



OKLAHOMA
Indigent Defense
System

Oklahoma Indigent Defense System

FY 2026 Budget Hearing Presentation

Submitted by: Jamie D. Pybas, Interim Executive Director



Jamie D. Pybas

Interim Executive Director

The **Oklahoma Indigent Defense System** implements the Indigent Defense Act by providing trial, appellate, and post-conviction criminal defense services to persons who have been judicially determined to be entitled to legal counsel at State expense. The mission of the System is to provide indigents with legal representation comparable to that obtainable by those who can afford counsel and to do so in the most cost-effective manner possible.

Founded in **1991**, this Agency now encompasses the following divisions:

- Trial Program
 - Non-Capital Trial
 - Capital Trial Norman
 - Capital Trial Tulsa
- Appellate Program
 - Appellate West
 - Appellate East
- General Operations
 - Executive
 - Client Services

Agency Vision, Mission, and Core Values

Vision: As a critical component of the Oklahoma criminal justice system, we carry out its constitutional and statutory responsibilities with diligence and integrity. We will deliver quality legal services to our court-appointed clients and always maintain the confidence and respect of the judiciary. We will be recognized as leaders in and a valuable resource to the legal profession. We will set an example in cost-effective State Agency management.

Mission: To provide indigents with legal representation comparable to that obtained by those who can afford counsel and to do so in the most cost-effective manner possible.

Core Values: Integrity, Accountability, Teamwork, Responsiveness, and Respect.



Accomplishments

Top accomplishments for FY 2024 and FY 2025

- 1) Opened non-capital trial satellite offices in El Reno during FY24, Poteau and Pryor in FY25, as well as incorporated an additional 4 counties into our non-capital trial satellite office service areas. All without seeking any additional appropriations.
- 2) Significantly increased training opportunities for attorneys, investigators, and support staff. Restored Training Coordinator Position. Submitted application to the Oklahoma Bar Association for presumptive approval to allow Agency-sponsored Continuing Legal Education (CLE) for OIDS attorneys and the defense bar at large.
- 3) Continued the internship program to provide paid positions for up to 18 law students, improving Agency attorney recruitment opportunities.
- 4) Continued the Client Services Program by adding 3 additional resource navigators to improve the disposition of our clients' cases by pairing clients with service providers, all without additional appropriations.
- 5) Improved use of investigators and support staff for trial preparation including development of defenses and sentencing mitigation. Secured court financial relief for many clients through dedicated advocacy at sentencing.



Analysis of Agency Challenges

	Challenge	Current Actions (Briefly describe how the agency is currently addressing the challenge.)	Planned Actions (Briefly describe how the agency plans to address the challenge going forward.)
1	Recruiting/Retention	Providing Intern program, college job fairs, and increases in salaries.	Provide salaries on par with competitors.
2	Improving Case Dispositions	Utilizing the resource navigator program to evaluate clients' social service needs. Providing attorneys with service plans. Providing additional legal secretaries to help with data entry and investigators to help with mitigation reports as well as case investigation.	Expand attorney support services.
3	Retaining Effective County Contracts	Supporting county contracts through improved funding and providing assistance from staff attorneys and investigators.	Maintain working relationships with current contractors. Encourage attorneys to bid on contracts to provide effective counsel and request Agency assistance.
4	Improving Data Collection	Working to improve data collection regarding types of cases, sentencing information, and court financial obligation assessments.	Hire a Statistical Research Specialist to help compile this data.
5	Anticipating and Responding to Legislative Changes	Using carryover to fund unfunded mandates.	Utilize available funds to help offset costs.



Savings & Efficiencies (Current or Planned)

Savings or Efficiency Name	Brief description of how savings were achieved	Savings in Unit of Measurement*	FY 2024 (Actual \$ Savings)	FY 2025 (Projected \$ Savings)	FY 2026 (Projected \$ Savings)
Moved Capital Trial Norman back to main office	Closed separate office and moved back to the Vista Building.	<i>Dollars</i>	\$0	\$50,000	\$0
Provided In-state and In-house training	Required attendees of out-of-state training to share knowledge with fellow staff in office. Hired a training coordinator and obtained approval for hosting our own in-house CLEs trainings.	<i>Dollars</i>	\$0	\$100,000	\$120,000
Non-Capital Trial Caseload	Our Non-Capital Trial Division was able to close out more ongoing cases than in previous years.	% efficiency	20%	20%	30%

* Hours, FTE, square feet, etc.



Agency Goals and Key Performance Metrics

Goal		Metric	FY 24 Target	FY 24 Actuals	FY 25 Target	FY 29 Target
1	Maintain salaries comparable with prosecutorial counterparts	OIDS Attorney Salaries relative to ADA Salaries	Less than 10% difference	7%	5%	2%
2	Increase training for attorneys and investigators	Number and quality of Agency-approved CLE opportunities	6	18	20	25
3	Increase and expand recruitment opportunities and programs	Number of intern positions available for law students	6 intern positions	12	18	18
4	Increase hourly rates paid to private conflict counsel, ensuring effective and experienced counsel will continue to represent court-appointed clients. Achieve parity with federal conflict rates	Hourly rate for private conflict attorneys	\$100/\$120	\$100/\$120	\$100/\$120	\$120/\$140
5	Improve quality of trial and appellate services through training, mentoring, and experience resulting in more equitable resolution of cases	Appellate extensions/Trial continuances	10% fewer	10%	20%	20%



Projects for FY 2025

- 1) Opened Poteau and Pryor satellite offices extending coverage to an additional 2 counties.
- 2) Provided two-day training seminar on software systems and administrative operations for state-wide Agency support staff, provided “Lunch and Learn” seminars for legal interns and attorneys. Also, the Agency will be providing CLE on Juvenile Law in Delinquency and Youthful Offender cases, partnering with the OSBI to sponsor a week-long Forensic Academy training program, coordinating with CCFFJ and Legal Aid on methods to reduce court costs and fines, and providing statewide coordination on legal issues arising from the Oklahoma Survivor’s Act.
- 3) Continued to improve administrative efficiency by redefining certain job responsibilities including Chief Information Officer, Chief Administrative Officer, and Project Management Specialist.
- 4) Continued to improve trial and appellate advocacy through training opportunities and collaborative work models.
- 5) The Agency will also be researching an asset management system to track the cost, status, warranty, and life cycle of: IT equipment, software licenses, furniture, fleet cars, and archived case files, and will continue to reduce storage and building costs by digitizing archived paper files.



Projects for FY 2026

- 1) Develop methods to collect and analyze data through the improved use of case management system via training and system upgrades which will: help shape Agency policy, practices, and serve as a resource for other criminal justice stakeholders.
- 2) Continue to develop the Client Services program through fostering working relationships with other state agencies and non-profit organizations.
- 3) Continue to support Non-Capital Trial contract attorneys with investigative, expert services, and roving attorney resources. Explore alternative criminal background check services for trial investigation.
- 4) Continue to develop appellate case assignment practices, mentorships, and peer review processes to maintain the highest levels of appellate advocacy.
- 5) Develop programs to recruit, train, and mentor qualified capital trial and appellate attorneys.



Total Historic Actual Expenditures (FY 2020-24) and Current Year Budget (FY 2025)

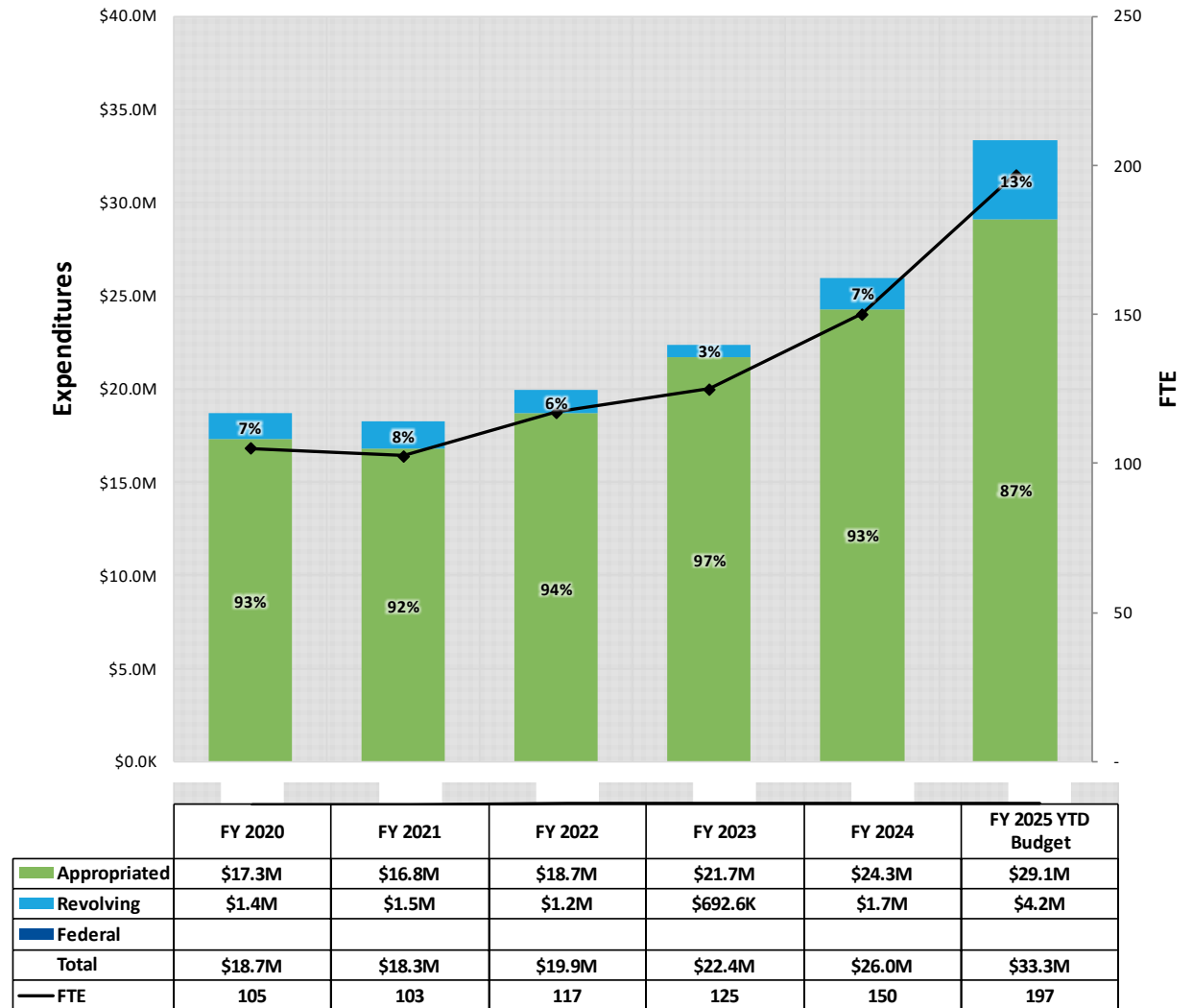
Explanation of Changes and Trends

The Agency is responsible for providing criminal defense legal representation for indigents in the State's 75 rural counties. The attorney population in these counties has declined in recent years. Coinciding with the decline in locally available attorneys, the Agency's employment and contracting competitors have increased compensation and recruiting efforts.

As a result of these developments the Agency has experienced a decline in interest from potential contract attorneys. With the declining viability of county contracts for non-capital trial coverage, the Agency has met its mandate through increased satellite office coverage. Although this shift has resulted in increased employment costs, the quality of representation has improved significantly throughout the State.

The increasingly competitive employment landscape has required the Agency to be more competitive in both appellate services and capital trial services.

Historic Total Actual Expenditures and Current Year Budget



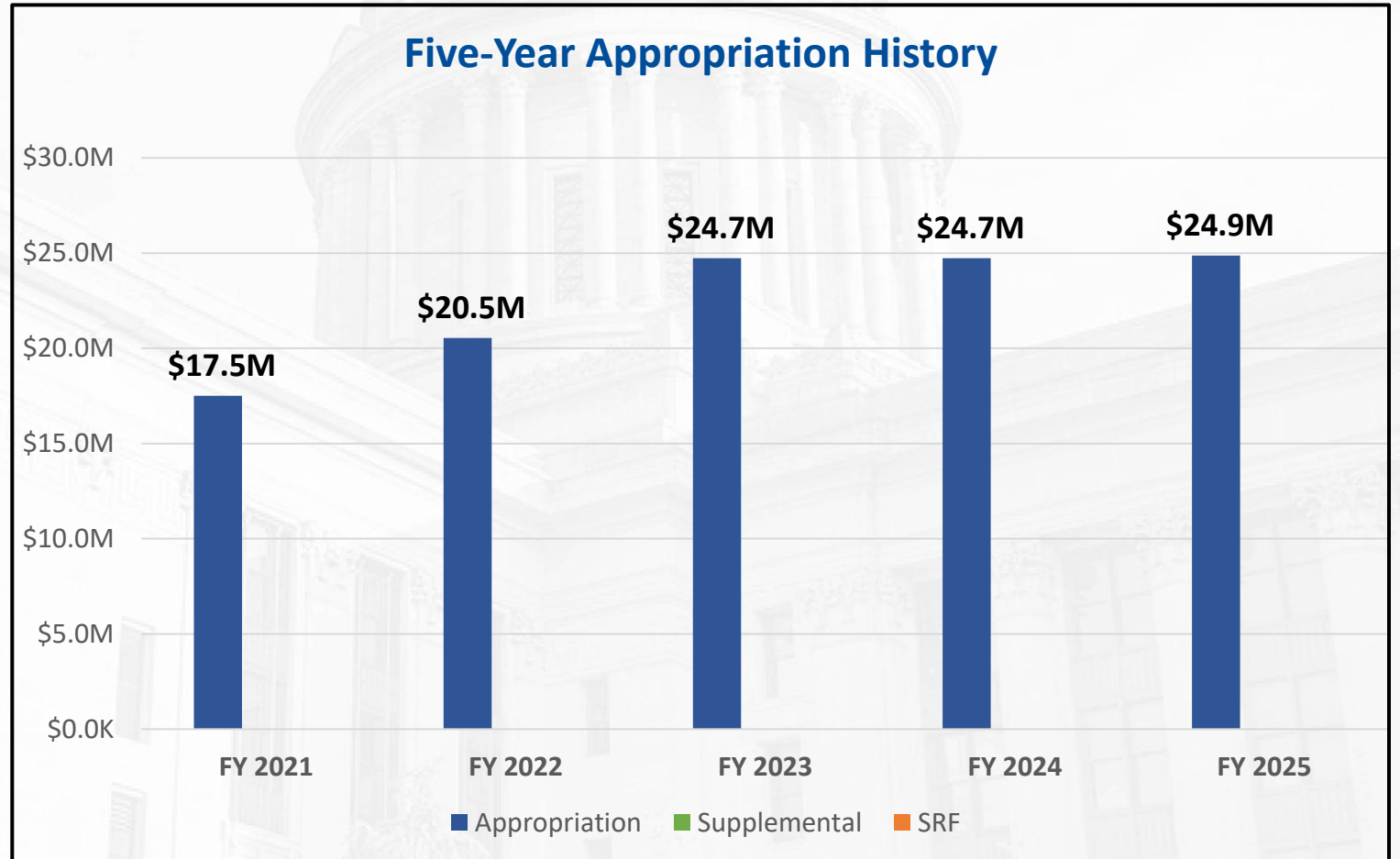


FY 2025 Budgeted Full Time Equivalents (FTE)

	FY 2025 Budgeted FTE
Total FTE	197
Supervisor FTE	30
Supervisors to Total FTE Ratio (%)	15%
Current Budgeted but Unfilled FTE	28

Appropriation History

Fiscal Year	Legislated Appropriation (\$) (Includes supplementals and SRF/ARPA.)
FY 2021	\$17,508,363
FY 2022	\$20,537,878
FY 2023	\$24,731,713
FY 2024	\$24,731,713
FY 2025	\$24,870,125



**Includes Supplemental and Statewide Recovery Fund (ARPA) appropriations.*



Financial Resource Analysis

Carryover	FY 2021	FY 2022	FY 2023	FY 2024
Total appropriated carryover amount expended (\$)	\$1,072,846	\$1,694,389	\$3,587,180	\$5,217,272

Historical Cash Balances	FY 2021	FY 2022	FY 2023	FY 2024
Year End Revolving Fund Cash Balances (<i>All Revolving Funds</i>)	\$1,271,543	\$2,797,288	\$3,656,294	\$3,163,333

Revolving Class Fund # (<i>Unrestricted only</i>)	Revolving Class Fund Name (<i>Unrestricted only</i>)	Current cash balance (\$)	Projected FY 2025 year-end cash balance (\$)
200	Indigent Defense System Revolving Fund (22 O.S. § 1368)	\$1,702,038	\$0
#		\$	\$
#		\$	\$
#		\$	\$
#		\$	\$
#		\$	\$
	Total Unrestricted Revolving Fund Cash balance:	\$	\$

Unrestricted funds are those that are not limited by state or federal law, rule, regulation, other legally binding method, or donor restriction.



FY 2023 – 2024 Appropriation Change Review

<i>Purpose of appropriation increase or decrease</i>	<i>Amount FY 2023</i>	<i>Amount FY 2024</i>	<i>Total amount received FY 2023 - 24</i>	<i>Total amount expended by 11/1/2024</i>	<i>Included in FY 2025 approp? (Yes/No)</i>	<i>If not expended fully, please explain.</i>
Salary Parity	\$4,193,835	\$0	\$4,193,835	\$4,193,835	Yes	
	\$	\$	\$	\$		
	\$	\$	\$	\$		
	\$	\$	\$	\$		
	\$	\$	\$	\$		
	\$	\$	\$	\$		
	\$	\$	\$	\$		
	\$	\$	\$	\$		
	\$	\$	\$	\$		
Totals	\$	\$	\$	\$		

**Do not include SRF / ARPA appropriation increases.*



FY 2025 Appropriation Change Review

<i>Purpose of appropriation increase or decrease</i>	<i>Amount of increase or decrease (\$)</i>	<i>Does this need to be included in your FY 2026 appropriation? (Yes/No)</i>	<i>If yes, included in appropriation for same purpose? (Yes/No)</i>	<i>If not included for same purpose, please explain.</i>
Chief and Deputy Salary increases	\$138,412	Yes	Yes	
	\$			
	\$			
	\$			
	\$			
	\$			
	\$			
	\$			
	\$			
Total adjustment	\$			

**Do not include SRF / ARPA appropriation increases.*



Budget & Supplemental Incremental Request Summary

Request Name		FY 2026 Incremental Appropriation Request Amount (\$) {or FY 2025 for Supplementals}	Type of Request: Recurring, One-time, or Supplemental
1	Satellite Offices	\$2,800,000	Recurring
2			
3			
4			
5			



(1) Incremental Budget Request

Name of Request: Satellite Offices	
Type: Recurring	\$ 2,800,000
<p>The system has opened 4 satellite offices without requesting additional funding over the last 3 fiscal years. Those offices are Woodward (serving 4 counties: Woodward, Woods, Major, and Dewey), El Reno (Canadian), Pryor (Mayes), and Poteau (LeFlore). For each of those 7 counties, the contract system was unable to properly provide adequate services at a reasonable cost, necessitating the need to open satellites offices in those counties.</p> <p>In FY26, bids for the following 10 counties were not renewed by the contractors: Caddo, Craig, Lincoln, Nowata, Osage, Ottawa, Pawnee, Payne, Pottawatomie, and Rogers. If no acceptable bids are received by the March 28, 2025, Board meeting, we will be required to open 2 additional satellite offices to cover 6 of those 10 counties, possibly in Claremore and Shawnee, in order to fulfill our statutory mandate to provide quality representation to the criminally accused at a reasonable cost.</p>	





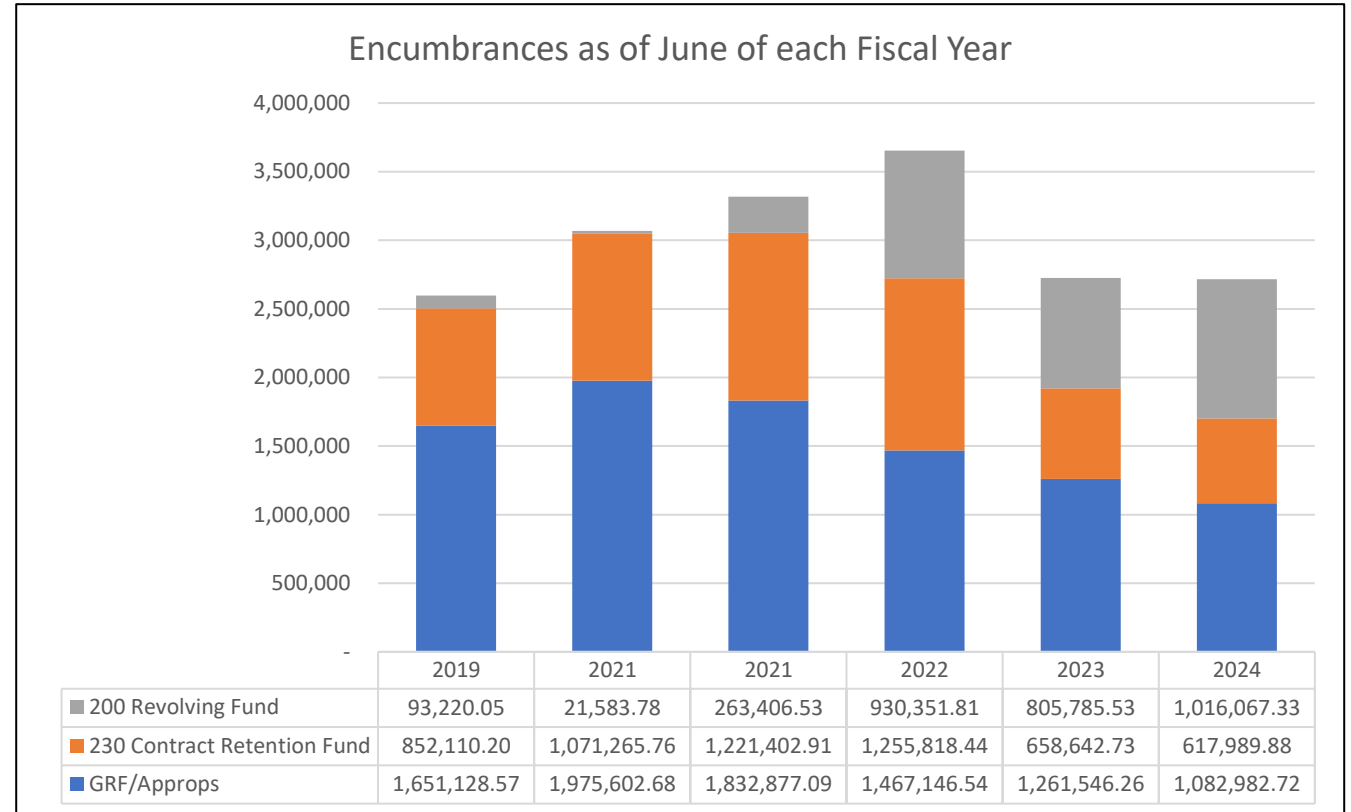
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Appendix

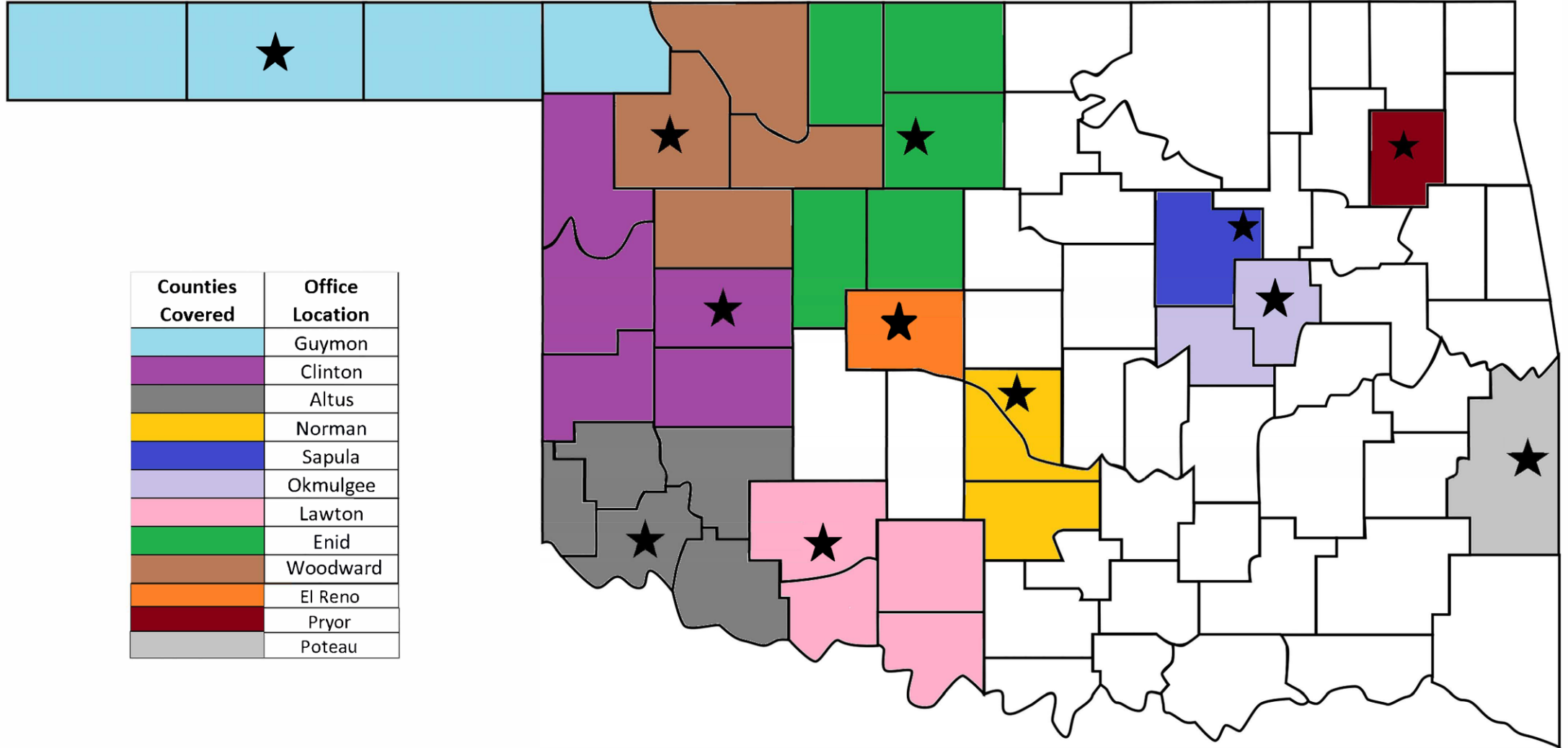
Encumbrances & Cash-on-Hand

The Agency's cash-on-hand can often be misleading with regard to available & unobligated resources.

- Criminal cases can last multiple years
- Contracts related to cases are entered into and funds reserved (i.e. encumbered) in one year, but the case might not be resolved and payments made until subsequent years
- As such, the Agency typically has millions of dollars encumbered with cash set aside to pay for said encumbrances



Counties served by satellite offices



Counties to be served by satellite offices

