



COLORADO OFFICE OF THE
ALTERNATE DEFENSE COUNSEL

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FISCAL YEAR 2024-2025

SMART Act – Performance Report

November 1, 2025

Agency Overview

The United States and Colorado Constitutions provide every accused person with the right to legal representation by counsel in criminal prosecutions. [U.S. Const., amend. VI](#); [Colo. Const., art. II, §16](#). This constitutional right means counsel must be provided at government expense for people who cannot afford an attorney, and their case includes a loss of liberty as a possible penalty.

The Office of Alternate Defense Counsel (ADC) was established pursuant to statute as an independent governmental agency of the State of Colorado Judicial Branch. The statutes governing our work are here: <https://www.coloradoadc.org/images/ADCUpload/CRS21-2-101-et-seq.pdf>.

The ADC achieves these goals by providing holistic public defense services at the statewide municipal, juvenile, trial, appellate, and post-conviction stages of cases to the people it is assigned to represent. The ADC strives to provide a holistic defense model of legal representation that is zealous, ethical, informed, and client-focused. The economic goals of holistic defense are to increase community safety, reduce recidivism, and help people return to positively participating in their communities.

With targeted training, this model will reduce attorney work on cases, allowing them to take more ADC cases and provide zealous and client-focused representation to all ADC clients.

Performance Measure A: Contain Case Costs

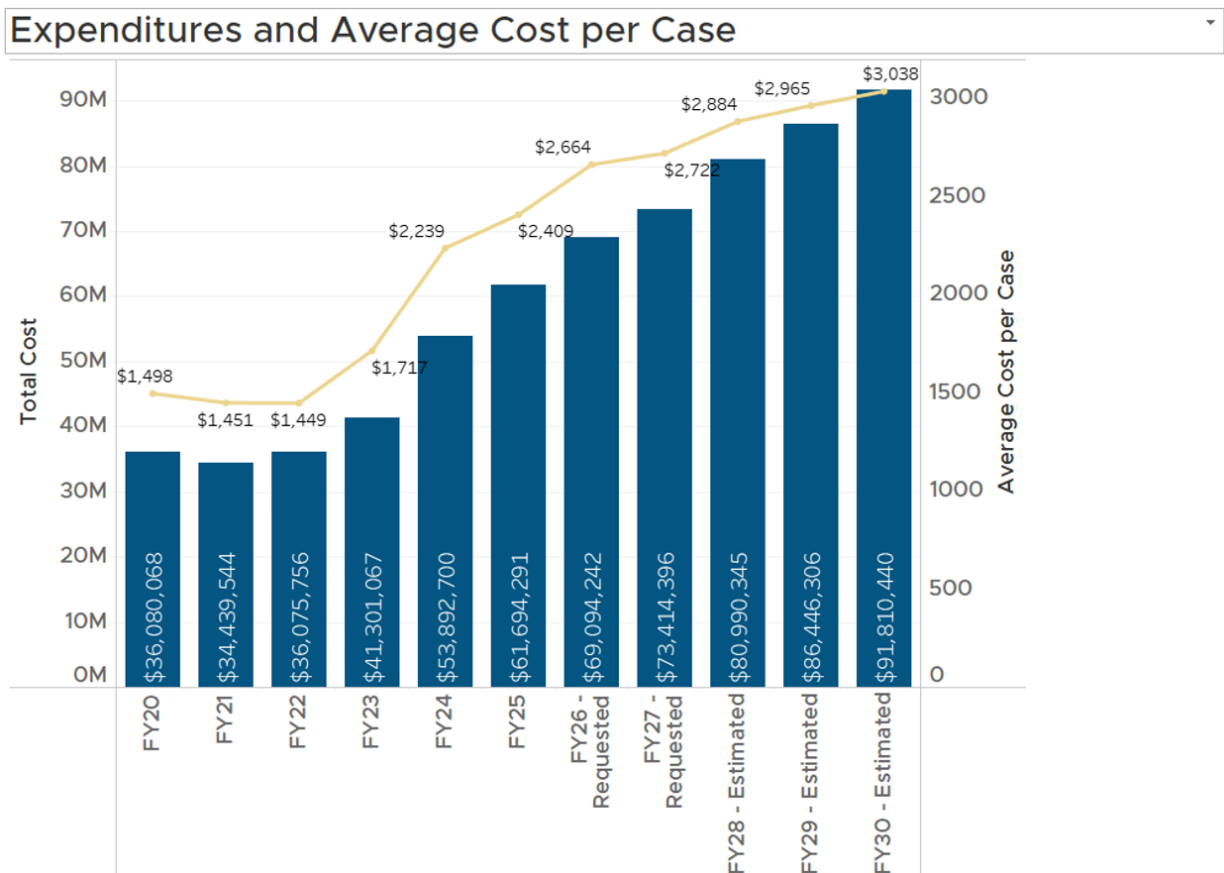
The ADC regularly analyzes its total annual expenditures and average cost per case, reviewing statewide case trends, law enforcement practices, service provider billing, among other factors to understand cost drivers and identify effective strategies for cost containment. Knowing that holistic defense takes initial infrastructure build up, the ADC views that as an investment in our work and will move forward with targeted training to educate service contractors how to effectively and efficiently provide robust services to ADC clients.

In the ADC's FY26 performance plan, we estimated that the average cost per case for FY25 would be within the range of \$1,600 to \$2,500. The actual average cost for FY25 fell within that range and totaled \$2,409. The Agency will continue to work towards targeted training to help contain the average cost per case. However, the ADC has no control over the ongoing statewide case increase.

The chart below shows those amounts from FY20 to FY25 and estimated numbers for FY26-28.

Due to the many factors that can affect both the Average Case Cost and Total Year-end Expenditures, it remains a struggle for the ADC to estimate these numbers accurately and consistently for future fiscal years.

Some of the factors that contribute to this struggle include Hourly Contractor Rate Adjustments (occurring in FY19, FY23, FY24, FY25, and continuing pursuant to SB23-227), year-end caseload, and expenditure fluctuations. Additionally, integrating holistic defense into the overall representation of clients increased the cost, and ADC is continuing to train contractors to provide holistic defense for clients, with the goal of lessening our clients' future system involvement.



Performance Measure B: Providing Multidisciplinary Legal Teams for ADC clients

The ADC provides holistic defense services to ADC clients and empowers contractors to build and maintain strong and supportive teams to best serve their clients.

The chart below shows the overall percentage of hours spent on an average ADC case by varying team members. Attorneys accounted for 70.10% of the hours worked in FY18 but only 57.17% in FY25—a 12.93% drop that was offset by a rise in other contractor hours. The ADC hopes to see these holistic teams continue to grow in the upcoming years.

In evaluating the prior year's performance, the Agency experienced adjustments across the board in its proportional percentages as estimated in the FY25 Performance Plan. The ADC estimated the FY25 ratio of attorney time on cases would be 58.56%; and the actual percentage ended up lower, at 57.17%. Another example was the FY25 ratio of work on ADC cases by paralegals, which was estimated to be 11.69% and ended up increasing to 11.94%. Holistic defense helps each contractor focus on their specialized work, while allowing other providers to handle their own roles, decreasing attorney hours overall on cases. The ADC Holistic Defense Training Coordinator will continue to provide targeted training to contractors on the effective and efficient use of multidisciplinary legal teams to represent ADC clients.

