



OFFICE OF THE STATE PUBLIC DEFENDER

MEGAN A. RING
STATE PUBLIC DEFENDER

November 4, 2025

Kerri L. Hunter, CPA, CFE
State Auditor
Colorado Office of the State Auditor
1375 Sherman St., 5th Floor
Denver, CO 80203

Dear Auditor Hunter:

In response to your request, we have prepared the attached status report on the implementation status of audit recommendations contained in the Office of the State Public Defender performance audit. The report provides a brief explanation of the actions taken by the Office of the State Public Defender to implement each recommendation.

OSPD appreciates the engagement by the Office of the State Auditor to address some of the most critical issues that impact OSPD's mission to provide high-quality representation to the indigent accused. OSPD has made significant progress toward timely implementation of all recommendations. Regarding Recommendations 1A-D, related to public defender workload, while OSPD was disappointed to have not received the financial support from the General Assembly to complete an updated workload study, OSPD was able to prioritize this project and fund the work with existing resources. OSPD looks forward to continuing to provide excellent representation to its clients and the necessary support to its staff, while also striving to improve its services.

If you have any questions about this status report and the agency's efforts to implement the audit recommendations, please contact Chief Deputy Lucienne Ohanian at 303.764.1400 or Lucienne.Ohanian@coloradodefenders.us.

Sincerely,

Megan Ring
State Public Defender

Audit Recommendation Status Report

Audit Name:	Office of the State Public Defender Performance Audit
Audit Number:	2354P
Agency:	Office of the State Public Defender
Date of Status Report:	11/4/2025

Section I: Summary				
Rec. Number	Response from Audit Report	Original Implementation Date	Current Implementation Status	Current Implementation Date
1A	Agree	July 2026	Partially Implemented	December 2026
1B	Agree	December 2026	Partially Implemented	December 2026
1C	Partially Agree	December 2026	Partially Implemented	December 2026
1D	Agree	July 2027	Not Implemented	July 2027
2A	Agree	July 2025	Implemented	January 2025
2B	Agree	July 2025	Implemented	February 2025
2C	Agree	July 2025	Implemented	February 2025
2D	Agree	July 2025	Implemented	January 2025
3A	Agree	July 2025	Implemented	December 2024
3B	Agree	December 2024	Implemented	March 2025
3C	Agree	December 2024	Implemented	August 2025

Section II: Narrative Detail

Recommendation 1A

The Office of the State Public Defender should improve its process for assessing its personnel resource needs and monitoring attorney workloads by establishing updated workload standards by conducting a new workload study. This should include gathering new information on the average work necessary to provide quality representation, taking into account recent changes to the legal system since the last Colorado-specific study.

Current Implementation Status	Partially Implemented
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Current Implementation Date	December 2026
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Status Update Narrative	The Office of the State Public Defender launched a Request for Proposal (RFP) in October 2024 to identify vendors for a comprehensive workload study. In November, we submitted a budget request to the Joint Budget Committee, prioritizing funding for this initiative. Although the FY 25–26 budget included general OSPD funding, our request for a Colorado-specific workload study was not approved. Despite this, preliminary planning had already begun. We temporarily paused the project during the legislative session to monitor outcomes, then revised our approach after the JBC’s decision, scaling down the study’s scope and extending its timeline to reduce costs to ensure the project could be completed within OSPD’s existing resources. We remain committed to completing this critical project using a flexible, phased strategy that aligns with our fiscal responsibilities and long-term advocacy goals.
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Recommendation 1B

The Office of the State Public Defender should improve its process for assessing its personnel resource needs and monitoring attorney workloads by using the updated workload information in Part A to update its methods for assessing agency workload to measure OSPD’s overall need for staffing and trial office workload.

Current Implementation Status	Partially Implemented
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Current Implementation Date	December 2026
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Status Update Narrative	In addition to an updated workload study, OSPD is working with the same vendor from the workload study RFP to build out a data environment to house and provide metrics about caseload, workload, and office staffing, along with other data collected by the agency, to support budget advocacy, staff allocation and local office management.
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Recommendation 1C	
The Office of the State Public Defender should improve its process for assessing its personnel resource needs and monitoring attorney workloads by using the information obtained through Part A and Part B to establish agency-wide guidance and processes to monitor and manage individual attorney workloads, which should include collecting data on the number of hours that attorneys work.	
Current Implementation Status	Partially Implemented
Current Implementation Date	December 2026
Status Update Narrative	A portion of the workload study will include time-tracked data that will reflect the number of hours worked by attorneys and case-type specific time information to inform agency-wide workload measures.

Recommendation 1D	
The Office of the State Public Defender should improve its process for assessing its personnel resource needs and monitoring attorney workloads by using the workload standards, established from Part A, and the data on hours worked, gathered from Part C, to update the methodologies for its State Measurement for Accountable, Responsive, and Transparent Government Act performance measures, which rely on the workload standards and establish metrics as necessary to measure the impact and effectiveness of FTE increases appropriated by the General Assembly.	
Current Implementation Status	Not Implemented
Current Implementation Date	July 2027
Status Update Narrative	Being that this recommendation is dependent upon completion of other recommendations, work has not begun on new SMART Act measures.

Recommendation 2A	
The Office of the State Public Defender should improve its controls over its indigency determination process by establishing additional staff guidance on the application process, including providing additional information regarding the calculation of income and dependents, requirements for documentation of dependents, assets, and expenses when necessary to determine eligibility, and a process for administrative staff to document their review of applications.	
Current Implementation Status	Implemented
Current Implementation Date	January 2025
Status Update Narrative	<p>The Office of the State Public Defender has issued and updated the Internal Discussion Sheet, along with a How-to Guide and a Basic Application Training Video containing instructions for the application process.</p> <p>These updates address the requirements for calculating an applicant's proof of income and documenting the applications when making additions or corrections. Together, the revised instruction guides also provide clearer explanations of</p>

	dependents, assets, and expenses to help improve the review of eligibility.
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Recommendation 2B	
The Office of the State Public Defender should improve its controls over its indigency determination process by resuming a regular process to review staff application decisions and ensure that staff are following established guidance. This could include conducting periodic internal audits within each trial office and/or having Central Office staff conduct audits.	
Current Implementation Status	Implemented
Current Implementation Date	February 2025
Status Update Narrative	<p>The Office of the State Public Defender has re-established a formal internal audit cycle in line with the external audit recommendation to strengthen oversight and policy compliance. The internal audit program evaluates operational areas, ensuring effective internal controls and accountability across trial offices. Audits are conducted through sampling, document analysis, and interviews with regional office Heads and Managers, concluding with a formal report and exit conference. The scope includes Eligibility/Application Procedures: Review of indigency determination, documentation, and staff compliance involving a random selection of applications reviewed by OSPD’s Regional Operations Administrator. Issues identified are provided to the Office Manager and improvements in process are discussed.</p> <p>The Audit Methodology consists of random and targeted sampling to identify systemic trends, discussions with office leadership to verify compliance, and each audit concludes with a report and corrective recommendations, discussed during exit conferences.</p> <p>The Office of the State Public Defender is committed to maintaining this rotating, perpetual audit cycle, ensuring continuous oversight and adherence to policy. Internal audits remain a key part of our risk management strategy to promote operational integrity and service excellence.</p>

Recommendation 2C	
The Office of the State Public Defender should improve its controls over its indigency determination process by collecting statewide information on its application processing as needed to facilitate monitoring and review of its applications process established in Part B.	
Current Implementation Status	Implemented
Current Implementation Date	February 2025
Status Update Narrative	The Office of the State Public Defender has re-established a formal internal audit cycle in line with the external audit recommendation to strengthen oversight and policy compliance.

	As a part of the Internal Audit Program listed in 2B, a randomized sampling of applications for court-appointed counsel for out of custody client case folders are reviewed, along with all relevant supporting documentation. Reviewers also interview regional office heads and managers about application processes. The review and recommendations are a part of the formal report and exit conference.
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Recommendation 2D	
The Office of the State Public Defender should improve its controls over its indigency determination process by further developing agency-wide training for staff who process applications to establish common expectations and guidance, and ensure consistency across trial offices.	
Current Implementation Status	Implemented
Current Implementation Date	January 2025
Status Update Narrative	<p>A 20-minute Basic Application Instruction video has been created and required for any incoming administrative staff. This video shows visual instruction on how to correctly document the application and how to utilize the discussion sheet specifically showing calculation of income verification. Additional Videos are available [Court Data Access Training] and in development [Court EFiled Training] on navigating different judicial sites when gathering information for the application process.</p> <p>Ongoing Fall Conference training for the administrative staff will continue to supplement the video instruction, How-To Guide, improved Discussion Sheet. Internal audits are helping strengthen consistency in local training, mentoring, and instruction by office managers for their administrative staff handling applications.</p>

Recommendation 3A	
The Office of the State Public Defender should strengthen its system for ensuring that new attorneys complete required trainings by implementing a tracking system for training that is structured to allow for comprehensive analysis, and consistently records dates of training completion and other pertinent information, such as the date that an attorney begins district court or juvenile practice.	
Current Implementation Status	Implemented
Current Implementation Date	December 2024
Status Update Narrative	OSPD updated its tracking system to cover all mandatory trainings and to level the dates by which an attorney must and does complete required trainings based on factors such as start date, prior training experience, and transitions to district court and youth defense practice. Improved color coding and clarity

	with language has made the system a better and more consistent tool to monitor and communicate training status.
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Recommendation 3B	
The Office of the State Public Defender should strengthen its system for ensuring that new attorneys complete required trainings by establishing system controls and clear guidelines for staff entering training data to ensure reliability and consistency across records.	
Current Implementation Status	Implemented
Current Implementation Date	August 2025
Status Update Narrative	OSPD met with its training directors and coordinator to educate on the importance of consistent tracking and to identify a list of metrics to track. In December 2025, the training department implemented these changes in its training tracker. The training department made adjustments to its practice over the next six months to continue to improve its processes and then once the process was settled created written expectations to maintain reliability and consistency in training tracking. All staff responsible for tracking trainings have been trained on these expectations.

Recommendation 3C	
The Office of the State Public Defender should strengthen its system for ensuring that new attorneys complete required trainings by periodically monitoring the data collected to ensure that attorneys are completing training within OSPD’s expected timelines.	
Current Implementation Status	Implemented
Current Implementation Date	March 2025
Status Update Narrative	As a part of the written expectations and processes for tracking training, the lead training director, or her designee, will review the training tracking spread sheet quarterly and alert the senior leadership team if lawyers are not receiving training in conformity with OSPD expected timelines.