

**BOARD OF COUNTY COMMISSIONERS**  
**SARPY COUNTY, NEBRASKA**

**RESOLUTION APPROVING**  
**PUBLIC DEFENDER PAYSACLE FOR FY2012 AND FY2013**

WHEREAS, pursuant to Neb. Rev. Stat §23-3403 (Reissue 2007), “The public defender may appoint as many assistant public defenders, who shall be attorneys licensed to practice law in this state, [...] as are reasonably necessary to permit him or her to effectively and competently represent the clients of the office subject to the approval and consent of the county board which shall fix the compensation of all such persons...”; and,

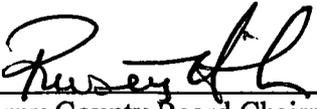
WHEREAS, Sarpy County has adopted certain policies regarding conditions of employment, and it is desired that an updated Pay Scale for FY2012 and FY2013 be adopted for the Assistant Sarpy County Public Defenders; and

WHEREAS, the Sarpy County Personnel Department did a salary comparable analysis for Assistant Public Defenders and as a result, drafted the attached Public Defender Pay Scale for FY2012 and FY2013, the same being fair and reasonable.

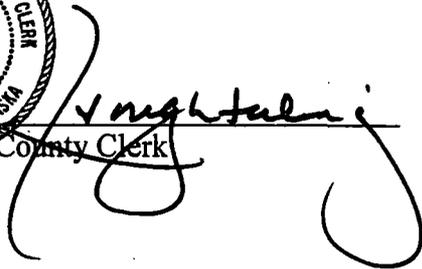
NOW, THEREFORE, BE IT RESOLVED BY THE SARPY COUNTY BOARD OF COMMISSIONERS that the attached Public Defender Pay Scale for FY2012 and FY2013 is hereby adopted for the Assistant Sarpy County Public Defenders subject to such other terms and conditions of employment as may be applicable to said positions, as contained in the existing policies of Sarpy County and the policies of the Public Defender, as the same may be modified from time to time.

BE IT FURTHER RESOLVED that all previous Resolutions or parts of Resolutions of the Sarpy County Board of Commissioners on said subject or in conflict with the provisions of this Resolution are hereby repealed.

The above and foregoing Resolution was duly approved by a vote of the Sarpy County Board of Commissioners at a public meeting duly held in accordance with applicable law on this 12<sup>th</sup> day of ~~May~~ <sup>June</sup>, 2012.

  
\_\_\_\_\_  
Sarpy County Board Chairman



  
\_\_\_\_\_  
Sarpy County Clerk

**PUBLIC DEFENDER  
PAYSCALE 2011-2013**

Year	Job Title	%	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
2011-2012	Lead Attorney	MA	\$ 2,698.18	\$ 2,833.09	\$ 2,974.74	\$ 3,123.48	\$ 3,279.65	\$ 3,443.64	\$ 3,615.82	\$ 3,796.61
			\$ 70,152.67	\$ 73,660.30	\$ 77,343.32	\$ 81,210.48	\$ 85,271.01	\$ 89,534.56	\$ 94,011.28	\$ 98,711.85
2012-2013	Lead Attorney	2.50%	\$ 2,765.63	\$ 2,903.92	\$ 3,049.11	\$ 3,201.57	\$ 3,361.65	\$ 3,529.73	\$ 3,706.21	\$ 3,891.52
			\$ 71,906.48	\$ 75,501.81	\$ 79,276.90	\$ 83,240.74	\$ 87,402.78	\$ 91,772.92	\$ 96,361.57	\$ 101,179.64
2011-2012	Sr. Attorney	MA	\$ 2,335.25	\$ 2,452.01	\$ 2,574.61	\$ 2,703.34	\$ 2,838.51	\$ 2,980.43	\$ 3,129.45	\$ 3,285.93
			\$ 60,716.39	\$ 63,752.21	\$ 66,939.82	\$ 70,286.81	\$ 73,801.16	\$ 77,491.21	\$ 81,365.77	\$ 85,434.06
2012-2013	Sr. Attorney	2.50%	\$ 2,393.63	\$ 2,513.31	\$ 2,638.97	\$ 2,770.92	\$ 2,909.47	\$ 3,054.94	\$ 3,207.69	\$ 3,368.07
			\$ 62,234.30	\$ 65,346.02	\$ 68,613.32	\$ 72,043.99	\$ 75,646.18	\$ 79,428.49	\$ 83,399.92	\$ 87,569.91
2011-2012	Attorney	MA	\$ 2,187.43	\$ 2,285.86	\$ 2,388.73	\$ 2,496.22	\$ 2,608.55	\$ 2,725.93	\$ 2,848.60	\$ 2,976.79
			\$ 56,873.16	\$ 59,432.45	\$ 62,106.91	\$ 64,901.72	\$ 67,822.30	\$ 70,874.30	\$ 74,063.65	\$ 77,396.51
2012-2013	Attorney	2.50%	\$ 2,242.11	\$ 2,343.01	\$ 2,448.45	\$ 2,558.63	\$ 2,673.76	\$ 2,794.08	\$ 2,919.82	\$ 3,051.21
			\$ 58,294.99	\$ 60,918.26	\$ 63,659.58	\$ 66,524.27	\$ 69,517.86	\$ 72,646.16	\$ 75,915.24	\$ 79,331.42

**SARPY COUNTY PUBLIC DEFENDER**

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Thomas P. Strigenz, Public Defender  
Patrick J. Boylan, Chief Deputy  
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John P. Hascall  
Dennis P. Marks  
Mandy M. Gruhlkey

**MEMO**

June 7, 2012

TO: Sarpy County Board of Commissioners  
FROM: Thomas P. Strigenz, Sarpy County Public Defender  
RE: Resolutions regarding the pay scales for Assistant Public Defenders

Please find enclosed two separate Resolutions that I am asking the Board approve at the next scheduled County Board meeting.

The First resolution requests that the Board approve the Public Defender Pay Scale for FY2012 and FY 2013.

The Second resolution requests that the Board "slot" the Assistant Public Defenders on the Public Defender Pay Scale.

**I. Resolution Setting Approving the Public Defender Pay Scale for FY2012 and FY2013.**

In the past, the Assistant Public Defender's salaries have been set pursuant to a pay scale that was approved by the Sarpy County Board.

The previous pay scale ended on June 30, 2011.

At the request of the Sarpy County Public Defender, the Sarpy Count Personnel Department did a salary comparable analysis with comparable cities. Subsequent to that analysis, the Sarpy County Personnel Department prepared the proposed Public Defender Pay Scale.

The Pay Scale has 8 steps with an average of 4.5% merit increase per step. There is a built in 2.5% annual adjustment between FY2012 and FY2013.

The Pay Scale sets forth three different categories for Assistant Public Defenders.

The first category is designated as "Attorney". This category encompasses the entry level attorney up through any level of experience. This category of attorney normally deals with lower level types of cases such as misdemeanors and traffic cases.

The salary comparable analysis determined that the level of "Attorney" should be paid within a range of \$49,763.00 - \$68,639.00. The proposed pay scale sets a current range of \$56,873.16 - \$77,396.51 for an Assistant Sarpy County Public Defender at the "Attorney" level.

The second category is designated as "Senior Attorney." This category encompasses an attorney with at least 2-5 years of experience as an attorney. The "Senior Attorney" is able to defend all types of cases, except for major cases, to which the Sarpy County Public Defender office could be appointed.

The salary comparable analysis determined that the level of "Senior Attorney" should be paid within a range of \$58,318.00 - \$89,402.00. The proposed pay scale sets a current range of \$60,716.39 - \$85,434.06 for an Assistant Sarpy County Public Defender at the "Senior Attorney" level.

The third category is designated as "Lead Attorney." This category encompasses an attorney with at least 8 years of experience as an attorney. This attorney is able to defend all types of cases, including major cases, to which the Sarpy County Public Defender office could be appointed. Additionally, this Lead Attorney is expected to mentor other attorneys in specific areas and to train and advise staff and attorneys on defense techniques and specific case situations.

The Salary Comparable analysis determined that the level of attorney should be paid in a range of \$73,082.00 - \$107,442.00. The proposed pay scale sets a current range of \$70,152.67 - \$98,711.85 for an Assistant Sarpy County Public Defender at the "Lead Attorney" level.

The proposed pay scale is beneficial to the taxpayers of Sarpy County in that the proposed pay scale is below the market rate for more experienced attorneys. Because most of the Assistant Sarpy County Public Defenders have over 10 years of experience, they could command a higher salary than being offered. However, all of the Assistant Public Defenders have a high degree of dedication and commitment to serving the needs of the indigent.

The Public Defender has reviewed the proposed pay scale and feels it is fair and reasonable and requests the Board approve it.

## **II. Resolution Slotting Assistant Public Defenders on the Public Defender Pay Scale 2011-2013.**

In the event the Board approves the Public Defender Pay Scale, it is required that the Board set the salary of each individual Assistant Public Defender. This resolution "slots" the Assistant Public Defenders on the approved pay scales.

Each request "slots" the Public Defender on the Public Defender Pay Scale as of an effective date as stated. The effective date is either the start of the 2012 fiscal year (July 1, 2012) or a date reflective of their hiring date if so hired within the 2012 fiscal year.

Each new "slot" for the Assistant Public Defenders will result in an increase in total pay from fiscal year 2012 to fiscal year 2011. Because the Public Defender pay scale is new and the Assistant Public Defenders need to be placed on the new pay scale, the increase does not differentiate between merit increases and annual adjustments. Rather, there is just an adjustment in the base salary. The increases range from .45% - 13.71% although the average increase for all Assistant Public Defenders is 3.92%.

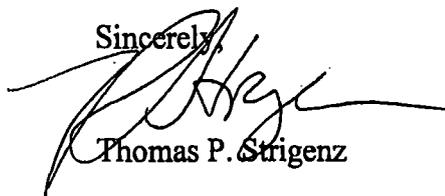
Additionally, there is back pay due and owing. The approximate total cost of this back pay is \$18,275.39. Due to the fiscal conservatism of the Sarpy County Public Defender, there will be no need for additional allocations of the FY2012 Public Defender budget. The FY2102 Public Defender budget is able to absorb this additional expense.

### **Conclusion**

As always, I appreciate the support the County Commissioners have shown the Sarpy County Public Defender's Office in the past and I know that the support will continue in the future.

I look forward in addressing the Board at the County Board meeting but you have any questions prior to that time, please feel free to contact me.

Sincerely,



Thomas P. Strigenz

TPS/dx