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NEWS RELEASE

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Commission Study Finds Many Public Defenders Woefully Underpaid *Contract public defenders making less than \$6 per hour after overhead*

(Indianapolis) – A recently-completed study has found that many lawyers are earning less than \$6 per hour for public defense work, after accounting for overhead costs.

“This study has exposed what we have known for some time,” said Derrick Mason, senior staff attorney for the Indiana Public Defender Commission (Commission). “Indiana must do a better job of compensating lawyers who practice public defense, especially those lawyers who practice under part-time, flat-rate contracts.”

Over the past year, Dr. Torrin Liddell, the Commission’s Data and Statistics Analyst, conducted a statewide survey to investigate the overhead costs required to support an attorney practicing public defense. Nearly 150 survey responses were evaluated, with a focus on attorneys who received compensation for work as a contract or part-time public defender, NOT as a full-time, salaried public defender.

“Prosecutors typically work in county government offices and do not have the same expenses as contractual, part-time attorneys who are responsible for absorbing their own office overhead and support staff costs,” said Liddell. “This study clearly found that these lawyers are not being paid in true pay parity with county prosecutors, as required by Commission Standards.”

The Commission’s findings match previous surveys in other states showing a significant median overhead which almost completely eclipses the public defender’s compensation. This amount means that a typical full-time contract public defender in Indiana makes just \$10,322 after overhead costs. This is just over \$5 per hour, based on a 40-hour work week.

Indiana’s public defense system is county-based, with a mixture of offices, full and part time contractors, and hourly work. Counties have the option of following the Commission’s standards and guidelines in exchange for a percentage reimbursement of most public defense expenses. Currently, 63 counties participate in the program, while the remaining 29 counties operate without oversight by the Commission.

To read the full study, please visit: <https://www.in.gov/publicdefender/>. Follow the Commission at [@IndianaPDCom](https://twitter.com/IndianaPDCom). ###