

CRIMINAL JUSTICE

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Prosecutors, public defenders seek more funding; ‘We have a serious crisis in the state of FL’

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Florida Channel screenshot of Miami-Dade County Public Defender Carlos J. Martinez speaking before the House Criminal Justice Subcommittee on Jan. 24, 2023

For the first time in three years, Florida prosecutors and assistant public defenders got raises in the [2022-2023 budget](#) – some \$5,000 to \$10,000 along with an inflation adjustment increase of more than five percent. But it’s still not enough in many cases to compete with private law firms, a state attorney and public defender told lawmakers Tuesday.

“We have a serious crisis in the state of Florida,” Miami Dade County Public Defender Carlos J. Martinez told members of a House criminal justice subcommittee, referring to how difficult it is to retain and recruit attorneys to work for the state.

Martinez said the combination of lower salaries than lawyers can make in the private sector and the high cost of living throughout Florida is hampering the ability for public defender offices to adequately service the legal needs of the state.

“It used to be that we would only say, ‘well, it’s happening in Miami. It’s happening in Orlando. It’s happening in Tampa,” he said. “Talking to my brethren public defenders, these issues are happening in large (and) small circuits. It’s happening in rural counties and

it’s happening in urban cities. So we have the hiring crisis, not enough applying and then some of us in the larger offices are getting the double whammy, which is we’re not only not able to attract, but the ones that we do attract are turning us down.”

Miami is one of the most expensive places to live in Florida, and Martinez bemoaned the fact that he said the average monthly rent for a one-bedroom apartment there is \$2,600, “and that’s if you can find one.”

He added that it’s harder to retain attorneys in Florida public defenders’ offices, with a turnover rate of 28 percent – pre-pandemic it was 17 percent.

Bill Gladson, the state attorney in Florida’s Fifth Judicial Circuit (encompassing Citrus, Hernando, Marion, Lake and Sumter counties), also told lawmakers that it’s becoming more difficult to compete with private law firms for young lawyers.

Many law school grads are going into the private sector and making \$80,000 to \$90,000, according to Gladson. And in some cases, they’re allowed to work from home and don’t need to appear in court.

“We want to train people to be advocates,” he said. “Advocates for the state. Advocates for the client. Advocates for the victim. And the only way to advocate is to be a lawyer who speaks to people.”

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