



Public Defender Data Elements

Measures for Justice (MFJ) believes that, without accurate and comprehensive data, policy-makers and system actors are limited in their ability to make informed decisions to protect the public, to ensure the legal process is fair and equitable, and to allocate resources on effective initiatives.

The two lists below offer recommendations on the key data elements Public Defender Offices should consider collecting to make sure they have detailed data to look at patterns across multiple decision points. The first list focuses on data elements to be collected by the case management system (CMS) at the charge or case¹ level. The second list focuses on office-level data, particularly information around staffing and caseloads, and access to certain resources that are of interest to both policy-makers and the public.

Charge Level Data Elements

Data Element	Definition
Court case number (docket number)	Number used by the courts to identify the case. This number should be assigned to each and every charge within the case.
Arresting agency	Identification (e.g., name, code) of law enforcement agency that conducted the arrest.
County of jurisdiction	County where the case was referred to the prosecutor for review.
Case status	Indication of whether the case is pending/still open, closed, on appeal, or inactive (e.g., when the defendant is at large).
Offense date	Date when the offense occurred.
Arrest date	Date when law enforcement took defendant into custody.
Booking date	Date(s) when defendant was booked in jail for the current case.
Jail release date	Date(s) when defendant was released from jail for the current case.
Deferred prosecution or pretrial diversion agreement date	Date when the defendant signed an agreement to enroll in a deferred prosecution or pretrial diversion program.
Filing date	Date when the prosecutor (or law enforcement, in jurisdictions where they are allowed to file cases directly in court without prosecutorial review) filed the charge(s) in court.
Initial appearance date (aka arraignment date)	Date when the defendant appeared in court for the first time to hear the charge(s) against them.
Indigence affidavit filing date	Date when the defense filed an indigence affidavit in court.
Indigence determination date	Date when the court entered a finding of indigence pursuant to an affidavit filed by the defense.
Defense attorney request date	Date when the defendant requested that the state provide a defense attorney to represent them in the case.
Defense attorney assignment date	Date when a defense attorney of record was assigned to the case.
Defense attorney withdrawal date	Date when the defense attorney of record withdrew from the case.

¹ This level would include information that doesn't change for each charge such as defendant and victim demographics.

Data Element	Definition
Dates of all attorney-client meetings	Dates when the defense attorney met with their client. This includes in-person, phone call, and video conferencing meetings.
Time when each attorney-client meeting started	Exact time of the day (in hours and minutes) when each attorney-client meeting started.
Time when each attorney-client meeting ended	Exact time of the day (in hours and minutes) when each attorney-client meeting ended.
Bond/bail setting date	Date when the court originally set a bond for the defendant.
Bond/bail modification date	Date when the court modified the type or amount of bond originally set at the bond/bail hearing.
Monetary bail posting date	Date when the defendant posted monetary bail to obtain pretrial release.
Court hearing dates	Dates for all court hearings scheduled in the case.
Failure to appear in court dates	Dates for all the court hearings to which the defendant failed to appear.
Continuance dates	Dates for all continuances.
Trial date	Date when trial proceedings were initiated.
Judicial transfer date	Date when the case was transferred to the jurisdiction of another judge.
Bond motion date	Date when a bond motion was filed in court by the defense.
Bond motion granted date	Date when a bond motion filed by the defense was granted by the court.
Discovery motion date	Date when a discovery motion was filed in court by the defense.
Discovery motion granted	Date when a discovery motion filed by the defense was granted by the court.
Speedy trial motion date	Date when a speedy trial motion was filed in court by the defense.
Speedy trial motion granted	Date when a speedy trial motion filed by the defense was granted by the court.
Dismissal motion date	Date when a dismissal motion was filed in court.
Dates of all plea offers	Dates when the prosecutor made a plea offer to the defense.
Final plea date	Date when the defendant entered a final plea.
Charge disposition date	Date when each charge received a judgment or disposition.
Sentence date	Date when sentence(s) was imposed
Defendant's name	Defendant's legal first and last name
Defendant's aliases	List of all aliases used in the past by the defendant
Defendant's date of birth	Date when the defendant was born
Defendant global unique identifier	Anonymized series of characters that identify the same defendant within and across datasets from all reporting agencies within the state.
Defendant's race	Defendant's self-identification with one or more social groups, including White, African American, American Indian or Alaskan, Asian or Pacific Islander, Other. <i>NOTE: Self-identification is much preferred, but in its absence, the perception of race by the criminal justice officer(s) who had the first contact with the defendant can serve as a proxy.</i>
Defendant's ethnicity	Defendant's ethnicity determines whether a person is of Hispanic origin or not. <i>NOTE: Self-identification is much preferred, but in its absence, the perception of race by the criminal justice officer(s) who had the first contact with the defendant can serve as a proxy.</i>
Defendant's sex	Defendant's biological sex at birth.
Defendant's gender	Defendant's gender self-identification.

Data Element	Definition
Defendant's zip code	Zip code of last known residence for the defendant.
Defendant's indigent status	Whether the defendant was determined to be indigent according to the state's indigence eligibility criteria.
Victim's race	Victim's self-identification with one or more social groups, including White, African American, American Indian or Alaskan, Asian or Pacific Islander, Other. <i>NOTE: Self-identification is much preferred, but in its absence, the perception of race by the criminal justice officer(s) who had contact with the victim can serve as a proxy.</i>
Victim's ethnicity	Victim's ethnicity determines whether a person is of Hispanic origin or not. <i>NOTE: Self-identification is much preferred, but in its absence, the perception of race by the criminal justice officer(s) who had contact with the victim can serve as a proxy.</i>
Victim's sex	Victim's biological sex at birth.
Victim's gender	Victim's gender self-identification.
Victim's age	Victim's age at the time of the offense.
Victim's relationship to offender	Whether the victim was known to the offender (i.e. intimate partner, family member, known non-family member) or a stranger.
Action that initiated the case referral	Whether the case was initiated by an arrest warrant, a warrantless arrest, a sworn complaint or call for service, or a citation/ticket/promise to appear.
Filing charge unique identifier	Sequence number uniquely identifying each filing charge within a case.
Filing charge description	Text describing the nature of each charge against the defendant that was filed in court by the prosecutor.
Filing charge statute number	The statute number that identifies and describes the alleged behavior as a criminal offense for each charge against the defendant that was filed in court by the prosecutor.
Filing charge type	Whether each charge against the defendant that was filed in court by the prosecutor is a felony or a misdemeanor.
Filing charge class severity	The specific class severity provided by statutory laws for each charge against the defendant that was filed in court by the prosecutor (e.g., Felony 1, Felony 2, Misdemeanor A, Misdemeanor B, etc.)
Filing charge modifiers	The specific type of modifiers or enhancers, when applicable, that could lead to more serious punishment for each charge against the defendant that was filed in court by the prosecutor. Common charge modifiers include domestic violence and using a weapon in the commission of a crime.
Filing charge drug type	The specific type of drug and offense (e.g., marijuana possession, marijuana distribution, cocaine possession, cocaine distribution, etc.) associated with each drug charge against the defendant that was filed in court by the prosecutor.
Filing charge disposition	The judgment or disposition entered by the court for each charge against the defendant that was filed in court by the prosecutor.
Filing charge expected sentence	If the charge was convicted as filed, what sentence type and length would the court impose based on the statutory laws?
Conviction charge unique identifier	Sequence number uniquely identifying each conviction charge within a case.
Conviction charge description	Text describing the nature of each conviction charge.
Conviction charge statute number	The statute number that identifies and describes the behavior as a criminal offense for each conviction charge.
Conviction charge type	Whether each conviction charge is a felony or a misdemeanor.

Data Element	Definition
Conviction charge class severity	The specific class severity provided by statutory laws for each conviction charge (e.g., Felony 1, Felony 2, Misdemeanor A, Misdemeanor B, etc.)
Conviction charge modifiers	The specific type of modifiers or enhancers, when applicable, that could lead to more serious punishment for each conviction charge. Common charge modifiers include domestic violence and using a weapon in the commission of a crime.
Conviction charge drug type	The specific type of drug and offense (e.g., marijuana possession, marijuana distribution, cocaine possession, cocaine distribution, etc.) associated with each conviction drug charge.
Conviction charge means of disposition	Whether each charge was convicted via plea bargain, bench trial, or jury trial.
Pretrial release decision	Type of pretrial release bond imposed by the court at the bond/bail hearing. Bond types include: release on recognizance (aka signature bond), release on supervision, monetary bond, electronic monitoring, held without bail.
Monetary bond amount	Dollar amount of the monetary bond imposed at the bond/bail hearing.
Monetary bond payment	Whether the defendant posted the monetary bond amount imposed at the bond/bail hearing/
Nonmonetary conditions of pretrial release	List of nonmonetary conditions defendant is mandated to comply with while on pretrial release.
Pretrial risk assessment score	Risk score assigned to the defendant during the pretrial assessment phase on which the pretrial release decision is based. This can be simplified into categories such as high, medium, low.
Speedy trial waived	Whether the defendant waived their right to a speedy trial.
Failures to appear in court	Number of instances in which the defendant failed to appear at a scheduled court hearing.
Pretrial release revocation due to failure to appear in court	Whether pretrial release was revoked due to the defendant failing to appear at a scheduled court hearing.
Pretrial release revocation due to a new offense	Whether pretrial release was revoked due to the defendant being arrested for the commission of a new offense.
Pretrial release revocation due to a technical violation	Whether pretrial release was revoked due to the defendant violating a technical condition (e.g., reporting to supervision, "dirty" urine test result, having contact with known criminal associates, etc.) of pretrial release.
Party requesting a continuance	For each continuance, indicate the party who requested it (i.e., defense, prosecutor, court).
Reason for continuance	For each continuance, indicate the reason why the case was continued.
Defendant representation complaint	Whether the defendant complained about the quality of their representation.
Dismissal by prosecutor flag	Flag indicating whether the case was withdrawn or nolle prosequi by the prosecutor.
Dismissal by judge flag	Flag indicating whether the cases was dismissed by the judge.
Number of plea offers	Number of offers made by the prosecution to the defense in exchange for a guilty plea.
Type of plea offer(s)	Whether the prosecutor offered a reduction in the number of charges, a reduction in the severity of charges, a reduction in sentence to the defense, or other punishment mitigation offers.

Data Element	Definition
Plea offer accepted by the defense	Whether the defense agreed to a reduction in the number of charges, a reduction in the severity of charges, a reduction in sentence, or other punishment mitigation offers by the prosecutor.
Sentence type(s)	Type(s) of sentence(s) the defendant was mandated to serve. Common sentence types include: death penalty, life in prison, state prison, local prison, jail, lifetime supervision, extended supervision/split sentence, probation, fine, restitution, community service, time served, other.
Sentence length(s)	Length (in days and months) of confinement and probation imposed by the court. The sentence length should be recorded separately for each type of sentence.
Sentence conditions	Additional conditions imposed at sentencing, including suspension or revocation of driver's license.
Time served credit	Whether the court credited the time spent by the defendant in pretrial detention toward the sentence they were mandated to serve.
Time served credit length	Length (in days) of time spent in pretrial detention that was credited toward the sentence the defendant was mandated to serve.
Fine amount	Dollar amount of the fine the defendant was sentenced to pay.
Court fees/costs amount	Dollar amount of the court fees/costs the defendant was mandated to pay.
Fine amount balance to date	Dollar amount of fines owed by the defendant at the time of data extraction.
Court fees/costs balance to date	Dollar amount court fees/costs owed by the defendant at the time of data extraction.
Restitution amount	Dollar amount of the restitution the defendant was sentenced to pay.
Restitution balance to date	Dollar amount of restitution owed by the defendant at the time of data extraction.
Restitution amount paid to victims/survivors	Dollar amount of restitution that was paid to the victims/survivors of the crime.
Appeal filed	Whether the defendant filed an appeal after receiving a judgment of conviction.
Type of appeal filed	Basis for the appeal, e.g., ineffective assistance of counsel, DNA evidence, emergence of new evidence, exculpatory evidence withheld at discovery.
Appeal disposition	Whether the defendant's appeal resulted in an exoneration or reversal of judgment.
Ineffective assistance of counsel appeal disposition	Whether the defendant's ineffective assistance of counsel appeal resulted in an exoneration or reversal of judgment.

Office Level Data Elements

Data Elements	Definition
Number of full-time public defenders	Number of full-time (or full-time equivalent) public defenders who carry adult criminal caseloads
Number of part-time public defenders	Number of part-time public defenders who carry adult criminal caseloads
Number of contract attorneys	Annual number of contract attorneys representing indigent defendants for the public defender's office.
Annual public defender office budget	Annual budget appropriated for the operation of the public defender's office.
Public defender felony caseloads	Average annual felony caseload for public defenders who carry non-appellate, adult criminal caseloads.
Public defender misdemeanor caseloads	Average annual misdemeanor caseload for public defenders who carry non-appellate, adult criminal caseloads.
Public defender office caseload limits for felonies	Public defender's office limits regarding the number of felonies a single attorney can carry over a one-year period.
Public defender office caseload limits for misdemeanors	Public defender's office limits regarding the number of misdemeanors a single prosecutor can carry over a one-year period.
Specialized courts	Number and type of specialized courts available to the county (aka problem-solving courts)
Pretrial risk assessment tool use	Does the jurisdiction use a validated pretrial risk assessment tool to inform pretrial release decisions?
Pretrial risk assessment tool type	What pretrial risk assessment tool does the jurisdiction use? (Name)
Pretrial services	Does the jurisdiction have a pretrial services office?