

FY 2024 Budget Performance Review
047 - Oklahoma Indigent Defense System

Lead Administrator: Charles "Tim" Laughlin, Executive Director

Lead Financial Officer: Cary Cundiff, Chief Finance Officer

Agency Mission

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.

Division and Program Descriptions

Note: Please define any acronyms used in program descriptions.

Appellate Services - 10

Appellate Services - 10 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: the General Appeals Division, the 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

General Operations - 20

General Operations - 20 The General Operations program, through its executive and finance divisions, provides administrative direction, supervision and support to the agency, all agency staff, as well as the administration of agency contracts.

Trial Services - 30

Trial Services - 30 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 attorneys.

Regional Offices - 60

Regional Offices - 60 The Non-Capital Trial Division is responsible for providing defense representation for the agency's largest group of clients. Staff attorneys provide services in 29 Oklahoma counties, through satellite offices operated in Norman, Altus (formerly Mangum), Clinton, Guymon, Okmulgee, Sapulpa, Enid, Lawton, & Woodward. The remainder of the counties are represented by private providers and accounted for in Program 40.

Non-Capital Contracts - 40

Non-Capital Contracts - 40 The Non-Capital Trial Division is responsible for providing defense representation for the agency's largest group of clients at the district court level, in 75 of 77 Oklahoma counties. In accordance with the Indigent Defense Act, the agency provides non-capital trial services in 46 counties through fiscal year contracts with private attorneys at a flat rate, in 29 counties through staffed satellite offices, and where a conflict of interest arises precluding staff or contractor representation, through agreements with private attorneys on a case by case basis to accept court appointments at established agency hourly rates, subject to maximum amounts set by the Board.

Forensic Testing - 70

Forensic Testing - 70 This program ensures that constitutionally required expert assistance is provided in cases where the necessity for such services arises. The program was created by the Legislature as a separate spending limit activity to account for expenditures for Forensic Testing services provided to indigent clients

Information Systems - 88

Information Systems - 88 This program provides information services to the agency and staff. The information Systems Program provides the agency information systems equipment and personnel to support all agency functions through the Information Systems Department 8800001.

FY'23 Budgeted Department Funding By Source

Dept. #	Department Name	Appropriations	Federal	Revolving	Local ¹	Other ²	Total
1000110	General Appeals	\$2,080,580					\$2,080,580
1000120	Homicide Direct Appeals	\$1,608,672					\$1,608,672
1000130	Capital Post Conviction	\$1,029,894					\$1,029,894
1000140	Contract Legal Services			\$50,000			\$50,000
1000170	Appellate Operations	\$389,230					\$389,230
2000200	General Operations	\$673,729					\$673,729
2000210	Training	\$50,000		\$40,000			\$90,000
3000300	Capital Trial Norman	\$1,250,155					\$1,250,155
3000301	Capital Trial Tulsa	\$1,138,458					\$1,138,458
3000302	Conflict Services	\$30,000		\$20,000			\$50,000
3000310	Non-Capital Trial Norman	\$1,789,051					\$1,789,051
3000370	Trial Operations	\$675,006					\$675,006
4000408	Non-Capital County Contracts	\$5,148,780		\$572,087			\$5,720,867
4000409	Non-Capital Conflict Contracts	\$299,999		\$600,000			\$899,999
4000410	Non-Capital Replcmnt Contracts	\$37,600					\$37,600
4000417	Non-Capital Contracts Previous Years' Retained Funds			\$1,250,053			\$1,250,053
4000429	Non-Capital Contracts Previous Years	\$50,000					\$50,000
4000430	Non-Cap Repl Cont-PY Retnd Fds			\$30,766			\$30,766
6000611	Non-Capital Trial Clinton	\$1,290,151		\$5,000			\$1,295,151
6000612	Non-Capital Trial Mangum	\$924,820		\$4,500			\$929,320
6000613	Non-Capital Trial Okmulgee	\$780,132		\$24,500			\$804,632
6000614	Non-Capital Trial Sapulpa	\$879,109		\$1,500			\$880,609
6000615	Non-Capital Trial Guymon	\$400,907		\$1,500			\$402,407
6000617	Non-Capital Trial Cleveland County	\$943,827		\$1,500			\$945,327
6000619	Non-Capital Trial Enid	\$728,928		\$1,500			\$730,428

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6000620	Non-Capital Trial Lawton	\$950,766		\$1,500			\$952,266
6000621	Non-Capital Trial Woodward	\$661,432		\$1,500			\$662,932
7000711	Forensic Testing General Appeals	\$1,500		\$2,500			\$4,000
7000712	Forensic Testing Homicide Direct Appeals	\$8,200		\$5,500			\$13,700
7000713	Forensic Testing Capital Post Conviction	\$1,000		\$1,000			\$2,000
7000731	Forensic Testing Capital Trial Norman	\$34,300		\$30,000			\$64,300
7000732	Forensic Testing Capital Trial Tulsa	\$38,700		\$38,000			\$76,700
7000733	Forensic Testing Capital Trial Conflicts	\$5,000		\$8,000			\$13,000
7000741	Forensic Testing Non-Capital Trial	\$48,300		\$45,000			\$93,300
8800001	Information Systems	\$785,000		\$20,000			\$805,000
							\$0
Total		\$24,733,226	\$0	\$2,755,906	\$0	\$0	\$27,489,132

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FY'22 Carryover by Funding Source							
Class Fund #	Carryover Class Fund Name	Appropriations	Federal	Revolving	Local ¹	Other ²	Total
19121	FY20 General Revenue						\$0
19211	FY21 General Revenue	\$550,000					\$550,000
20000	Indigent Defense System Revolving Fund						\$0
1. Please describe source of Local funding not included in other categories:							
2. Please describe source(s) and % of total of "Other" funding if applicable:							

What changes did the agency make between FY'22 and FY'23?

1.) Are there any services no longer provided because of budget cuts?

The Oklahoma Legislature helped the agency with additional funding the last couple of fiscal years, which has helped prevent reduction of services.

2.) What services are provided at a higher cost to the user?

n/a

3.) What services are still provided but with a slower response rate?

Using the additional funding from the Oklahoma Legislature, the agency has actually increased services and responsiveness.

4.) Did the agency provide any pay raises that were not legislatively/statutorily required?

The Oklahoma Legislature provided the agency with additional resources for FY23, and OIDS used the funding for staffing, recruitment, retention.

FY'24 Requested Funding By Department and Source								
Dept. #	Department Name	Appropriations	Federal	Revolving	Other ¹	Total	% Change	
1000110	General Appeals	\$2,080,580	\$0	\$0	\$0	\$2,080,580		0.00%
1000120	Homicide Direct Appeals	\$1,608,672	\$0	\$0	\$0	\$1,608,672		0.00%
1000130	Capital Post Conviction	\$1,029,894	\$0	\$0	\$0	\$1,029,894		0.00%
1000140	Contract Legal Services	\$0	\$0	\$50,000	\$0	\$50,000		0.00%
1000170	Appellate Operations	\$389,230	\$0	\$0	\$0	\$389,230		0.00%
2000200	General Operations	\$673,729	\$0	\$0	\$0	\$673,729		0.00%
2000210	Training	\$50,000	\$0	\$40,000	\$0	\$90,000		0.00%
3000300	Capital Trial Norman	\$1,250,155	\$0	\$0	\$0	\$1,250,155		0.00%
3000301	Capital Trial Tulsa	\$1,138,458	\$0	\$0	\$0	\$1,138,458		0.00%
3000302	Conflict Services	\$30,000	\$0	\$20,000	\$0	\$50,000		0.00%
3000310	Non-Capital Trial Norman	\$1,789,051	\$0	\$0	\$0	\$1,789,051		0.00%
3000370	Trial Operations	\$675,006	\$0	\$0	\$0	\$675,006		0.00%
4000408	Non-Capital County Contracts	\$5,148,780	\$0	\$572,087	\$0	\$5,720,867		0.00%
4000409	Non-Capital Conflict Contracts	\$299,999	\$0	\$600,000	\$0	\$899,999		0.00%
4000417	Non-Capital Contracts Previous Years' Retained Funds	\$37,600	\$0	\$0	\$0	\$37,600		0.00%
4000429	Non-Capital Contracts Previous Years	\$0	\$0	\$1,250,053	\$0	\$1,250,053		0.00%
6000611	Non-Capital Trial Clinton	\$50,000	\$0	\$0	\$0	\$50,000		0.00%
6000612	Non-Capital Trial Mangum	\$0	\$0	\$30,766	\$0	\$30,766		0.00%
6000613	Non-Capital Trial Okmulgee	\$1,290,151	\$0	\$5,000	\$0	\$1,295,151		0.00%
6000614	Non-Capital Trial Sapulpa	\$924,820	\$0	\$4,500	\$0	\$929,320		0.00%
6000615	Non-Capital Trial Guymon	\$780,132	\$0	\$24,500	\$0	\$804,632		0.00%
6000617	Non-Capital Trial Cleveland County	\$879,109	\$0	\$1,500	\$0	\$880,609		0.00%
6000619	Non-Capital Trial Enid	\$400,907	\$0	\$1,500	\$0	\$402,407		0.00%
6000620	Non-Capital Trial Lawton	\$943,827	\$0	\$1,500	\$0	\$945,327		0.00%
6000621	Non-Capital Trial Woodward	\$728,928	\$0	\$1,500	\$0	\$730,428		0.00%
7000711	Forensic Testing General Appeals	\$950,766	\$0	\$1,500	\$0	\$952,266		0.00%
7000712	Forensic Testing Homicide Direct Appeals	\$661,432	\$0	\$1,500	\$0	\$662,932		0.00%
7000713	Forensic Testing Capital Post Conviction	\$1,500	\$0	\$2,500	\$0	\$4,000		0.00%
7000731	Forensic Testing Capital Trial Norman	\$8,200	\$0	\$5,500	\$0	\$13,700		0.00%
7000732	Forensic Testing Capital Trial Tulsa	\$1,000	\$0	\$1,000	\$0	\$2,000		0.00%
7000733	Forensic Testing Capital Trial Conflicts	\$34,300	\$0	\$30,000	\$0	\$64,300		0.00%
7000741	Forensic Testing Non-Capital Trial	\$38,700	\$0	\$38,000	\$0	\$76,700		0.00%
8800001	Information Systems	\$5,000	\$0	\$8,000	\$0	\$13,000		0.00%
		\$48,300	\$0	\$45,000	\$0	\$93,300		0.00%
		\$785,000	\$0	\$20,000	\$0	\$805,000		0.00%
Total		\$24,733,226	\$0	\$2,755,906	\$0	\$27,489,132		0.00%

1. Please describe source(s) and % of total of "Other" funding for each department:

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FY'24 Top Five Operational Appropriation Funding Requests

Request by Priority	Request Description	Appropriation Request Amount (\$)
Request 1: Request 2: Request 3: Request 4: Request 5:		
	Top Five Request Subtotal:	\$0
Total Increase above FY-23 Budget (including all requests)		\$ -
Difference between Top Five requests and total requests:		\$0

Does the agency have any costs associated with the Pathfinder retirement system and federal employees?

The agency does not have any employees who are also employed by the federal government.

How would the agency be affected by receiving the same appropriation for FY '24 as was received in FY '23? (Flat/ 0% change)

The agency would continue with current operations, projects, and plans.

How would the agency handle a 2% appropriation reduction in FY '24?

To prevent reduction in services, the agency would halt planned projects (e.g. office security updates/upgrades) to ensure proper funding is available for staff attorneys, contract attorneys, and experts services.

Is the agency seeking any fee increases for FY '24?

	Fee Increase Request (\$)	Statutory change required? (Yes/No)
Increase 1 n/a		
Increase 2		
Increase 3		

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

Description of request in order of priority	Appropriated Amount (\$)	Submitted to LRCPC? (Yes/No)
Priority 1 n/a		
Priority 2		
Priority 3		

Federal Funds

CFDA	Federal Program Name	Agency Dept. #	FY 23 budgeted	FY 22	FY 21	FY 20	FY 19
	n/a						

Federal Government Impact

1.) How much federal money received by the agency is tied to a mandate by the Federal Government? n/a
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

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FY'23 Budgeted FTE								
Division #	Division Name	Supervisors	Non-Supervisors	\$0 - \$35 K	\$35 K - \$70 K	\$70 K - \$100K	\$100K+	
1000110	General Appeals	2	14	0	8	5	3	
1000120	Homicide Direct Appeals	2	10	1	3	4	4	
1000130	Capital Post Conviction	2	5.5	0.5	3	2	2	
2000200	Executive General Administration & Legal	2	0	0	0	0	2	
2000200	Executive Human Resources Management	1	2.5	0.5	2	1	0	
8800001	Information Systems	0	2	0	0	2	0	
2000200	Executive Accounting and Financing	1	4	0	4	0	1	
3000300	Capital Trial Norman	2	7	0	0	4	5	
3000301	Capital Trial Tulsa	2	6	0	4	1	3	
3000310	Non-Capital Trial Norman	1	15	3	8	3	2	
6000611	Non-Capital Clinton Office	1	9	0	4	5	1	
6000612	Non-Capital Mangum Office	1	6	0	2	4	1	
6000613	Non-Capital Okmulgee Office	1	5	0	2	3	1	
6000614	Non-Capital Sapulpa Office	1	6	0	2	4	1	
6000615	Non-Capital Guymon Office	1	2	0	1	1	1	
6000617	Non-Capital Cleveland County	1	6	0	2	4	1	
6000619	Non-Capital Enid Office	1	5	0	3	2	1	
6000620	Non-Capital Lawton Office	1	7	0	4	3	1	
6000621	Non-Capital Woodward Office	1	4	0	2	2	1	
Total		24	116	5	54	50	31	

FTE History						
Division #	Division Name	2023 Budgeted	2022	2021	2019	2014
1000110	General Appeals	16.0	16.0	16.0	16.0	16.0
1000120	Homicide Direct Appeals	12.0	11.0	11.0	11.0	11.0
1000130	Capital Post Conviction	7.5	9.5	7.5	7.5	7.5
2000200	Executive General Administration & Legal	3.0	2.0	2.0	2.0	2.0
2000200	Executive Human Resources Management	2.5	3.0	2.5	2.0	4.0
8800001	Information Systems	2.0	1.0	1.0	0.0	0.0
2000200	Executive Accounting and Financing	5.0	5.0	5.0	5.0	4.0
3000300	Capital Trial Norman	9.0	8.0	8.0	8.0	7.0
3000301	Capital Trial Tulsa	8.0	9.0	9.0	9.0	11.0
3000310	Non-Capital Trial Norman	16.0	8.0	8.0	8.0	7.0
6000611	Non-Capital Clinton Office	10.0	12.0	11.0	11.0	11.0
6000612	Non-Capital Mangum Office	7.0	7.0	7.0	7.0	7.0
6000613	Non-Capital Okmulgee Office	6.0	6.0	6.0	5.0	6.0
6000614	Non-Capital Sapulpa Office	7.0	7.0	7.0	7.0	6.0
6000615	Non-Capital Guymon Office	3.0	3.0	3.0	3.0	3.0
6000617 &						
6000618	Non-Capital Cleveland County	7.0	7.0	7.0	7.0	
6000619	Non-Capital Enid Office	6.0	6.0	0.0	0.0	0.0
6000620	Non-Capital Lawton Office	8.0	8.0	0.0	0.0	0.0
6000621	Non-Capital Woodward Office	5.0	0.0	0.0	0.0	0.0
Total		140.0	128.5	111.0	108.5	102.5

