

## Department Appropriation Summary

### Historical Data

### Agency Request and Executive/Legislative Recommendation

Appropriation	2013-2014		2014-2015		2014-2015		2015-2016					2016-2017						
	Actual	Pos	Budget	Pos	Authorized	Pos	Agency	Pos	Executive	Pos	Legislative	Pos	Agency	Pos	Executive	Pos	Legislative	Pos
1VA Ombudsman Program	92,763	1	90,054	1	89,962	1	90,636	1	90,636	1	90,636	1	90,636	1	90,636	1	90,636	1
337 Public Defender-Operations	2,689,980	19	2,805,509	19	2,676,028	18	2,820,186	19	2,820,186	19	2,820,186	19	2,821,166	19	2,821,166	19	2,821,166	19
530 Public Defender -Trial Office	20,686,627	225	21,016,743	225	21,016,743	225	26,813,638	281	21,377,755	228	21,377,755	228	26,508,738	281	21,372,025	228	21,372,025	228
<b>Total</b>	<b>23,469,370</b>	<b>245</b>	<b>23,912,306</b>	<b>245</b>	<b>23,782,733</b>	<b>244</b>	<b>29,724,460</b>	<b>301</b>	<b>24,288,577</b>	<b>248</b>	<b>24,288,577</b>	<b>248</b>	<b>29,420,540</b>	<b>301</b>	<b>24,283,827</b>	<b>248</b>	<b>24,283,827</b>	<b>248</b>

Funding Sources		%		%		%		%		%		%		%		%		%
Fund Balance 4000005	907,458	3.7	1,265,267	5.3		0.0		0.0		0.0		0.0		0.0		0.0		0.0
State Central Services 4000035	15,435,052	62.4	13,448,958	56.2		69.1	15,089,914	62.1	15,089,914	62.1	20,221,877	68.7	15,085,164	62.1	15,085,164	62.1		
Bail Bond Fees 4000115	1,235,272	5.0	1,200,000	5.0		4.0	1,200,000	4.9	1,200,000	4.9	1,200,000	4.1	1,200,000	4.9	1,200,000	4.9		
State Administration of Justice 4000470	5,852,732	23.7	6,908,027	28.9		23.2	6,908,027	28.4	6,908,027	28.4	6,908,027	23.5	6,908,027	28.4	6,908,027	28.4		
Transfer from DHS-DYS 4000515	92,763	0.4	90,054	0.4		0.3	90,636	0.4	90,636	0.4	90,636	0.3	90,636	0.4	90,636	0.4		
User / Attorney Fees 4000725	1,211,360	4.9	1,000,000	4.2		3.4	1,000,000	4.1	1,000,000	4.1	1,000,000	3.4	1,000,000	4.1	1,000,000	4.1		
<b>Total Funds</b>	<b>24,734,637</b>	<b>100.0</b>	<b>23,912,306</b>	<b>100.0</b>		<b>100.0</b>	<b>29,724,460</b>	<b>100.0</b>	<b>24,288,577</b>	<b>100.0</b>	<b>24,288,577</b>	<b>100.0</b>	<b>29,420,540</b>	<b>100.0</b>	<b>24,283,827</b>	<b>100.0</b>	<b>24,283,827</b>	<b>100.0</b>
Excess Appropriation/(Funding)	(1,265,267)		0				0		0		0		0		0		0	
<b>Grand Total</b>	<b>23,469,370</b>		<b>23,912,306</b>				<b>29,724,460</b>		<b>24,288,577</b>		<b>24,288,577</b>		<b>29,420,540</b>		<b>24,283,827</b>		<b>24,283,827</b>	

FY15 Budgeted amount in FC (1VA) Ombudsman Program exceeds the authorized amounts due to matching rate adjustments during the 2013-2015 Biennium.

FY15 Budgeted amount in FC (337) Public Defender - Operations exceeds the authorized amounts due to transfers from the Agency Growth Pool during the 2013-2015 Biennium.

## **Analysis of Budget Request**

**Appropriation:** 1VA - Ombudsman Program

**Funding Sources:** HSC - State Central Services

The Ombudsman Division of the Arkansas Public Defender Commission was created during the 82<sup>nd</sup> General Assembly for the purpose of insuring that children placed within the custody of the Department of Human Services (DHS) - Division of Youth Services are receiving necessary services designed to keep them safe both mentally and physically. One position in the Ombudsman Division of the Arkansas Public Defender Commission is funded from funds transferred by the DHS. This transfer is for the benefit of the Juvenile Ombudsman Program of the Public Defender Commission.

Base Level Regular Salaries and Personal Services Matching include the continuation of the previously authorized 2015 1% Cost of Living Adjustment and Career Service Payments for eligible employees. Personal Services Matching also includes a \$10 increase in the monthly contribution for State employee's health insurance for a total State match per budgeted employee of \$420 per month. Base Level salaries and matching do not include appropriation for Merit Pay Increases.

The Commission's Request provides for Base Level for the 2015-2017 Biennium.

The Executive Recommendation provides for the Agency Request.

The Legislative Recommendation concurs with the Executive Recommendation.

**Appropriation Summary**

**Appropriation:** 1VA - Ombudsman Program

**Funding Sources:** HSC - State Central Services

Commitment Item		2013-2014	2014-2015	2014-2015	2015-2016			2016-2017		
		Actual	Budget	Authorized	Agency	Executive	Legislative	Agency	Executive	Legislative
Regular Salaries	5010000	71,667	69,735	69,735	69,735	69,735	69,735	69,735	69,735	69,735
<b>#Positions</b>		<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>
Personal Services Matching	5010003	21,096	20,319	20,227	20,901	20,901	20,901	20,901	20,901	20,901
Total		92,763	90,054	89,962	90,636	90,636	90,636	90,636	90,636	90,636
<b>Funding Sources</b>										
Transfer from DHS-DYS	4000515	92,763	90,054		90,636	90,636	90,636	90,636	90,636	90,636
Total Funding		92,763	90,054		90,636	90,636	90,636	90,636	90,636	90,636
Excess Appropriation/(Funding)		0	0		0	0	0	0	0	0
Grand Total		92,763	90,054		90,636	90,636	90,636	90,636	90,636	90,636

FY15 Budget amount in Personal Services Matching exceeds the authorized amount due to matching rate adjustments during the 2013-2015 Biennium.

## **Analysis of Budget Request**

**Appropriation:** 337 - Public Defender-Operations

**Funding Sources:** HSC - State Central Services

The Arkansas Public Defender Commission was established in 1993 to address a variety of problems and concerns related to the representation of indigent criminal defendants in Capital Conflicts and Appeals to the Supreme Court in the State of Arkansas. The State Operations appropriation is funded from the State Central Services Fund.

Base Level Regular Salaries and Personal Services Matching include the continuation of the previously authorized 2015 1% Cost of Living Adjustment and Career Service Payments for eligible employees. Personal Services Matching also includes a \$10 increase in the monthly contribution for State employee's health insurance for a total State match per budgeted employee of \$420 per month. Base Level salaries and matching do not include appropriation for Merit Pay Increases. The Base Level salary of unclassified positions reflects the FY15 line item maximum plus the previously authorized 2015 1% Cost of Living Adjustment.

The Base Level Request is \$2,697,708 in FY16 and \$2,698,567 in FY17.

The Agency's Change Level Request provides for \$122,478 in FY16 and \$122,599 in FY17 in Regular Salaries and Personal Services Match appropriation associated with one (1) Public Defender III added from the Growth Pool during FY14 that the Commission wishes to continue.

The Executive Recommendation provides for the Agency Request.

The Legislative Recommendation concurs with the Executive Recommendation.

## Appropriation Summary

**Appropriation:** 337 - Public Defender-Operations

**Funding Sources:** HSC - State Central Services

Commitment Item		2013-2014	2014-2015	2014-2015	2015-2016			2016-2017		
		Actual	Budget	Authorized	Agency	Executive	Legislative	Agency	Executive	Legislative
Regular Salaries	5010000	1,215,532	1,229,807	1,133,419	1,239,925	1,239,925	1,239,925	1,240,725	1,240,725	1,240,725
<b>#Positions</b>		<b>19</b>	<b>19</b>	<b>18</b>	<b>19</b>	<b>19</b>	<b>19</b>	<b>19</b>	<b>19</b>	<b>19</b>
Extra Help	5010001	11,985	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000
<b>#Extra Help</b>		<b>2</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>
Personal Services Matching	5010003	365,166	371,364	338,271	375,923	375,923	375,923	376,103	376,103	376,103
Operating Expenses	5020002	253,571	247,648	247,648	247,648	247,648	247,648	247,648	247,648	247,648
Conference & Travel Expenses	5050009	19,690	19,690	19,690	19,690	19,690	19,690	19,690	19,690	19,690
Professional Fees	5060010	824,036	925,000	925,000	925,000	925,000	925,000	925,000	925,000	925,000
Data Processing	5090012	0	0	0	0	0	0	0	0	0
Capital Outlay	5120011	0	0	0	0	0	0	0	0	0
<b>Total</b>		<b>2,689,980</b>	<b>2,805,509</b>	<b>2,676,028</b>	<b>2,820,186</b>	<b>2,820,186</b>	<b>2,820,186</b>	<b>2,821,166</b>	<b>2,821,166</b>	<b>2,821,166</b>
<b>Funding Sources</b>										
State Central Services	4000035	2,689,980	2,805,509		2,820,186	2,820,186	2,820,186	2,821,166	2,821,166	2,821,166
Total Funding		2,689,980	2,805,509		2,820,186	2,820,186	2,820,186	2,821,166	2,821,166	2,821,166
Excess Appropriation/(Funding)		0	0		0	0	0	0	0	0
<b>Grand Total</b>		<b>2,689,980</b>	<b>2,805,509</b>		<b>2,820,186</b>	<b>2,820,186</b>	<b>2,820,186</b>	<b>2,821,166</b>	<b>2,821,166</b>	<b>2,821,166</b>

FY15 Budget amounts in Regular Salaries, Personal Services Matching and Positions exceed the authorized amounts due to transfers from the Agency Growth Pool during the 2013-2015 Biennium.

## **Analysis of Budget Request**

**Appropriation:** 530 - Public Defender -Trial Office

**Funding Sources:** HSC - State Central Services

The Trial Public Defender Office of the Arkansas Public Defender Commission was created by Act 1341 of 1997 and provides for the establishment of a statewide public defender system in Arkansas. The Trial Public Defender Office operates under the supervision of the Executive Director of the Arkansas Public Defender Commission. Duties of all public defenders are to provide for competent, effective, and uniform representation of indigent criminal defendants throughout the State. The Commission utilizes over sixty-one (61) job share positions.

The Trial Public Defender Office is funded from a share of those funds remitted by the cities and counties from court costs and filing fees for deposit into the State Administration of Justice Fund. A portion of those funds is then allocated for deposit into the State Central Services Fund for the benefit of the Public Defender Commission per Arkansas Code §16-10-310. Arkansas Code §17-19-301 (e) allows for a fee to be charged and collected by all bail bond companies on each bond. The additional revenue helps defray the cost of the public defender system, both statewide and in each individual county.

Base Level Regular Salaries and Personal Services Matching include continuation of the previously authorized 2015 1% Cost of Living Adjustment and Career Service Payments for eligible employees. Personal Services Matching also includes a \$10 increase in the monthly contribution for State employee's health insurance for a total State match per budgeted employee of \$420 per month. Base Level salaries and matching do not include appropriation for Merit Pay Increases.

The Base Level Request is \$21,096,055 in FY16 and \$21,104,755 in FY17.

The Change Level Requests submitted are \$5,717,583 in FY16 and \$5,403,983 in FY17 and are summarized as follows:

- A total of 56 new positions - twenty-three (23) Public Defender III positions, twenty-three (23) Public Defender II positions, five (5) Capitol Conflicts Investigators, and five (5) Legal Services Specialists with Regular Salaries, Personal Service Matching totaling \$4,756,239 for both years of the biennium.
- Operating Expenses to support the overhead associated with these fifty-six (56) positions totaling \$809,544 in FY16 and \$495,944 in FY17. These expenses include parking, office furniture, computer equipment, associated office expenses, subscriptions and dues. The technology-related portion of this request is in compliance with the Agency's IT Plan.
- Conference Fee and Travel for the forty-six (46) newly requested attorney positions totaling \$151,800 for both years of the biennium to support their required continuing education training requirements.

The Executive Recommendation provides for Base Level with the addition of the following:

- Three (3) Public Defender III positions
- Operating appropriation of \$43,677 in FY16 and \$29,247 in FY17
- Conference Fees and Travel of \$9,900 in both years of the biennium.

The Legislative Recommendation concurs with the Executive Recommendation.

## Appropriation Summary

**Appropriation:** 530 - Public Defender -Trial Office

**Funding Sources:** HSC - State Central Services

Commitment Item		2013-2014	2014-2015	2014-2015	2015-2016			2016-2017		
		Actual	Budget	Authorized	Agency	Executive	Legislative	Agency	Executive	Legislative
Regular Salaries	5010000	14,359,156	14,305,142	14,305,142	18,036,102	14,612,577	14,612,577	18,044,802	14,621,277	14,621,277
<b>#Positions</b>		<b>225</b>	<b>225</b>	<b>225</b>	<b>281</b>	<b>228</b>	<b>228</b>	<b>281</b>	<b>228</b>	<b>228</b>
Extra Help	5010001	6,059	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000
<b>#Extra Help</b>		<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>
Personal Services Matching	5010003	4,359,128	4,538,150	4,538,150	5,642,741	4,538,150	4,538,150	5,642,741	4,538,150	4,538,150
Operating Expenses	5020002	318,084	327,551	327,551	1,137,095	371,228	371,228	823,495	356,798	356,798
Conference & Travel Expenses	5050009	10,900	10,900	10,900	162,700	20,800	20,800	162,700	20,800	20,800
Professional Fees	5060010	744,579	750,000	750,000	750,000	750,000	750,000	750,000	750,000	750,000
Data Processing	5090012	0	0	0	0	0	0	0	0	0
Capital Outlay	5120011	0	0	0	0	0	0	0	0	0
Public Defender Comm. Prgms.	5900046	707,017	770,000	770,000	770,000	770,000	770,000	770,000	770,000	770,000
Bail Bond Co. Public Def. Prgm.	5900047	181,704	300,000	300,000	300,000	300,000	300,000	300,000	300,000	300,000
<b>Total</b>		<b>20,686,627</b>	<b>21,016,743</b>	<b>21,016,743</b>	<b>26,813,638</b>	<b>21,377,755</b>	<b>21,377,755</b>	<b>26,508,738</b>	<b>21,372,025</b>	<b>21,372,025</b>

Funding Sources										
Fund Balance	4000005	907,458	1,265,267		0	0	0	0	0	0
State Central Services	4000035	12,745,072	10,643,449		17,705,611	12,269,728	12,269,728	17,400,711	12,263,998	12,263,998
Bail Bond Fees	4000115	1,235,272	1,200,000		1,200,000	1,200,000	1,200,000	1,200,000	1,200,000	1,200,000
State Administration of Justice	4000470	5,852,732	6,908,027		6,908,027	6,908,027	6,908,027	6,908,027	6,908,027	6,908,027
User / Attorney Fees	4000725	1,211,360	1,000,000		1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
<b>Total Funding</b>		<b>21,951,894</b>	<b>21,016,743</b>		<b>26,813,638</b>	<b>21,377,755</b>	<b>21,377,755</b>	<b>26,508,738</b>	<b>21,372,025</b>	<b>21,372,025</b>
Excess Appropriation/(Funding)		(1,265,267)	0		0	0	0	0	0	0
<b>Grand Total</b>		<b>20,686,627</b>	<b>21,016,743</b>		<b>26,813,638</b>	<b>21,377,755</b>	<b>21,377,755</b>	<b>26,508,738</b>	<b>21,372,025</b>	<b>21,372,025</b>