



The Commonwealth of Massachusetts

Committee for Public Counsel Services

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QUARTERLY REPORT TO THE MASSACHUSETTS HOUSE AND SENATE COMMITTEES ON WAYS & MEANS

Pursuant to Chapter 68 of the Acts of 2011, FY 2012 General Appropriations Act, Line Item 0321-1500

First Quarterly Report

Monday, October 03, 2011

INTRODUCTION

The Committee for Public Counsel Services (CPCS) respectfully submits this report in compliance with the reporting requirement set forth in line item 0321-1500 of the FY 2012 General Appropriations Act, Chapter 68 of the Acts of 2011, directing CPCS to develop a system of appointment of counsel in which no less than 25 percent of indigent defendants be represented by public defender staff by the end of fiscal year 2012.

This is the second report filed since the enactment of this mandate. The first report, filed on Sept 1, 2011, addressed details of the implementation plan for meeting the requirements, including discussion on the following: (a) the expected surplus or deficiency for fiscal year 2012 of items 0321-1500 and 0321-1510; (b) the current and projected number of public defenders and private bar advocates assigned to each court house; and (c) any perceived impediments to implementing this plan by the end of fiscal year 2012, as well as possible solutions to such impediments.

This report is the first of four quarterly reports to be submitted to the House and Senate Committees on Ways and Means, starting on October 3, 2011 and ending on June 29, 2012, detailing progress made in providing no less than 25 per cent of indigent defense through the utilization of state employee public counsel staff. The following information was requested:

(a) the number of public defenders that have been hired to date; (b) the offices and divisions to which these public defenders have been assigned; (c) the total number of cases that have been assigned to these public defenders, delineated by type of case; (d) the total number of cases that have been assigned to all public defenders, delineated by type of case; (e) the number of public defender vacancies to be filled; (f) the total number of support staff, investigators, attorneys-in-charge and management that have been hired; (g) the number of cases that have been assigned to private bar advocates, delineated by type of case; (h) the total billable hours to date of private bar advocates, delineated by type of case; (i) the billable hours of private bar advocates broken down by: travel time, time spent in court, which includes wait time and trial preparation time, which further includes interview time, investigating time and research time; (j) the number of private bar advocates that have been hired as public defenders; (k) changes to the private bar advocate billing system; (l) the staffing efficiencies that have been achieved; (m) the billing improvements that have been made; (n) the savings that have been realized from hiring more public defenders; (o) the cost effectiveness of private bar advocates; (p) the number and cost of private investigators used, delineated by firm; (q) the number and cost of psychologists and psychiatrists used, delineated by firm; and (r) the progress made to date in obtaining temporary and permanent office space. This information is based on accomplishments from July 1, 2011 through September 23, 2011. In order to compile the report a cutoff date needed to be utilized that was not a complete quarter. In anticipation of the enactment of this statutory change many hiring activities were commenced prior to the signing of the FY Budget on July 11, 2011.

SECTION A: Number of Public Defenders Hired to Date

CPCS has hired 85 attorneys to date. These attorneys have been assigned to the District Court, Children and Family Law, Mental Health and Appeals Divisions.

In the September 2011 report, CPCS stated that the implementation plan assumed the hiring of 340 FTEs of which 201 are attorneys. After conducting hundreds of interviews, CPCS hired and has now trained 85 new lawyers to be assigned throughout the Commonwealth for both criminal and non-criminal representation. Many of the management staff involved in the hiring of this complement of staff were redeployed to assist in training. This was done in order to ensure that the new attorneys would be ready to commence taking cases as soon as possible. Despite the interruption of recruitment activities caused by the training program and the retirement of the Deputy Chief Counsel of the Public Defender division, CPCS is moving forward to fulfill the stated goal. Under the direction of the new Deputy Chief Counsel of the Public Defender division and the Deputy Chief Counsel of the Children and Family Law Division, the Director of the Youth Advocacy Department, the Director of the Mental Health Litigation Unit and assisted by a newly created position of “Legal Hiring Coordinator,” CPCS is actively recruiting and interviewing for the remaining positions. It is important to note that not all of these hires are “Public Defenders;” many will be attorneys in the Children and Family Law Division (CAFL), the Mental Health Litigation Unit and the Youth Advocacy Department (YAD).

SECTION B: Assignments of the New Public Defenders to Divisions and Offices

<u>DIVISION</u>	<u>OFFICE</u>	<u>TOTAL ATTORNEYS</u>
District Court	Boston	6
District Court	Brockton	4
District Court	Fall River	2
District Court	Framingham	1
District Court	Hyannis	2
District Court	Lowell	3
District Court	Malden	4
District Court	New Bedford	3
District Court	Quincy	3
District Court	Roxbury	7
District Court	Salem	3
District Court	Springfield	7
District Court	Worcester	7
CAFL	Boston	3
CAFL	Brockton	3
CAFL	Fall River	5
CAFL	Hadley	2
CAFL	Hyannis	2
CAFL	Lowell	3
CAFL	Pittsfield	2
CAFL	Salem	3

CAFL	Springfield	2
CAFL	Worcester	5
Appeals	Boston	1
YAD	Salem	1
Mental Health	Brockton	1
TOTAL		85

SECTION C: Total Cases Assigned to New Public Defenders by Case Type

As of the September 23, 2011 cutoff date for this report, many of the newly hired attorneys were still in substantive law and litigation procedure training. The training programs will be completed by October 6, 2011.

SECTION D: Total Cases Assigned to All Public Defenders by Case Type

District Court	2,256
Superior Court	1,058
Murder	7
Juvenile	336
CAFL	87
Mental Health	180
Probation Violation	790
Bail Only	327
Other	16
TOTAL	5,057

SECTION E: Number of Public Defender Vacancies

Our current hiring plan includes 116 additional attorney positions that are now vacant and will be filled between October 1, 2011 and June 30, 2012. These “to be hired positions” will not only be Public Defenders for our criminal cases, but also attorneys for the Children and Family Law, Youth Advocacy and Mental Health practice areas.

SECTION F: Number of Support Staff, Investigators, Attorneys-In-Charge and Management Staff Hired

Support Staff	12
Investigators	0
Attorneys-In-Charge	2
Staff Attorneys	3 (Audit, Training & Oversight)
Management	0
TOTAL	17

SECTION G: Number of Cases Assigned to Private Bar Advocates by Case Type

District Court	22,846
Superior Court	363
Appeals	433
Murder	55
Juvenile	647
CAFL	1,489
Mental Health	1,346
Probation Violation	5,139
Bail Only	3,312
All Other	
Criminal/Civil	1,097
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TOTAL	36,727

SECTION H: Total Billable Hours to Date of Private Bar Advocates by Case Type

District Court	163,306
Superior Court	16,607
Appeals	31,674
Murder	7,058
Juvenile	8,957
Children and Family Law	68,885
Mental Health	17,081
Probation Violation	21,708
Bail Only	2,974
All Other Criminal/Civil	8,512
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TOTAL	346,761

SECTION I: Billable Hours of Private Bar Advocates by Travel Time, In-Court Time, Wait Time and Trial Preparation Time, Including Interview Time, Investigating Time and Research Time

Following is a listing of billable hours of private bar advocates compiled from the CPCS web-based electronic billing system that all private attorneys use to bill for time representing CPCS clients:

	HOURS
Travel Time	9,590
In-Court Time	32,851
Wait Time	25,397
Trial Preparation Time	278,923
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TOTAL	346,761

SECTION J: Number of Private Bar Advocates Hired as Public Defenders

Four new attorney hires were previously Private Bar Advocates.

The initial phase of hiring focused on securing only new entry-level attorneys. The second phase will focus on the recruitment of more experienced attorneys to serve as staff attorneys as well as supervisors. As outlined in the September 1, 2011 report, one of the impediments to bringing these experienced attorneys on board is that most of them will need months to wrap up their financial and ethical responsibilities to their present clients and associates.

SECTION K: Changes to the Private Bar Advocate Billing System

The following costs saving measures were implemented on August 15, 2011. This implementation was prospective only and will not apply to mileage, waiting, or hourly work costs which were incurred before that date.

1. Although billing for time spent travelling for case preparation was not changed, mileage reimbursements for private counsel (currently \$.30 per mile) was eliminated, as mileage may be a tax-deductible expense for private practitioners.
2. Billing for time spent waiting in court on assigned cases was limited to one hour per day. This change is a 50% reduction of the allowed billing time. CPCS leadership will notify the courts of this policy change and request that special consideration be given to reducing or eliminating delays in calling assigned counsel cases.
3. The presumptive cap on hours billed per day was reduced from 10 to 8 hours for all cases, except murder trials for which the presumptive cap was reduced from 14 to 12 hours. These caps may be waived based on an attorney's request in advance pursuant to the process set out in section 19 of chapter 5 of the Assigned Counsel Manual.
4. Billable hours for attorneys who have been licensed to practice law for less than 2 years are now limited to 1500 hours per year. The Legislature reduced the annual limit on billable hours for all attorneys from 1800 hours in FY 2011 to 1650 hours in FY 2012. This 1500 hours cap is a further limitation applicable only to those attorneys who have been licensed less than 2 years.

CPCS is also taking additional steps to provide the Legislature with assurance that private counsel billing is reasonable by expanding the agency's auditing capacity and by conducting periodic recertification for all private counsel beginning this fall. We are working with the leaders of the county bar advocate programs, the Children and Family Law Regional Coordinators, the Mental Health Regional Coordinators and the Juvenile Supervising Attorneys to ensure that this process is fair and transparent for the lawyers who work to protect the rights of our indigent clients. These efforts to control costs will help to preserve the most important features of our respected and effective system for delivering legal services.

SECTION L: Staffing Efficiencies Achieved

Staffing efficiencies are presently being implemented in every county and practice area. Steps have been taken to coordinate with the bar advocate programs, the private bar panels and the Judiciary to secure a substantial increase in the duty assignment days for the present and expanded staff.

SECTION M: Billing Improvements Completed

1. End of Year bills must be submitted by July 31 of each year in order to be eligible for full payment. End of Year bills submitted August 1 through August 31 are reduced 10% pursuant to statute. End of Year Bills received on or after September 1 will not be paid pursuant to statute. The timeline for interim bills remains unchanged as does the ability to appeal the denial of payment to determine if bills can be paid based on "extraordinary circumstances beyond the control of the attorney".
2. E-Bill Vouchers, for out-of-pocket expenses, which occurred prior to July 1, 2011, received on or after September 1, 2011, will not be paid pursuant to statute. The attorney has the ability to appeal the denial of payment to determine if bills can be paid based on "extraordinary circumstances beyond the control of the attorney".
3. The maximum number of billable hours payable by CPCS was reduced from 1,800 to 1,650 hours. The FY 2012 General Appropriations Act, Chapter 68 of the Acts of 2011, established a cap on billable hours "not in excess of 1650 hours".
4. Attorneys may not accept new assignments after billing 1,350 hours. This is a reduction from 1,400 hours. New homicide assignments are excluded. As in prior years, attorneys will be advised when they have reached 1,000 and 1,200 hours; however, ultimately it is each attorney's responsibility to manage their case load and accurately track their time.
5. Court Cost Vendors also have new billing deadlines. Assigned Counsel must review and approve bills submitted by experts and investigators. The date the expert or investigator submits the bill electronically for attorney approval is the date used to compute whether the bill is timely
6. Transcripts requested by Assigned Counsel are still paid at \$3.00 per page for the original; however, paper copies can be billed at no more than \$.10 per page when the client is indigent. In addition, Counsel is entitled to an electronic reproduction of the transcript for a cumulative fee not to exceed \$5.00. Please note that where a rule or policy requires an electronic reproduction at no cost, CPCS is not responsible for payment of any fee.

SECTION N: Savings Realized from Hiring Public Defenders

As indicated above, new public defenders and public counsel staff attorneys in CAFL, YAD and the Mental Health Litigation Unit were hired in late August and will complete training on October 6, 2011. To

date there are no savings that can be reported because of the need to recruit, select and train attorneys before they are assigned cases.

SECTION O: Cost Effectiveness of Private Bar Advocates

Based on data for the full fiscal year, in 2010, the average salary for a CPCS attorney was \$55,853. Because CPCS does not have sufficient cost data at this early stage of the fiscal year we are estimating an average salary decline to \$50,000 as a large number of entry-level attorneys are added to the CPCS payroll. Based on the \$50,000 average, our analysis below compares the full cost to the Commonwealth of public attorneys to the cost of private bar advocates. **Our current estimate is that the annual cost of a public defender is 24% higher than the cost of a private bar advocate.** As we gather more financial data during the course of the fiscal year we will update this analysis. We anticipate that the costs will be significantly higher in the first year of the expansion because of the one-time startup costs that are being incurred to equip offices for new staff (computers, software licenses, telephones, office furniture, office equipment, temporary office space, and space preparation).

Public Defense Attorney

\$ 50,000	Estimated Average Attorney Salary	
17,460	34.92%	Fringe Benefits Rate per Office of the State Comptroller
9,500	19.00%	Non-payroll costs (office space, mileage, computer, software, telephone, internet access, legal research tools, furniture, supplies, postage, copiers/printers, scanners, records storage, office equipment, waste removal)
46,544		Direct and Indirect Overhead (Supervision, Support Staff and Management)
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\$ 123,504	Total Annual Cost, Public Defense Attorney	
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Private Bar Advocate

\$ 96,966	Private Attorney 1,800 hours @ 53.87 per hour (average for all case types)	
2,983	Indirect Overhead	(CPCS Payment Unit, Audit & Oversight staff, Training Staff, Legal Oversight and Support Staff including fringe benefits and non-payroll costs)
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\$ 99,949	Total Annual Cost, Private Bar Advocate	
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\$ 23,555 Cost Difference Public vs. Private

24% Percent Difference Public vs. Private

SECTION P: Number and Cost of Private Investigators, by Firm

VENDOR NAME	AMOUNT
A.D.D. Investigative Assoc. Inc.	1,205.90
Absolute Investigations Inc	201.90
Ace Investigators	2,562.06
American Investigation Services	812.23
Aragorn Investigations, Inc.	2,071.20
Associated Professional Services, Inc.	4,961.20
Boston Investigation Inc.	4,000.00
Branick Investigations (Brian T Tassone)	6,487.10
Brooks, J.L. Investigative Services Inc.	2,825.00
C&C Investigations LLC	1,059.70
Case In Point Inc.	16,866.78
CEI Management Corporation	3,710.60
Central Investigation Services	3,250.00
Cephos Corp	605.00
Chapdelaine Investigations Inc.	1,660.00
Colleran Investigative Services LLC (Edward P Burke)	2,780.00
Dinatale Detective Agency	129.20
DMW & Assoc. Investigations	2,000.00
Ferreira Investigations, Richard E	5,925.00
Gahagan Investigative Services	6,432.80
Greystones Investigations (Sarah Alcorn)	3,790.00
GVB Security Corp	6,150.00
Hansen, Douglas & Associates	8,240.00
HM Investigations & Consulting	2,500.00
Howe, R T Investigative Services	3,415.00
Interstate Investigation Agency	1,750.30
Investigative and Forensic Services LLC	12,122.00
JBS Professional Services LLC	1,875.00
Keller Investigations Inc.	6,966.00
Klip Security Corporation (David Gomes)	4,200.00
Le Defense Services Inc.	2,650.00
Mason Group Inc.	239.20
Miller Investigative Services (Thomas H Miller Jr)	1,885.00
Moran, J Investigations LLC	598.20
Mulvey III, James Investigations	3,994.30
Nardizzi & Associates Inc.	5,987.00
National Security Services Inc.	5,244.40
Needham Security Agency LLC	4,300.00
On The Mark Inc.	3,985.00
Pickard & Associates	3,616.60
Quality Forensic & Investigative Services LLC	1,183.00
R and Associates LLC	12,245.00
Rivera Investigative Services	2,185.20
RTW Investigation Services	2,493.10
Sensor Security	2,496.00
Summer Investigative Inc.	4,800.00
T M Investigations (Teresa D Mcsheffrey)	2,011.72
Wolfhound Investigations Inc.	1,605.00
Allegiant Investigations (Daniel E Malley)	884.60
August Santos M	320.00
Beverly Gravison A	1,575.80

Brendan Durkin Jr. T	4,850.00
Brian Brunault Dale	489.30
Charles Byrne	1,270.00
Dana Grant J	9,230.00
Daniel Crivellaro	432.30
David Mason D	6,444.40
David Santos A.	6,450.00
Denise O'Toole-Barrett	7,465.00
Dennis Kelly J	375.00
Derek Woods J	3,675.00
Donald January L	150.50
Francis Taylor	1,180.00
Frederick Borges	131.60
George Rider D	175.00
Integrity Claims Investigations Inc	1,295.40
Investigators LLC	4,955.00
James Hooley Jr. Albert	691.20
James Pontremoli J.	1,130.00
JEI Investigative Service - James E Israel	721.80
John McMahon A	7,250.60
John O'Connell C	525.00
John Reardon D.	550.00
John Sheehan J	3,504.00
Johnnie Vernon	12,305.60
Joseph Lutz B	3,605.00
Joseph Murphy	650.00
Kevin Davis M	3,310.60
Maria Souto C	200.00
Michael Coller A	652.60
Michael Fixman B.	1,738.18
Nanette Cabral	7,185.00
Norman Foss E	3,065.00
Patrick O'Bryan F	2,067.00
Paul Colombo R	1,577.40
Paul Kelley Louis Michael	75.00
Philip Kass	4,640.00
Randy Cipoletta J	315.00
Richard Cain D	549.00
Robert Diaz	665.00
Roger Bryant C	3,315.00
Roger Dupont N	800.00
Stephen Cote	1,325.00
Stephen Fogarty J	180.00
Stephen Goldrick P	277.60
Theodore Morris	1,250.00
Thomas Strojny E	740.00
Timothy Creamer	287.40
Tracey Hebert E	5,960.00
William Kelly T	450.00

NUMBER OF INVESTIGATORS	100
TOTAL BILLED AMOUNT	\$314,979.57

SECTION Q: Number and Cost of Psychologists and Psychiatrists Used, by Firm

PSYCHOLOGISTS	AMOUNT
Bell Psy.D, PC, Allison J - Relationship Consultants	1,368.00
Boston Forensic Associates LLC	1,137.20
Community Services Institute	1,372.00
Comprehensive Fam. Evaluation Ctr - N.E. Med Ctr	810.00
Forensic Psychological Evaluation LLC	798.00
Mass Gen Hospital Psychiatry Unit	3,892.00
Psychological Consulting Services LLC	26,995.10
Quinones Associates Inc.	10,764.00
Catherine Howe T.J.	4,874.20
Christopher Rose M	2,852.60
Deane Zarvis	2,793.00
Eric Brown L	12,638.00
Frank Dicataldo	700.00
Helene Presskreischer	1,142.00
Jennifer Fornberg	1,520.00
Jodie Shapiro	1,500.00
John Gorvin J	2,000.00
Joseph Plaud J	34,052.60
Katherine Herzog E	838.40
Leonard Bard A	23,525.00
Margaret Kierstein	1,197.00
Maureen Carnes	1,640.00
Michael Sherry S.	7,665.00
Mitchell Clionsky	380.00
Patricia Schmitz M	1,000.00
Paul Jansen E.	3,615.00
Paul Nestor G	1,057.00
Samuel Sommers R	1,197.00
Susan Flood E	4,298.10
Tali Walters K	1,254.00
Thomas Deters J	5,550.00
William Halikias	2,394.00
William Rinn E	1,995.00
PSYCHIATRISTS	AMOUNT
Institute For Sexual Wellness	24,237.50
Mass Gen Hospital Psychiatry Unit	11,398.75
Andreas Laddis	2,815.00
David Rosmarin	21,350.45
Mark Rudolph Md. Norman	14,534.40
Matthew Dumont P	8,875.00
Montgomery Brower C	1,010.00
Paul Noroian E	1,113.20
Peter Cohen W	1,922.95
Richard Barnum MD	2,742.50
Robert Gardiner Emerson	1,457.80
Roger Gray H	9,838.10
Stuart Anfang A.	3,091.25
William Land B.	20,552.40
NUMBER OF PSYCHOLOGISTS & PSYCHIATRISTS	47
TOTAL BILLED AMOUNT	\$293,753.50

SECTION R: Progress of Obtaining Temporary and Permanent Office Space

The normal timeframe for locating, acquiring and preparing office space for occupancy is 6 -12 months for private businesses and 9 -12 months under the rules and procedures of the Massachusetts Division of Capital Asset and Management (DCAM). To have work places ready for the over 100 new hires by October 6, 2011, extraordinary efforts were taken and continue to be taken to meet this very difficult logistical challenge. Under the direction of the Chief Financial Officer of CPCS, our Facilities Manager Terry McParland, and Information Technology Support Specialist Rosa Sustache, CPCS is engaged in a tireless effort to create and implement a three-tiered plan to accomplish this nearly impossible task.

The first tier of the plan is to acquire sufficient office space to permanently house over 300 new hires by the end of the fiscal year. The second tier involves procuring, wherever possible, temporary space in buildings currently under lease to house staff while permanent space is being built-out, normally a minimum 6-month or longer time span. The third tier required developing “force fit” plans into our current offices to accommodate staff should neither temporary nor permanent space be available. The “force fit” plan involved creating 17 location plans to house staff in existing offices in conference rooms, lunch rooms, or any other available space.

Early in the fiscal year CPCS staff met with staff from the Office of Leasing and State Office Planning of the Division of Capital Asset and Management (DCAM) to begin planning for the possible expansion of CPCS offices and staff. Since that first meeting Martha Goldsmith, the Director of the Office of Leasing and State Office Planning, Gilles Quintal, the Deputy Director, and Virginia Platt, the Project Manager have worked diligently and expeditiously to assist CPCS in meeting our space acquisition objectives. An important first step that was accomplished through coordination between CPCS' General Counsel and DCAM's Legal staff was to secure a “Certificate of Emergency and Waiver of Advertising Requirements” that allowed DCAM to streamline the bidding process and ease some restrictions normally compulsory when a state agency of the Commonwealth of Massachusetts leases space. This certificate was secured on August 10, 2011. Normally this classification is provided by designating one geographical location because of some natural disaster such as fire or flood. The CPCS application for “emergency status” needed to include 19 separate locations: Boston (Downtown), Barnstable, Hyannis, Waltham, Brockton, Fall River, Framingham, Lowell, Malden, New Bedford, Northampton, Greenfield, Pittsfield, Quincy, Roxbury, Salem, Springfield, Worcester and Waltham. This expedited process has greatly enhanced our ability to navigate the space acquisition process efficiently while continuing to ensure that lease agreements provide proper protection to our agency as a tenant.

To date DCAM and CPCS have initiated negotiations with property owners to amend 16 CPCS leases in locations throughout the state including Boston, Brockton, Fall River, New Bedford, Hyannis, Lowell, Pittsfield, Quincy, Roxbury, Salem, Springfield, and Worcester. Next week we expect to execute a lease amendment to an existing lease with another state agency to house 65 staff in Boston, a key location for expansion of public defender staff. This is an example of the myriad of options that we have been considering to meet the objectives of our expansion plan. The preferred option is to amend current CPCS leases in the same buildings in which we occupy space. However, in Boston, DCAM assisted us in finding suitable space in a building occupied by another state agency enabling CPCS to take advantage of the expedited process of amending a current state lease. DCAM also has four Open Solicitations currently posted for Boston, Lowell, Fall River, and Salem to invite bidders to propose space on a temporary and permanent basis.

In preparing for this expansion CPCS made several improvements to infrastructure that allow us to launch an office opening more quickly and to reduce technology and telecommunications costs. Prior to fiscal year 2011, offices were set up with an individual file server (central computer) in each office with a local area network to provide computer and internet services to staff in each office. We are currently completing a major restructuring of that model that centralizes two banks of high capacity servers (for redundancy and business continuity purposes) in Boston and Brockton that will serve all of our 22 current and potential future locations. The savings result not only from buying a smaller number of file servers but also from staffing required to monitor, troubleshoot, and maintain computer hardware. This redesign will also allow Information Technology (IT) staff to remotely monitor and troubleshoot the central banks of file servers and each individual personal computer throughout the state. This will not only greatly enhance the efficiency of IT staff but ensure that attorneys representing clients are minimally interrupted because of technology problems or downtime.

With respect to telephone service, a similar configuration change is in progress. In the past, telephone systems (hardware and software) were procured for each office location. The hardware associated with the telephone system (to manage voice mail, conference calling, intercom and other features) had a one-time cost and both hardware and software had ongoing maintenance and support costs. With new offices, we are installing VoIP (voice over internet protocol) telephones that utilize data lines (that are shared with internet access data lines) to handle voice communications. The "system" is provided by a service provider with a central computer so no telephone system hardware needs to be installed at each new site. The cost savings result not only from eliminating the hardware, software and related costs but also from eliminating all in-state and out-of-state long distance charges associated with traditional telephone service. The installation and setup of a "phone system" in this model is as simple as connecting the VoIP phone to the data port jack.

The uncertainties associated with lease negotiations, availability of temporary space, construction schedules, vendor delivery schedules (for telecommunications services and other necessary office equipment and furnishings) make it difficult to predict precisely when all new offices will open and fully functional. The three-tier plan described above, however, ensures that we will have at least minimal functional work space for all new staff.

CONCLUSION

CPCS continues to strive to meet the directive of Chapter 68 of the Acts of 2011. As we move forward in the coming months, we will continue to communicate our progress and the impediments that we encounter.

Respectfully submitted,



Anthony J. Benedetti
Chief Counsel