

Oklahoma Indigent Defense System 047

Lead Administrator: Craig Sutter

Lead Financial Officer: Stephanie Wessler

| FY'19 Projected Division/Program Funding By Source | | | | | | |
|--|---------------------|------------|--------------------|------------|--------------------|---------------------|
| Dept | Appropriations | Federal | Revolving | Local | Other* | Total |
| General Operations | \$485,566 | | \$0 | | \$5,388 | \$490,954 |
| Appellate Services | \$2,923,217 | | \$822,059 | | \$816 | \$3,746,092 |
| Trial Services | \$2,780,561 | | \$435,474 | | \$58,532 | \$3,274,567 |
| Non-Capital Contracts | \$6,472,556 | | \$919,856 | | \$553,244 | \$7,945,656 |
| Regional Offices | \$3,833,181 | | \$41,593 | | \$62,270 | \$3,937,044 |
| Forensic Testing | \$555 | | \$169,620 | | \$413,195 | \$583,370 |
| Information Services | \$632,997 | | | | \$271,112 | \$904,109 |
| Total | \$17,128,633 | \$0 | \$2,388,602 | \$0 | \$1,364,557 | \$20,881,792 |

*Source of "Other" and % of "Other" total for each.

* OTHER = Carry over funding from previous years' general appropriations

| FY'18 Carryover and Refund by Funding Source | | | | | | |
|--|----------------|---------|-----------|-------|--------|-------------|
| FY'18 Carryover | Appropriations | Federal | Revolving | Local | Other* | Total |
| | \$1,364,528 | | | | | |
| | \$0 | | | | | \$1,364,528 |

*Source of "Other" and % of "Other" total for each.

\$225,000 is for a one time purchase of a case management system. This was carried over from FY18 since the project was not complete.

The remaining carryover includes previous years' contracts and funding used for FY19 services.

| What Changes did the Agency Make between FY'18 and FY'19? |
|---|
| 1.) Are there any services no longer provided because of budget cuts? No |
| 2.) What services are provided at a higher cost to the user? None |
| 3.) What services are still provided but with a slower response rate? Caseload increases during recent years have resulted in delays of services provided to court-appointed clients. |
| 4.) Did the agency provide any pay raises that were not legislatively/statutorily required? Yes. |

| FY'20 Requested Division/Program Funding By Source | | | | | | |
|--|---------------------|------------|--------------------|------------|---------------------|--------------|
| Dept | Appropriations | Federal | Revolving | Other | Total | % Change |
| General Operations | \$486,600 | | | | \$486,600 | -0.89% |
| Appellate Services | \$3,015,212 | | \$820,447 | | \$3,835,659 | 2.39% |
| Trial Services | \$2,856,792 | | \$415,108 | | \$3,271,900 | -0.08% |
| Non-Capital Contracts | \$7,958,800 | | \$1,002,480 | | \$8,961,280 | 12.78% |
| Regional Offices | \$4,073,766 | | | | \$4,073,766 | 3.47% |
| Forensic Testing | \$112,639 | | | | \$112,639 | -80.69% |
| Information Services | \$625,000 | | | | \$625,000 | -30.87% |
| Total | \$19,128,809 | \$0 | \$2,238,035 | \$0 | \$21,366,844 | 2.32% |

*Source of "Other" and % of "Other" total for each.

FY20 estimate based on carry over fund availability

| FY'20 Top Five Appropriation Funding Requests | |
|---|---------------------|
| | \$ Amount |
| Request 1: The agency is requesting this amount to establish salary parity with prosecutors. | \$520,888 |
| Request 2: The agency is requesting this amount to increase the hourly rate paid to conflict of interest contract counsel. | \$290,000 |
| Request 3: The agency is requesting this amount in order to increase the average cost-per-case of fiscal year county contracts to \$200 per case, in light of anticipated caseload increases. | \$1,189,288 |
| Request 4: Description | |
| Request 5: Description | |
| Total Increase above FY-19 Request | \$ 2,000,176 |

| Does the agency have any costs associated with the Pathfinder retirement system and federal employees? |
|--|
| (If so, please describe the costs and provide an estimate for FY '20, FY '21, and FY '22.) The agency does not have federal employees. |

| How would the agency be affected by receiving the same appropriation for FY '20 as was received in FY '19? (Flat/ 0% change) |
|---|
| The agency will experience increasing difficulties in providing mandated, constitutional legal representation to its court-appointed clients. |

How would the agency handle a 2% appropriation reduction in FY '20?

In addition to the foregoing, a reduction of 2% will leave the agency unable to continue providing legal representation in a substantial number of conflict of interest trial court cases, resulting in a stoppage of the prosecution of those cases.

Is the agency seeking any fee increases for FY '20?

| | | \$ Amount |
|------------|-----|-----------|
| Increase 1 | N/A | \$0 |
| Increase 2 | N/A | \$0 |
| Increase 3 | N/A | \$0 |

What are the agency's top 2-3 capital or technology (one-time) requests, if applicable?

The agency is not requesting any additional funding to complete unification of IT services with OMES, as is required by 62 O.S. § 35.1, et. seq.

Federal Funds

| | FY 19 projected | FY 18 | FY 17 | FY 16 | FY 15 |
|--|-----------------|-------|-------|-------|-------|
| Federal Funding I (Brief Description with CFDA number) | N/A | N/A | N/A | N/A | N/A |
| Federal Funding II (Brief Description with CFDA number) | | | | | |
| Federal Funding III (Brief Description with CFDA number) | | | | | |
| Federal Funding IV (Brief Description with CFDA number) | | | | | |
| Federal Funding V (Brief Description with CFDA number) | | | | | |

Federal Government Impact

- 1.) How much federal money received by the agency is tied to a mandate by the Federal Government? None

- 2.) Are any of those funds inadequate to pay for the federal mandate? N/A

- 3.) What would the consequences be of ending all of the federal funded programs for your agency? N/A

- 4.) How will your agency be affected by federal budget cuts in the coming fiscal year? N/A

- 5.) Has the agency requested any additional federal earmarks or increases? N/A

Division and Program Descriptions

Administrative Services
The General Operations program, through its executive and finance divisions, provides administrative direction, supervision and support to the agency, all staff, as well as the administration of agency contracts.

Appellate Program
This program provides direct appeal representation to agency court-appointed clients, both capital and non-capital, as well as capital post-conviction services. Services are provided through three staffed divisions: General Appeals Division, Homicide Direct Appeals Division and the Capital Post Conviction Division. Conflict of interest appeals which cannot be handled by staff are contracted with private counsel.

Trial Services Program
The Trial Services program provides services through the Non-Capital Trial Division, the Capital Trial Tulsa Division and the Capital Trial Norman Division. The Non-Capital Trial Division in turn provides services through staff attorneys in its satellite offices (identified as the Regional Office Program) and through non-capital contracts (identified as the Non-Capital Contracts program). The Capital Trial Divisions provide services through staff attorneys, except in cases of a conflict of interest in which case services are provided by contract counsel. The Non-Capital Trial Division provides services through both staff attorneys and contract lawyers.

Regional Offices Program
Six Non-Capital Trial Division satellite offices are operated in Norman, Mangum, Clinton, Guymon, Okmulgee and Sapulpa which provide services in regions covering 20 Oklahoma counties. These offices provide services through staff attorneys.

Forensic Testing Program

This program ensures that constitutionally required expert assistance is provided in cases where the necessity for such services is established.

Informations Systems

This program provides information technology services to the agency and staff.

| FY'19 Budgeted FTE | | | | | | |
|-----------------------|-------------|------------|--------------|--------------|-----------------|-----------------|
| | Supervisors | Classified | Unclassified | \$0 - \$35 K | \$35 K - \$70 K | \$70 K - \$\$\$ |
| Appellate Services | 6 | | 35 | 1 | 20 | 14 |
| General Operations | 3 | | 9 | 1 | 5 | 3 |
| Trial Services | 5 | | 25 | 0 | 15 | 10 |
| Non-Capital Contracts | 0 | | 0 | | | |
| Regional Offices | 6 | | 39 | 0 | 29 | 10 |
| Forensic Testing | 0 | | 0 | | | |
| Information Systems | | | | | | |
| | 20 | 0 | 108 | 2 | 69 | 37 |

| FTE History | | | | | |
|-----------------------|---------------|------------|------------|------------|------------|
| | 2019 Budgeted | 2018 | 2017 | 2015 | 2010 |
| Appellate Services | 35 | 36 | 35 | 37 | 46 |
| General Operations | 9 | 9 | 9 | 3 | 4 |
| Trial Services | 25 | 25 | 24 | 33 | 40 |
| Non-Capital Contracts | 0 | 0 | 0 | 0 | 0 |
| Regional Offices | 39 | 39 | 38 | 39 | 33 |
| Forensic Testing | 0 | 0 | 0 | 0 | 0 |
| Information Systems | | | | | |
| Total | 108 | 109 | 106 | 112 | 123 |

| Performance Measure Review | | | | | |
|--|-------|-------|-------|-------|-------|
| | FY 18 | FY 17 | FY 16 | FY 15 | FY 14 |
| Measure I | | | | | |
| Appellate Services | | | | | |
| Homicide Direct Appeal Division Cases | 114 | 99 | 86 | 86 | 93 |
| Capital Post Conviction Division Cases | 53 | 46 | 48 | 55 | 60 |
| General Appeals Division Cases | 573 | 557 | 525 | 565 | 648 |
| Measure II | | | | | |
| Trial Services | | | | | |
| Capital Trial Division Cases | 56 | 58 | 44 | 50 | 53 |
| Capital Trial Conflict Cases | 2 | 1 | 3 | 2 | 3 |
| Measure III | | | | | |
| Non Capital Contracts | | | | | |
| Non-Capital Conflict Cases | 1478 | 1509 | 1527 | 1454 | 1058 |
| Non-capital Attorney Cases | 46444 | 45844 | 43159 | 37176 | 38530 |
| Measure IV | | | | | |
| Regional Offices | | | | | |
| Non-Capital Staff Attorney Cases | 12395 | 12633 | 12632 | 10334 | 7995 |
| Measure V | | | | | |

| Revolving Funds (200 Series Funds) | | | |
|--|----------------------------------|----------------------------|------------------|
| | FY'16-18 Avg. Revenues | FY'16-18 Avg. Expenditures | June '18 Balance |
| Revolving Fund I - 230 | | | |
| Revolving Fund I - Fund 200 | \$1,377,492 | \$1,671,436.00 | \$290,609 |
| Indigent Defense System Revolving Fund Authorized by 22 O.S.S. 1368. It is a continuing fund used for the deposit of federal funds, grants, gifts, and other such funds provided by law. Virtually all funds deposited into this revolving fund are receipts from various county clerks for representation cost assessed and collected as authorized by 22 O.S.S. 1355.14. The amount deposited into this fund is unpredictable. | | | |
| Revolving Fund II - Fund 230 | Originally General Appropriation | \$458,061.00 | \$902,480 |
| Contract Retention Fund Authorized by 22 O.S.S. 1369, it is a continuing fund used for deposit of the 10% of annual county non-capital contracts in accordance with 22 O.S.S. 1355.8.G.2. These funds are retained in fund 230 until all cases have been closed in accordance with these annual contracts. | | | |
| Revolving Fund III | | | |
| Brief Description | | | |