLY:	Version # _____	APP # _____
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#### 1. Applicant Information

- a. Applicant Name Alpena County
- b. Organizational Unit Alpena County
- c. Address 114 S. Second Ave.
- d. Address 2
- e. City Alpena State MI Zip 49707
- f. Federal ID Number 98-9354824 Reference No. Unique Entity Id.
- g. Agency's fiscal year (beginning month and day) January-01
- h. Agency Type
- City  Township  County
- Village

#### 2. Project Information

- a. Project Name Compliance Plan and Cost Analysis Renewal - FY 2023
- b. Is implementing agency same as Applicant  Yes  No
- c. Implementing Agency Name
- d. Project Start Date Oct-01-2022 End Date Sep-30-2023
- e. Amount of Funds Requested \$610,227.97 Project Cost \$774,867.98
- f. Agency Local Share: 164,640.01

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**3. Contacts**

a. Authorized Official

Name Robert Adrian  
Title Chair, Board of County Commissioners  
Mailing Address 227 Dawson St  
City Alpena State MI Zip 49707  
Telephone (989) 464-6334 Fax  
E-mail Address robertadrian@alpenacounty.org

b. Project Director / Primary Contact

Name William Pfeifer  
Title Attorney Administrator  
Mailing Address 114 S. 2nd Avenue  
City ALPENA State MI Zip 49707  
Telephone (989) 255-8316 - 9892558316 Fax  
E-mail Address bill@alpenalegal.com

c. Financial Officer

Name William Pfeifer  
Title Attorney Administrator  
Mailing Address 114 S. 2nd Avenue  
City ALPENA State MI Zip 49707  
Telephone (989) 255-8316 - 9892558316 Fax  
E-mail Address bill@alpenalegal.com

**Additional Information**

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**Submitter Information**

Funding Unit/System Name:      Alpena County

I hereby certify that I am authorized to submit the application and the information and representations contained in the application is true and correct.

**Submitted By (include name, title, email address and phone number):**

Name:

Title:

Email Address:

Phone Number:

**Date:**

Signature:

**Delivery System Model**

1. What type of indigent defense delivery system do you have currently? (indicate all that apply):
  - Public Defender Office (county employees)
  - Public Defender Office (non-profit/vendor model)
  - Managed Assigned Counsel System (Name of MAC Attorney Manager and P#:) [William A. Pfeifer P45263]
  - Contract Defender System
  - Regionalized system or coordination with other trial court funding units

If you are unsure about your type of indigent defense delivery system, more information can be found in MIDC's report entitled Delivery System Reform Models (2016), posted here: <https://michiganidc.gov/resources>. Questions can also be directed to your MIDC Regional Manager.

2. Are you proposing to change your type of indigent defense delivery system for next year? Please respond Yes or No.       Yes       No
3. If you are changing your indigent defense delivery system, what model do you plan to use next year?

## Standard 1 - Training and Education

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### Standard 1 (Page 1)

#### Training of Attorneys

- |    |  |   |
|----|--|---|
| 4. | Number of attorneys who accept adult criminal defense assignments as of October 1, 2022                  | 8 |
| 5. | Number of attorneys with less than 2 years of Michigan criminal defense experience as of October 1, 2022 | 0 |

**In the cost analysis**, please include a list of names and P#s of all the attorneys who accept adult criminal defense case assignments in your system, including conflict counsel and counsel for youths charged as adults.

6. What is your plan for training attorneys with less than 2 years of Michigan criminal defense experience?

Attorneys with less than two years of experience would be assigned an experienced mentor attorney, and would be required to attend a basic skills requisition class as part of their annual training requirement.

### Standard 1 (Page 2)

7. Please describe your system's training plan, including how compliance will be tracked for reporting requirements:

The MAC Manager will be responsible for making sure that each attorney accepting cases has the required 12 hours of training including those attorneys at the Public Defender office. All expenditures will be tracked and approved by the MAC Manager as well. The approved training will be CDAM offered approved training or other MIDC approved training.

### Standard 1 (Page 3)

8. If an attorney does not complete the required training, how will the system address the noncompliance?

The attorney will no longer be able to receive new assignments and those at the public defender office will be subject to discipline/dismissal. The attorney may be allowed to resume taking cases upon verified completion of training hours by the MAC Manager.

9. Any changes in your funding needs from the prior year for Standard 1? Please respond Yes or No.       Yes       No

**If yes, please describe in the cost analysis.**



## Standard 2 - Initial Interview

FOR OFFICE USE ONLY:

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APP # \_\_\_\_\_

### Standard 2 (Page 1)

#### Initial Client Interviews

10. The MIDC Standards now require the selection and assignments of attorneys to be done independently from the judiciary. How and when are defense attorneys notified of new assignments?

Indigency applications will be routed to the Public Defender Office upon receipt by jail staff, court staff, and arraignment attorneys. Public Defender staff will review all applications to determine eligibility. Eligible cases will then be reviewed by the Chief Defender to determine initial conflicts and make appropriate assignments. If there is no conflict, cases are assigned to staff attorneys. Conflict cases and overflow cases are referred to the MAC Manager via email, and the MAC Manager will then file his appearance or assign cases to other conflict counsel. Our goal is to have cases assigned to counsel within one business day of receipt of the application. If an application is denied, a letter of explanation will be provided to the applicant and to the court within that same time frame.

### Standard 2 (Page 2)

11. How are you verifying that in-custody attorney client interviews occur within three business days?

Public Defender staff will document initial contacts within the case management system. The chief defender will be responsible for tracking this standard for the cases in that office and providing verification of compliance with this standard to the MAC Manager. The MAC Manager may randomly check a number of files as part of his responsibilities. The MAC Manager will also be responsible for checking compliance of conflict/overflow counsel cases. The MAC Manager will verify compliance through submitted billing statements.

### Standard 2 (Page 3)

12. How are you verifying attorneys' introductory communications with out-of-custody clients?

In the Public Defender Office, introductory letters will be sent within one day of appointment. Copies of the letters will be saved to the case management system and compliance will be verified by the Chief Defender. The MAC Manager will be responsible for randomly checking a number of cases with clients for compliance. The MAC Manager will also be verifying compliance with the standard through the attorney billing statements and may request direct proof through the attorneys.

### Standard 2 (Page 4)

13. How are you compensating attorneys for conducting initial interviews? Please include whether you intend to compensate attorneys differently for in-custody and out-of-custody interviews.

There will be no separate compensation for the Public Defender office attorneys. Conflict counsel will be compensated depending on the level of case 100/110/120 per hour. There will be no difference in compensation regardless of in or out of custody.

14. Any changes in your funding needs from the prior year for Initial Interviews? Please  Yes  No  
respond Yes or No.

**If yes, please describe in the cost analysis.**

**Standard 2 (Page 5)**

**Confidential Meeting Spaces**

15. How many confidential meeting spaces are in the jail? 3
16. What is the TOTAL amount of confidential meeting spaces in the courthouse? 4
17. How many confidential meeting spaces in the courthouse are for in-custody clients? 2

Please describe these spaces.

Both the district court and circuit court have 1 space each for in-custody client consultations. These spaces are equipped with appropriate furniture and white noise machines for privacy. Confidential meeting spaces at the new jail will require soundproofing and white noise machines.

**Standard 2 (Page 6)**

18. How many confidential meeting spaces in the courthouse are for out-of-custody clients? 2

Please describe these spaces.

All spaces are equipped with appropriate furniture and white noise machines for privacy.

**Standard 2 (Page 7)**

19. Any changes from the prior year's compliance plan for your confidential meeting spaces? Please respond Yes or No.  Yes  No

If Yes, please describe the proposed changes.

Alpena County has constructed a new jail. Montmorency County inmates are housed there as well. We are in the process of soundproofing the confidential meeting spaces at the new jail and installing white noise machines.

20. Any changes from the prior year's funding needs for confidential meeting spaces? Please respond Yes or No.  Yes  No

**If yes, please describe in the cost analysis.**

### Standard 3 - Investigation and Experts

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#### Standard 3 (Page 1)

##### Experts and Investigators

21. The MIDC Standards now require approval of expert and investigative assistance to be independent from the judiciary. Describe the process of how attorneys request expert witness assistance for their indigent clients:

All requests are submitted in writing on a designated form. The Public Defender office will review requests in house subject to tracking by the MAC Manager. the MAC Manager will determine and track requests of conflict/overflow counsel. An outside MAC Manager or attorney will review requests of the MAC Manager clients.

#### Standard 3 (Page 2)

22. Any change from the prior year's process to request expert witness assistance?     Yes     No  
Please respond Yes or No.

If yes, please explain the change:

#### Standard 3 (Page 3)

23. Describe the process of how attorneys request investigative assistance:

Same procedure as outlined above for Expert assistance.

#### Standard 3 (Page 4)

24. Any change from the prior year's process to request investigative assistance?     Yes     No  
Please respond Yes or No.

If yes, please explain the change:

#### Standard 3 (Page 5)

25. How are attorney requests (whether approved or denied) for experts and investigators tracked by the system?  
Please include approved and denied requests.

By the Public Defender for in house cases and by the MAC Manager for conflict/overflow counsel.

26. Any change from the prior year's funding needs for Standard 3? Please respond     Yes     No  
Yes or No.

**If yes, please describe in the cost analysis.**

## Standard 4 - Counsel at First Appearance

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### Standard 4 (Page 1)

#### Counsel at First Appearance and Other Critical Stages

27. The MIDC Standards now require the selection and assignments of attorneys to be done independently from the judiciary. How are you providing counsel at first appearance and all arraignments? Please provide detail for circuit and district court coverage.

The county will contract separately with 2 or 3 attorneys to be on call for all arraignments in district court. Assigned attorneys will handle arraignments in circuit court on their individual cases. The MAC Manager will be responsible for selecting the CAFA attorneys.

### Standard 4 (Page 2)

28. How are you providing counsel at all other critical stages? Please provide details:

Assigned counsel including the attorneys in the Public Defender Office are responsible for representation at all other critical stages.

### Standard 4 (Page 3)

29. How are you compensating attorneys for Standard 4? Please provide detail for compensating counsel at first appearance and compensating counsel at all other critical stages.

The attorneys in the Public Defender office are not receiving separate compensation for standard 4. Conflict/overflow counsel will be paid depending on case level 100/110/120 per hour. The CAFA attorneys (2 or 3) will be compensated on a weekly basis. The total amount to be split for the arraignment coverage and on call responsibilities will be a total of \$ 800.00 dollars per week.

### Standard 4 (Page 4)

30. Do you have a prison in your County?  Yes  No

If Yes, how is counsel provided to people charged with crimes while incarcerated in the prison?

Do you seek reimbursement for the cost of counsel from the Michigan Department of Corrections?  Yes  No

### Standard 4 (Page 5)

31. Are there or will there be any misdemeanor cases where your court accepts pleas without the defendant appearing before a magistrate or a judge? For example, pleas by mail, over the counter pleas, pleas online, etc. Please answer Yes or No.  Yes  No

32. Describe how counsel is offered to a defendant making a plea who does not appear before a magistrate or judge:

At this time if a Defendant is charged with a payable misdemeanor they have direct contact with the court and are not introduced or assigned CAFA attorneys. Pursuant to the court's policy of sentencing to fines and costs only on certain payable misdemeanors, defendants charged with those misdemeanors are not at risk of being sentenced to jail or probation, so we do not provide counsel.

**Standard 4 (Page 6)**

33. Any change from the prior year's attorney compensation for Standard 4? Please respond Yes or No.  Yes  No

**If yes, please describe in the cost analysis.**

34. Any change from the prior year's funding needs for Standard 4? Please respond Yes or No.  Yes  No

**If yes, please describe in the cost analysis.**

## Standard 5 - Attorney Assignment

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### Standard 5 (Page 1)

The MIDC Standards now require independence from the court including the selection and assignment of attorneys, attorney compensation and approval of requests for expert and investigative assistance.

35. How will attorneys be selected to provide adult indigent criminal defense services in your indigent defense system? Please describe any eligibility requirements needed by the attorneys as well as the selection process:

The Chief Public Defender will hire and select attorneys in house for those cases assigned to that office. While substantial criminal law experience is preferred, new attorneys with strong interest in criminal law and public service may be hired and would be mentored by a more senior attorney. The Public Defender office will provide a salary and benefits to their employees.

The MAC Manager will select conflict/overflow contract attorneys who have substantial criminal law experience. Conflict/overflow counsel will be paid according to case type 100/110/120 per hour.

Cases will be assigned to individual attorneys based upon their experience pursuant to the requirements set forth in Standard 7.

### Standard 5 (Page 2)

36. Will the selection process be facilitated by a committee of stakeholders?       Yes       No

If so, please list the titles of participating officials, agencies, or departments as appropriate.

### Standard 5 (Page 3)

37. Who will approve an attorney's eligibility to receive assigned cases?      Chief Defender for PD Office; William A. Pfeifer for MAC roster
38. Who will assign work to the attorneys in the indigent defense system? Please include the person's name, title, employer and/or supervisor.

Person's Name: Rick Steiger/PD; William A. Pfeifer/MAC

Title: Chief Defender; MAC Manager

Employer and/or Supervisor: NE Mich Regional Defender; Alpena County

39. Who will review and approve attorney billing?      N/A for PD Office; William A. Pfeifer for MAC billing
40. Who will approve requests for expert and investigative assistance?      Rick Steiger/PD; William A. Pfeifer/MAC
41. Who will review and approve expert and investigative billing?      Rick Steiger/PD; William A. Pfeifer/MAC

### Standard 5 (Page 4)

42. What is your appeal process to resolve any potential conflicts between the assigned attorney and the person(s) assigning casework?

The Chief Defender assigns cases in the PD office. Depending on the nature of the conflict, the Deputy Defender may assist with resolution. Otherwise, the MAC manager will assist with resolving

such conflicts in the PD office. Conflicts that arise on the MAC roster will be handled on a case-by-case basis with an outside MAC Manager. Currently Mr. Chad Peltier from Luce County handles these as necessary. The MAC Manager here handles the same type of issues for Luce County if required.

**Standard 5 (Page 5)**

43. What is your appeal process to resolve any potential conflicts between the assigned attorney and the person(s) or reviewing/approving billing?

This is not an issue within the PD office. For MAC attorneys, the plan is to manage those on a case by case basis with an outside MAC Manager.

**Standard 5 (Page 6)**

44. What is your appeal process to resolve denied or partially denied requests for expert or investigative assistance?

If a deputy defender's request is denied by the Chief Defender, the MAC Manager would address any appeals.

If the MAC Manager denies a request from a MAC attorney, the appeal would be addressed by an outside MAC Manager. This is currently done by Mr. Chad Peltier from Luce County. See Answer # 42 Above.

## Determining Indigency, Contribution, Reimbursement

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### Indigency (Page 1)

45. Will judges and/or court staff conduct all indigency screening in every proceeding?  Yes  No  
Please answer Yes or No

If no, who will screen for indigency?      Public Defender Staff Indigency Analysts

Is this screener the Appointing Authority?       Yes  No

If the screener is not the Appointing Authority, does the Appointing Authority oversee the screening process?       Yes  No

Briefly describe your process for screening for indigency.

Application forms will be provided at the jail and at the courts. Jail and court staff will forward completed applications to the Public Defender Office upon receipt. Trained staff will review the applications. If approved, the file will be forwarded to the Chief Defender for appointment of an attorney. If denied, a letter of explanation will be provided to the applicant and to the court. Copies of all applications and related documents will be retained in a file at the Public Defender Office.

### Indigency (Page 2)

What is the process for appealing a determination that a person does not qualify for appointed counsel?

If a defendant disagrees with the denial of a request for appointed counsel, defendant can request a review of the determination by the judge assigned to defendant's case. This right of review also applies to Defendant's second or subsequent request for counsel.

Defendant can request a review by making an oral motion while on the record or by filing a Request for Review of Appointing Authority Determination form or other document seeking review with the court. The appointing authority will provide defendant with a copy of the Request for Review of Appointing Authority Determination form with its denial of the request for appointed counsel.

### Indigency (Page 3)

46. Are you designating an Appointing Authority to conduct indigency screening for purposes of MCR 6.005(B)?       Yes  No

Will you seek contribution from partially indigent defendants?       Yes  No

47. In cases where contribution is appropriate, who is going to make request with the court for contribution?

48. In cases where contribution is appropriate, what is your process for determining the amount that a person should contribute during the pendency of the case to their defense?

### Indigency (Page 4)

49. What is your process for obtaining contribution?

### Indigency (Page 5)



50. What is the process for challenging a request for contribution?

**Miscellaneous**

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**Personnel**

**In the cost analysis**, please provide detail about all personnel employed by the funding unit. This should include DIRECT SERVICE PROVIDERS (Public Defender Chief, Deputy Chief, Assistant Defenders, and staff of the defender office employed by the system) as well as ANCILLARY STAFF (court clerks, sheriff employees, etc.)

**Ancillary Staff**

51. In limited circumstances, the MIDC can fund some other system staffing needs if required to implement one of the MIDC standards. These requests are evaluated each year.

52. Do you have any ancillary staff? Please answer Yes or No.       Yes       No

If yes, what standard(s) or reporting needs do they meet?

If yes, how are you tracking time for ancillary staff?

53. For existing ancillary staff, are there any personnel positions/hours eliminated, reduced or increased from the prior year? Please answer Yes or No.       Yes       No

**If yes, please explain in the cost analysis.**

54. Are any additional ancillary staff positions or hours requested from the prior year? Please answer Yes or No.       Yes       No

**If yes, please explain in the cost analysis.**

**Reimbursement Costs for Creating Plan**

An indigent criminal defense system may submit to the MIDC an estimate of the cost of developing a plan and cost analysis for implementing the plan under MCL 780.993(2). Please attach documentation of planning time for FY22, if seeking reimbursement under this provision.

Are you requesting reimbursement of planning costs?       Yes       No

If yes, do you have receipts showing that non-funding unit employees have been paid?       Yes       No

What is the amount you are seeking in reimbursement?

**Reminders**

- You must also complete a cost analysis.
- In order to complete your application, you must update or confirm the list of the attorneys providing services with P numbers.
- If applicable, you must submit documentation supporting your request under MCL 780.993(2) for reimbursement for the cost of compliance planning.

**List of the attorneys providing services**

**Attorneys Accepting Assignments**

Name of Attorney	Bar Number	Title	Type of Office	Years Practicin

				<b>g Criminal Defense in Michigan</b>
Bayot, Ronald	58039		Public Defender	24.0
Pfeifer, William	45263		Private Attorneys	31.0
Steiger, Richard	60238		Public Defender	23.0
Miller, Julie	64736		Public Defender	20.0
Grenkowicz, Dennis	35014		Public Defender	39.0
Pommerenke, Devin	83557		Private Attorneys	3.0
Wojda, Matthew	72766		Private Attorneys	13.0
Bauer, Joel	66034		Private Attorneys	19.0

## Cost Analysis

### Instructions for Completion of the Fiscal Year 2023 Cost Analysis

Please complete all sections of the spreadsheet and narrative relevant to your request for grant funds. The cost analysis request is for the total adult criminal indigent defense system cost funded by the state grant, local share, and other funding sources. As noted in the narrative for each budget category, please highlight or make note of a new or changed budget request for FY23. Justification of expenses should include a clear statement as to how the position, contract, or item is a direct expense of the local indigent defense system. The request must include calculations for rates, hours and pricing of requested items. Please refer to the MIDC's GRANT MANUAL for guidance as to allowable costs. Click on 'Show Documents' to view the Grant Manual.

Does or will your system use a vendor/nonprofit model public defender office to provide indigent defense services?  Yes  No

Cost Analysis Detail for Compliance Plan and Cost Analysis Renewal - FY 2023  
 Agency: Alpena County  
 Application: Compliance Plan and Cost Analysis Renewal - FY 2023

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Line Item	Qty	Rate	Units	UOM	Total	State Grant	
<b>DIRECT EXPENSES</b>							
<b>Program Expenses</b>							
1	<b>Personnel</b>						
2	<b>Fringe Benefits</b>						
<b>Contractual</b>							
1	<b>Contracts for Attorneys</b>						
	Managed Assigned Counsel Administration	1.0000	1000.000	12.000	MTH	12,000.00	12,000.00
	CAFA contract attorneys 2 or 3	2.0000	400.000	52.000	WKS	41,600.00	41,600.00
	Vendor / Non-Profit Office	1.0000	546862.980	1.000	VAR	546,862.98	546,862.98
	Conflict Case Defense	1.0000	136450.000	1.000	HRS	136,450.00	136,450.00
	Notes : Conflict and Overflow attorneys will be paid \$ 100 per hour for Misdemeanors, \$ 110.00 per hour for Felony and \$ 120.00 per hour for Capital Felony cases. 5 Capital cases X 120 per hour X 100 hours = \$ 60,000.00 30 Felony cases X 110 per hour X 14 hours = \$ 46,200.00 55 Misdemeanors X 100 per hour X 5.5 hours = 30,250.00  We have added 3 additional Capital cases in anticipation of a Murder case with several potential defendants that is likely to be charged later this calendar year. It is also likely that we may have to employ counsel that is outside our area due to potential conflicts with case.						
<b>Total for Contracts for Attorneys</b>					736,912.98	736,912.98	

Cost Analysis Detail for Compliance Plan and Cost Analysis Renewal - FY 2023  
 Agency: Alpena County  
 Application: Compliance Plan and Cost Analysis Renewal - FY 2023

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Line Item	Qty	Rate	Units	UOM	Total	State Grant
<b>2 Contracts for Experts and Investigators</b>						
Experts Notes : MIDC approved rates for Experts	1.0000	7500.000	1.000	MIDC	7,500.00	7,500.00
Investigators Notes : MIDC approved rates for Investigators	1.0000	12500.000	1.000	MIDC	12,500.00	12,500.00
<b>Total for Contracts for Experts and Investigators</b>					20,000.00	20,000.00
<b>3 Contracts for Construction</b>						
<b>4 Contracts Other</b>						
Soundproofing Notes : Estimated cost to contract with electrical company and soundproofing contractor to install white noise machines and soundproofing material in the three confidential meeting rooms at the new county jail.	3.0000	1500.000	1.000	VAR	4,500.00	4,500.00
<b>Total Contractual</b>					761,412.98	761,412.98
<b>Other Expenses</b>						
<b>1 Equipment</b>						
<b>2 Training/Travel</b>						
Training-12 hrs CLE per attorney	12.0000	30.000	8.000	HRS	2,880.00	2,880.00
Lodging-2 nights for 8 attorneys	1.0000	120.000	16.000	NGT	1,920.00	1,920.00
Mileage-IRS rate for 8 attorneys	500.0000	0.560	8.000	MIL	2,240.00	2,240.00
Meals-65 dollars for 2 days for 8 attorneys	1.0000	65.000	16.000	DAY	1,040.00	1,040.00
Training-CDAM Trial College for two attorneys	2.0000	1400.000	1.000	FS	2,800.00	2,800.00

Cost Analysis Detail for Compliance Plan and Cost Analysis Renewal - FY 2023  
 Agency: Alpena County  
 Application: Compliance Plan and Cost Analysis Renewal - FY 2023

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	Line Item	Qty	Rate	Units	UOM	Total	State Grant
	SADO Membership	5.0000	75.000	1.000	FS	375.00	375.00
	NAPD Membership	5.0000	40.000	1.000	FS	200.00	200.00
<b>Total for Training/Travel</b>						11,455.00	11,455.00
<b>3</b>	<b>Supplies/Services</b>						
	Transcripts/Records	1.0000	2000.000	0.000	VAR	2,000.00	2,000.00
<b>Total Other Expenses</b>						13,455.00	13,455.00
<b>TOTAL DIRECT EXPENSES</b>						<b>774,867.98</b>	<b>774,867.98</b>
<b>INDIRECT EXPENSES</b>							
<b>Indirect Costs</b>							
<b>1</b>	<b>Indirect Costs</b>						
<b>Total Indirect Costs</b>						0.00	0.00
<b>TOTAL INDIRECT EXPENSES</b>						0.00	0.00
<b>TOTAL EXPENDITURES</b>						<b>774,867.98</b>	<b>774,867.98</b>

Cost Analysis Summary for Compliance Plan and Cost Analysis Renewal - FY 2023  
 Agency: Alpena County  
 Application: Compliance Plan and Cost Analysis Renewal - FY 2023

4/18/2022

	Category	Total	State Grant	Narrative
<b>DIRECT EXPENSES</b>				
<b>Program Expenses</b>				
1	Personnel	0.00	0.00	
2	Fringe Benefits	0.00	0.00	
<b>Contractual</b>				
1	Contracts for Attorneys	736,912.98	736,912.98	The Grant manager will be responsible for duties related to the tracking and administration of the system. Costs for conflict/overflow counsel are based of best faith estimates of need.
2	Contracts for Experts and Investigators	20,000.00	20,000.00	We have seen a steady increase in utilization of investigative assistance and expert consultation. In addition, we are awaiting charges on multiple defendants in two capital cases that will likely require significant investigative assistance, as well as possible expert consultation.
3	Contracts for Construction	0.00	0.00	
4	Contracts Other	4,500.00	4,500.00	Contract with electrical company and soundproofing contractor to install white noise machines and soundproofing material in the three confidential meeting rooms at the new county jail.
<b>Total Contractual</b>		761,412.98	761,412.98	
<b>Other Expenses</b>				
1	Equipment	0.00	0.00	
2	Training/Travel	11,455.00	11,455.00	Training for 8 attorneys for 12 hours of required training.
3	Supplies/Services	2,000.00	2,000.00	This amount is estimated based on number of conflict cases and good faith estimate of system needs for theses services.
<b>Total Other Expenses</b>		13,455.00	13,455.00	



Cost Analysis Summary for Compliance Plan and Cost Analysis Renewal - FY 2023  
 Agency: Alpena County  
 Application: Compliance Plan and Cost Analysis Renewal - FY 2023

4/18/2022

	Category	Total	State Grant	Narrative
<b>TOTAL DIRECT EXPENSES</b>		774,867.98	774,867.98	
<b>INDIRECT EXPENSES</b>				
<b>Indirect Costs</b>				
1	Indirect Costs	0.00	0.00	
<b>Total Indirect Costs</b>		0.00	0.00	
<b>TOTAL INDIRECT EXPENSES</b>		0.00	0.00	
<b>TOTAL EXPENDITURES</b>		<b>774,867.98</b>	<b>774,867.98</b>	

**Source of Funds**

	Category	Total	State Grant	Local Share	Other Funding Sources	Narrative
1	<b>Source of Funds</b>					
	State Grant Contribution	610,227.97	610,227.97	0.00	0.00	
	Local Share Contribution	164,640.01	0.00	164,640.01	0.00	
	Program Revenue	0.00	0.00	0.00	0.00	
	Previous Year Unspent Funds	0.00	0.00	0.00	0.00	
	<b>Total Source of Funds</b>	774,867.98	610,227.97	164,640.01	0.00	
	<b>Totals</b>	774,867.98	610,227.97	164,640.01	0.00	

**Vendor / Non-Profit Office**

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**Document your policy, plan and/or contract language**

As part of your process for monitoring the compliance of the contract with your vendor for providing indigent defense services, please document here your policy, plan and/or contract language that identifies how payments are made to the vendor (frequency, by allotments, by invoice billing, for example) and how funds if advanced by you and unexpended by the vendor at the close of the grant year are reported to you and accounted for.

The policy is that payments will be made in advance on or around the 1st of each month. If the Public Defender office has more that 1 months operating capital in it's account at the end of any fiscal quarter payment may be withheld by the county/counties until those existing funds are spent down. The funds remaining in the Public Defender account at the end of the fiscal year are still owned by the county/counties/state and are to be credited according to State of Michigan MIDC contracts and Policy.

Please upload a copy of your policy

**Personnel**

**Enter information in this section only if you selected 'Yes' for 'Does or will your system use a vendor/nonprofit model public defender office to provide indigent defense services?'**

List all positions to be funded by the grant budget (state grant/local share). Please \* highlight all positions that are new personnel requests and provide justification for need.

Description	New	Qty	Hours	Rate	State Grant	Notes
Chief Public Defender	No	1.00	1,365.00	53.46	72,972.90	reflects 75% of 1820 total hours (25% charged to Montmorency) 3.5% increase commensurate with increase for Alpena County non-union employees
Deputy Public Defender	No	1.00	1,365.00	52.32	71,416.80	reflects 75% of 1820 total hours, 3.5% increase.
Asst. Public Defender	No	1.00	1,365.00	45.50	62,107.50	reflects 75% of 1820 total hours, 3.5% increase.
Asst. Public Defender	No	1.00	1,365.00	37.42	51,078.30	reflects 75% of 1820 total hours, 3.5% increase plus additional 10%. This position was initially budgeted for an entry level attorney. Mr. Grenkowicz is experienced and capable of much more complex work, justifying a salary increase.
Office Manager	No	1.00	1,365.00	29.58	40,376.70	reflects 75% of 1820 total hours, 3.5% increase.
Legal Secretary	No	1.00	1,365.00	22.46	30,657.90	reflects 75% of 1820 total

						hours, 3.5% increase plus additional 10% as this employee will take on additional responsibilities as an indigency analyst.
Other (Social Worker)	Yes	1.00	1,365.00	28.58	39,011.70	reflects 75% of 1820 total hours. This is a new position, added to assist in providing holistic defense. The social worker will perform intakes and assessments, assist with indigency determinations, make referrals for services, prepare sentence mitigation reports and present them in court, provide guidance and support to clients and their families throughout the legal process, act as a liaison with various agencies, perform community outreach activities, collect and manage data, and perform other duties as assigned. We are budgeting for the high end of our salary range. The actual salary could be less, depending on qualifications and experience of the new hire.
<b>TOTAL</b>					367,621.80	

**Fringe Benefits and Other Employment Perks**

List all positions within the nonprofit. Please highlight all positions that are new personnel requests and provide justification for need. Please note if there is an increase/decrease in cost from last fiscal year for each employee.

Description	Percent.	Units	State Grant	Notes
Employer FICA	7.650	367,621.80	28,123.07	
Workmens Compensation	0.160	367,621.80	588.20	
Unemployment Insurance	0.500	367,621.80	1,838.11	
Consolidated Fringes	22.000	367,621.80	80,876.80	Retirement, Medical, Dental, Vision, Life, STD/LTD
<b>TOTAL</b>			111,426.18	

**Contract/Conflict for Attorneys**

List all possible rate scenarios for attorney contracts that apply (i.e., hourly, event based, annual contract paid monthly). Please highlight rates or attorney line requests that are a change from the approved contract and contract rates

Description	New	Hours	Rate	State Grant	Notes
<b>TOTAL</b>					

**Construction/Office Space Improvement Projects**

Provide as much detail as possible for each requested project identifying the need for the project, the component costs, and if possible, the estimate or project quote. Attach a separate document if needed and submit a copy of all estimates and quotes.

Description	Qty	Rate	State Grant	Notes	Attachment
<b>TOTAL</b>					

**Contracts Other**

Provide justification for all other contract costs. Please highlight a new request.

Description	New	Qty	Rate	State Grant	Notes
Westlaw Edge	No	12.00	301.50	3,618.00	75% of the monthly contract rate of \$402
Copier Lease	No	12.00	48.75	585.00	75% of the monthly contract rate of \$65
Office Lease Atlanta	No	12.00	225.00	2,700.00	75% of the monthly rent of \$300
Office Lease Alpena	No	12.00	1,875.00	22,500.00	75% of total monthly rent of \$2,500
<b>TOTAL</b>				29,403.00	

**Equipment**

Provide justification for new equipment requests. Please note if equipment is being replaced and state when the original item was acquired.

Description	Vendor	New	Qty	Rate	State Grant	Notes
<b>TOTAL</b>						

**Training/Travel**

Provide travel and training justification and \*highlight new or changed requests.

Please note any out of state training/travel.

Description	Vendor	New	Qty	Rate	State Grant	Notes
Bar Membership	SBM	No	3.00	315.00	945.00	
Mileage	employees	No	3,500.00	0.56	1,960.00	client visits, etc.

NAPD Membership	NAPD	No	3.00	40.00	120.00	
SADO Membership	SADO	No	3.00	75.00	225.00	
Other (License/Membership for SW)	SOM/TBD	Yes	0.75	317.00	237.75	75% of estimated license fee and social worker association membership fee
Training	TBD	Yes	15.00	18.75	281.25	75% of the cost of 15 hours of required continuing education for the social worker. at estimated rate of \$25 per hour.
<b>TOTAL</b>					<b>3,769.00</b>	

**Supplies/Services**

Provide justification for supplies requests. Please note if there is an increase/decrease in these costs.

Description	Vendor	Increase	Qty	Rate	State Grant	Notes
Office Supplies	various	No	0.75	13,029.00	9,771.75	75% of total cost for supplies
Other (Accountant)	Straley, Lamp & Kraenzlein	Yes	0.75	3,600.00	2,700.00	75% of total cost for accounting services
Other (Office Cleaning/Trash/Snow Removal)	TBD	No	0.75	2,400.00	1,800.00	75% of annual cost for cleaning, maintenance, and snow removal
Other (Software Subscriptions)	Various	No	0.75	5,420.00	4,065.00	75% of annual cost for Defender Data, Microsoft Office, and Quickbooks
Other (Transcripts/Records)	Various	No	1.00	3,500.00	3,500.00	
Other (Professional Liability Ins)	Pro Assurance	No	0.75	2,600.00	1,950.00	75% of annual premium
Other (Business Ins)	Chubb	Yes	0.75	900.00	675.00	75% of annual premium
Other (Tech Services)	1010	Yes	0.75	2,500.00	1,875.00	75% of annual costs for IT services
Other (Utilities)	varied	No	0.75	3,875.00	2,906.25	75% of annual cost for gas, electric, water & sewer
Other (Phones/Internet)	1010/Charter	No	0.75	6,540.00	4,905.00	75% of annual cost for internet access, phone equipment and service, cell phone stipends of \$25 per employee per month

Other (Document Destruction Service)	Michigan Confidential	Yes	0.75	660.00	495.00	75% of annual cost at \$55 per month for service
<b>TOTAL</b>					34,643.00	

**Additional Services/Funding Not Provided Under The MIDC Act**

If the nonprofit PD office provides additional services out of the scope of the MIDC Grant, please demonstrate that those services are not paid for with MIDC funding.

Additional Services/Funding Not Provided Under The MIDC Act	Service	Total Dollars From Other Source
<b>TOTAL</b>		

**Vendor / Non-Profit Office Summary**

Expense Category	State Grant
Personnel	367,621.80
Fringe Benefits and Other Employment Perks	111,426.18
Contractual Contract/Conflict for Attorneys	
Construction/Office Space Improvement Projects	
Contracts Other	29,403.00
Equipment	
Training/Travel	3,769.00
Supplies/Services	34,643.00
<b>TOTAL</b>	546,862.98

Additional Services/Funding Not Provided Under The MIDC Act