

**FY 2026 Budget Performance Review
047 - Oklahoma Indigent Defense System**

Version Revision 02
Lead Administrator: Jamie D. Pybas, Interim Executive Director

Date submitted 1/24/2025
Lead Financial Officer: Brandy Bahm, Chief Finance Officer

Agency Mission

The Oklahoma Indigent Defense System implements the Indigent Defense Act by providing trial, appellate, and capital 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

This program provides direct appeal representation to agency court-appointed clients, both capital and non-capital. Services are provided through two staffed divisions: the Appellate East and Appellate West Divisions. Conflict of interest appeals which cannot be handled by staff are contracted with private counsel.

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

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.

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 39 counties through fiscal year contracts with private attorneys at a flat rate, in 36 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 Board established agency hourly rates, subject to statutory maximum amounts and Board approved extraordinary fees.

Client Services - 50

The Client Services program is responsible for evaluating clients social services needs, providing assessments working with attorneys to facilitate client access to services thereby improving the clients case disposition and prospect for post-disposition success. Upon request from an attorney, a resource navigator is assigned to assist client with securing employment, housing, food, and other needed social support.

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 36 Oklahoma counties, through satellite offices operated in Norman, Altus, Clinton, Guymon, Okmulgee, Sapulpa, Enid, Lawton, Woodward, El Reno, Pryor, & Poteau. The remainder of the counties are represented by private providers and accounted for in Program 40.

Expert Services - 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 expert services provided to indigent clients.

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.

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FY'25 Budgeted Department Funding By Source							
Dept. #	Department Name	Appropriations	Federal	Revolving	Local ¹	Other ²	Total
1000110	Appellate West	\$2,282,014		\$150,705			\$2,432,719
1000120	Appellate East	\$2,380,408		\$152,935			\$2,533,343
1000140	Contract Legal Services			\$50,500			\$50,500
1000170	Appellate Operations	\$737,169		\$50,975			\$788,144
2000200	Executive	\$784,650		\$70,243			\$854,893
2000210	Training	\$120,500		\$81,100			\$201,600
3000300	Capital Trial Norman	\$1,355,695		\$137,440			\$1,493,135
3000301	Capital Trial Tulsa	\$1,429,489		\$73,620			\$1,503,109
3000302	Conflict Services	\$140,000					\$140,000
3000310	Non-Capital, Norman	\$2,351,383		\$121,292			\$2,472,675
3000370	Trial Operations	\$1,244,521		\$90,849			\$1,335,370
4000408	Non-Capital County Contracts	\$1,653,615				\$3,682,760	\$5,336,375
4000409	Non-Capital Conflict Contracts	\$525,000		\$250,000			\$775,000
4000410	Non-Capital Replcmnt Contracts	\$10,000		\$215,000			\$225,000
4000417	Non-Cap Contr-PY Retained Fds			\$240,000			\$240,000
4000429	Non-Cap Conflict Cont-Prior Yr	\$138,465		\$81,000			\$219,465
4000430	Non-Cap Repl Cont-PY Retnd Fds			\$34,000			\$34,000
5000500	Resource Navigators			\$211,193		\$189,936	\$401,129
6000611	Non-Capital Clinton Office	\$1,177,535		\$62,036			\$1,239,571
6000612	Non-Capital Altus Office	\$870,350		\$57,941			\$928,291
6000613	Non-Capital Okmulgee Office	\$769,475		\$33,307			\$802,782
6000614	Non-Capital Sapulpa Office	\$874,702		\$72,688			\$947,390
6000615	Non-Capital Guymon Office	\$412,188		\$35,128			\$447,316
6000617	Non-Capital Cleveland County	\$1,298,331		\$129,590			\$1,427,921
6000619	Non-Capital Enid Office	\$719,986		\$35,445			\$755,431
6000620	Non-Capital Lawton Office	\$1,274,786		\$63,964			\$1,338,750
6000621	Non-Capital Woodward Office	\$610,095		\$55,447			\$665,542
6000622	Non-Capital El Reno Office	\$660,569		\$39,340			\$699,909
6000623	Non-Capital Pryor Office	\$397,280		\$42,294			\$439,574
6000624	Non-Capital Poteau Office	\$506,896		\$46,144			\$553,040
7000711	Appellate West Expert Service	\$11,800		\$10,200		\$36,800	\$58,800
7000712	Appellate East Expert Service			\$24,000		\$110,800	\$134,800
7000731	Cap Trial Norman Expert Serv			\$54,800		\$222,400	\$277,200
7000732	Cap Trial Tulsa Expert Service			\$23,400		\$147,600	\$171,000
7000733	Cap Trial Conflicts Expert Ser			\$11,000		\$213,800	\$224,800
7000741	Non-Cap Trial Expert Services	\$120,000		\$45,600		\$355,800	\$521,400
8800001	Information Systems Department	\$12,000		\$463,346		\$2,000	\$477,346
8800110	IT Appellate West			\$40,062		\$2,000	\$42,062
8800120	IT Appellate East			\$40,062		\$2,000	\$42,062
8800300	IT Capital Trial Norman			\$35,076		\$2,000	\$37,076
8800301	IT Capital Trial Tulsa			\$35,224		\$2,000	\$37,224
8800310	IT Non-Capital Trial Norman			\$42,148		\$2,000	\$44,148
8800611	IT Clinton Office			\$31,839		\$2,000	\$33,839
8800612	IT Altus Office			\$28,130		\$2,000	\$30,130
8800613	IT Okmulgee Office			\$38,912		\$2,000	\$40,912
8800614	IT Sapulpa Office			\$31,029		\$2,000	\$33,029
8800615	IT Guymon Office			\$24,229		\$2,000	\$26,229
8800617	IT Cleveland County Office			\$33,416		\$2,000	\$35,416
8800619	IT Enid Office			\$26,780		\$2,000	\$28,780
8800620	IT Lawton Office			\$36,931		\$2,000	\$38,931
8800621	IT Woodward Office			\$28,801		\$2,000	\$30,801
8800622	IT El Reno Office			\$32,480		\$2,000	\$34,480
8800623	IT Pryor Office			\$24,353		\$2,000	\$26,353
8800624	IT Poteau Office	\$1,223		\$30,720		\$777	\$32,720
							\$0
Total		\$24,870,125	\$0	\$3,876,714	\$0	\$4,994,673	\$33,741,512

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 for each department: Carryover funds

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Balances of Appropriated Funds from Prior Fiscal Years

3-digit Class Fund #	Class Fund Name	GA Bill # and Section #	Fiscal Year of Original Appropriation	Original Appropriation Amount (\$)	Total Expended Amount as of 8/31/2024 (\$)	Balance as of 8/31/2024 (\$)
193	FY23 GRF-Duties	SB1040 Sec 133	FY23	\$24,731,713	\$23,643,505	\$1,088,208
194	FY24 GRF-Duties	HB1004X Sec 137	FY24	\$24,731,713	\$20,011,023	\$4,720,690
						\$0
						\$0
						\$0
Total remaining prior year appropriation balance:						\$5,808,898

Report appropriations that have existing balances from all prior fiscal years at the 3-digit class fund number (i.e. 193, 194). Do not report carryover class funds separately. Include appropriations located in disbursing funds. Report PREP, but not ARPA/SRF, appropriations.

What changes did the agency make between FY'24 and FY'25?

- 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?
None
- 4.) Did the agency provide any pay raises that were not legislatively/statutorily required?

oved salaries in an effort to recruit and retain attorneys in rural areas where there are fewer attorneys and in an effort to remain competitive with Federal, Tribal, State agency, and p

Appropriation Increase Review

Appropriation Increase Purpose	Appropriation Increases (Additional to Agency Base Appropriation)			Expenditures	
	FY 2023	FY 2024	Total Amount Received FY 2023-2024	Total Expenditure of Increase as of 6/30/2024	If funds have not been spent, please explain why.
Salary Increases	\$4,193,835	\$0	\$4,193,835	\$4,193,835	
			\$0		
			\$0		
			\$0		
			\$0		
			\$0		
			\$0		
Total:	\$4,193,835	\$0	\$4,193,835	\$4,193,835	

List appropriation increases that the agency has received in the prior two years. List amounts received in each year. Include PREP, but not ARPA/SRF, appropriations.

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FY'26 Requested Funding By Department and Source

Dept. #	Department Name	Appropriations	Federal	Revolving	Other ¹	Total	% Change
1000110	Appellate West	\$2,332,719	\$0	\$0	\$0	\$2,332,719	-4.11%
1000120	Appellate East	\$2,333,343	\$0	\$0	\$0	\$2,333,343	-7.89%
1000140	Contract Legal Services	\$0	\$0	\$50,500	\$0	\$50,500	0.00%
1000170	Appellate Operations	\$738,144	\$0	\$0	\$0	\$738,144	-6.34%
2000200	Executive	\$684,650	\$0	\$70,243	\$0	\$754,893	-11.70%
2000210	Training	\$120,500	\$0	\$0	\$0	\$120,500	-40.23%
3000300	Capital Trial Norman	\$1,305,695	\$0	\$137,440	\$0	\$1,443,135	-3.35%
3000301	Capital Trial Tulsa	\$1,379,489	\$0	\$73,620	\$0	\$1,453,109	-3.33%
3000302	Conflict Services	\$120,000	\$0	\$0	\$0	\$120,000	-14.29%
3000310	Non-Capital, Norman	\$2,251,383	\$0	\$121,292	\$0	\$2,372,675	-4.04%
3000370	Trial Operations	\$1,144,521	\$0	\$90,849	\$0	\$1,235,370	-7.49%
4000408	Non-Capital County Contracts	\$2,336,375	\$0	\$0	\$3,000,000	\$5,336,375	0.00%
4000409	Non-Capital Conflict Contracts	\$261,106	\$0	\$0	\$0	\$261,106	-66.31%
4000410	Non-Capital Replcmnt Contracts	\$10,000	\$0	\$0	\$0	\$10,000	-95.56%
4000417	Non-Cap Contr-PY Retained Fds	\$0	\$0	\$240,000	\$0	\$240,000	0.00%
4000429	Non-Cap Conflict Cont-Prior Yr	\$138,465	\$0	\$0	\$0	\$138,465	-36.91%
4000430	Non-Cap Repl Cont-PY Retnd Fds	\$0	\$0	\$34,000	\$0	\$34,000	0.00%
5000500	Resource Navigators	\$58,065	\$0	\$500,000	\$0	\$558,065	39.12%
6000611	Non-Capital Clinton Office	\$1,239,571	\$0	\$0	\$0	\$1,239,571	0.00%
6000612	Non-Capital Altus Office	\$928,291	\$0	\$0	\$0	\$928,291	0.00%
6000613	Non-Capital Okmulgee Office	\$802,782	\$0	\$0	\$0	\$802,782	0.00%
6000614	Non-Capital Sapulpa Office	\$947,390	\$0	\$0	\$0	\$947,390	0.00%
6000615	Non-Capital Guymon Office	\$447,316	\$0	\$0	\$0	\$447,316	0.00%
6000617	Non-Capital Cleveland County	\$1,427,921	\$0	\$0	\$0	\$1,427,921	0.00%
6000619	Non-Capital Enid Office	\$755,431	\$0	\$0	\$0	\$755,431	0.00%
6000620	Non-Capital Lawton Office	\$1,338,750	\$0	\$0	\$0	\$1,338,750	0.00%
6000621	Non-Capital Woodward Office	\$665,542	\$0	\$0	\$0	\$665,542	0.00%
6000622	Non-Capital El Reno Office	\$641,844	\$0	\$58,065	\$0	\$699,909	0.00%
6000623	Non-Capital Pryor Office	\$439,574	\$0	\$0	\$0	\$439,574	0.00%
6000624	Non-Capital Poteau Office	\$553,040	\$0	\$0	\$0	\$553,040	0.00%
6000	Non-Capital Claremore Office	\$325,000	\$0	\$193,400	\$0	\$518,400	100.00%
6000	Non-Capital Shawnee Office	\$175,000	\$0	\$187,500	\$0	\$362,500	100.00%
7000711	Appellate West Expert Service	\$48,600	\$0	\$10,200	\$0	\$58,800	0.00%
7000712	Appellate East Expert Service	\$48,600	\$0	\$24,000	\$0	\$72,600	-46.14%
7000731	Cap Trial Norman Expert Service	\$177,400	\$0	\$45,000	\$0	\$222,400	-19.77%
7000732	Cap Trial Tulsa Expert Service	\$124,200	\$0	\$23,400	\$0	\$147,600	-13.68%
7000733	Cap Trial Conflicts Expert Ser	\$110,000	\$0	\$11,000	\$0	\$121,000	-46.17%
7000741	Non-Cap Trial Expert Services	\$223,880	\$0	\$45,600	\$0	\$269,480	-48.32%
8800001	Information Systems Department	\$475,346	\$0	\$0	\$0	\$475,346	-0.42%
8800110	IT Appellate West	\$40,062	\$0	\$0	\$0	\$40,062	-4.75%
8800120	IT Appellate East	\$40,062	\$0	\$0	\$0	\$40,062	-4.75%
8800300	IT Capital Trial Norman	\$35,076	\$0	\$0	\$0	\$35,076	-5.39%
8800301	IT Capital Trial Tulsa	\$35,224	\$0	\$0	\$0	\$35,224	-5.37%
8800310	IT Non-Capital Trial Norman	\$42,148	\$0	\$0	\$0	\$42,148	-4.53%
8800611	IT Clinton Office	\$31,839	\$0	\$0	\$0	\$31,839	-5.91%
8800612	IT Altus Office	\$28,130	\$0	\$0	\$0	\$28,130	-6.64%
8800613	IT Okmulgee Office	\$38,912	\$0	\$0	\$0	\$38,912	-4.89%
8800614	IT Sapulpa Office	\$31,029	\$0	\$0	\$0	\$31,029	-6.06%
8800615	IT Guymon Office	\$24,229	\$0	\$0	\$0	\$24,229	-7.63%
8800617	IT Cleveland County Office	\$33,416	\$0	\$0	\$0	\$33,416	-5.65%
8800619	IT Enid Office	\$26,780	\$0	\$0	\$0	\$26,780	-6.95%
8800620	IT Lawton Office	\$36,931	\$0	\$0	\$0	\$36,931	-5.14%
8800621	IT Woodward Office	\$28,801	\$0	\$0	\$0	\$28,801	-6.49%
8800622	IT El Reno Office	\$32,480	\$0	\$0	\$0	\$32,480	-5.80%
8800623	IT Pryor Office	\$24,353	\$0	\$0	\$0	\$24,353	-7.59%
8800624	IT Poteau Office	\$30,720	\$0	\$0	\$0	\$30,720	-6.11%
Total		\$27,670,125	\$0	\$1,916,109	\$3,000,000	\$32,586,234	-3.42%

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

Expected carryover funds

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FY'26 Top Five Operational Appropriated Funding Increase Requests

Request by Priority	Request Description	Is this a Supplemental Request? (Yes/No)	Timeframe (One-Time or Recurring)	Appropriation Request Increase Amount (\$)
Request 1:	Satellite Offices	No	Recurring	\$2,800,000
Request 2:				
Request 3:				
Request 4:				
Request 5:				
Top Five Request Subtotal:				\$2,800,000
Total Increase above FY-25 Budget (including all requests)				\$2,800,000
Difference between Top Five requests and total requests:				\$0

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

Description of requested increase in order of priority	Needed State Funding for Project (\$)	Submitted to LRCP or OCAMP? (Yes/No)
Priority 1		
Priority 2		
Priority 3		

List any requests for new construction from the Legacy Capital Fund

Description of requested increase in order of priority	Needed State Funding for Project (\$)	Submitted to LRCP? (Yes/No)
Priority 1		
Priority 2		
Priority 3		

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

No

How would the agency be affected by receiving the same appropriation for FY '26 as was received in FY '25? (Flat/ 0% change)

We would have to cut our resource navigator, training, and intern programs to stay within budget constraints.

How would the agency handle a 2% appropriation reduction in FY '26?

The agency would have to evaluate some cost that have been beneficial to our clients and eliminate expert services that have also benefited our clients. We may have to cut positions as well since OIDS fees will drop in FY26.

Is the agency seeking any fee increases for FY '26?

Description of requested increase in order of priority	Fee Increase Request (\$)	Statutory change required? (Yes/No)
Increase 1		
Increase 2		
Increase 3		

Federal Funds

CFDA	Federal Program Name	Agency Dept. #	FY 25 budget (\$)	FY 24 actuals (\$)	FY 23 actuals (\$)	FY 22 actuals (\$)	FY 24 budgeted FTE (#)

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

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- 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

FY 2025 Budgeted FTE							
Division #	Division Name	Supervisors	Non-Supervisors	\$0 - \$35 K	\$35 K - \$70 K	\$70 K - \$100K	\$100K+
10	Appellate Services	6.28	36.66	0.5	16.2	15.92	10.32
20	Executive	2.52	1.69		1.3	0.78	2.13
30	Trial Services	7.2	45.15	5	23.5	11.3	12.55
60	Regional Offices	12	62		31	31	12
Total		28	145.5	5.5	72	59	37

FTE History by Fiscal Year							
Division #	Division Name	FY 2025 Budgeted	FY 2025 YTD	FY 2024	FY 2023	FY 2022	FY 2016
10	Appellate Services	49.8	42.9	43.1	37.9	39.4	36.1
20	Executive	4.6	4.2	4.1	3.2	3.2	3.0
30	Trial Services	63.1	52.4	50.3	41.0	30.0	28.4
60	Regional Offices	81.0	74.0	71.0	51.0	56.0	38.0
Total		198.5	173.5	168.5	133.0	128.5	105.5

Performance Measure Review					
	FY 2024	FY 2023	FY 2022	FY 2021	FY 2020
Appellate Services					
Appellate West	271				
Appellate East	262				
General Appeals Cases		482	488	503	465
Homicide Direct Appeals Cases		91	97	88	85
Capital Post Conviction Cases		49	62	56	51
Trial Services					
Capital Trial Norman Cases	20	20	20	16	16
Capital Trial Tulsa Cases	18	12	9	13	13
Non-Capital Contracts					
County Contract Cases	17,490	19,890	20,702	25,056	27,589
Conflict Cases	200	311	294	601	691
Regional Offices					
Altus Office Cases	814	1,663	1,662	1,917	2,526
Cleveland County Office Cases	3,953	3,771	3,518	2,889	6,225
Clinton Office Cases	1,391	1,828	2,313	2,500	5,413
El Reno Office Cases (opened FY24)	1,495	-	-	-	-
Enid Office Cases (opened in FY22)	1,659	2,155	1,626	-	-
Guymon Office Cases	425	544	619	518	1,365
Lawton Office Cases (opened in FY22)	1,571	1,998	1,228	-	-
Okmulgee Office Cases	691	1,121	1,082	1,268	3,024
Sapulpa Office Cases	757	1,011	966	997	2,424
Woodward Office Cases (opened in FY22 cases assigned last 3 months April - June 2022)	748	924	154	-	-
Expert Services					
Number of expert contracts put in place to provide our clients the best case support	132	81	85	60	108

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Revolving Funds (200 Series Funds)			
	FY'22-24 Avg. Revenues	FY'22-24 Avg. Expenditures	June '24 Balance
20000 - Oklahoma Indigent Defense System Revolving Fund <i>Authorized by 22 O.S. § 1368, is a revolving fund used for deposit of grants, gifts, and other such funds provided by law. Nearly 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. § 1355.14. The amount deposited into this fund is unpredictable.</i>	\$1,055,068	\$617,581	\$2,010,941
23000 - Contract Retention Revolving Fund <i>Authorized by 22 O.S. § 1369, is a continuing fund used for deposit of the 10% of annual county non-capital contracts in accordance with 22 O.S. § 1355.8.G.2. These funds are retained in fund 230 until cases have been closed in accordance with these annual contracts.</i>	Originally general appropriations	\$572,584	\$1,152,392

FY 2025 Current Employee Telework Summary						
<i>List each agency physical location (not division), then report the number of employees associated with that location in the teleworking categories indicated. Use "No specified location" to account for remote employees not associated with a site. Use actual current employees (headcount), not budgeted or actual FTE.</i>			Full-time and Part-time Employees (#)			
Agency Location / Address	City	County	Onsite (5 days onsite, rarely remote)	Hybrid (2-4 days onsite weekly)	Remote (1 day or less weekly onsite)	Total Employees
111 N Peters Ave	Norman	Cleveland	77.5	13		90.5
610 S Hiawatha St	Sapulpa	Creek	10			10
823 Frisco Ave	Clinton	Custer	8			8
123 W Commerce Street	Altus	Jackson	7			7
205 S Grand Ave	Okmulgee	Okmulgee	7			7
10169 State Hwy 66	Sapulpa	Creek	11			11
1001 N Main Street	Guymon	Texas	3			3
205 W Maple Ave	Enid	Garfield	6			6
1318 SW Lee Blvd	Lawton	Comanche	12			12
1101 Hillcrest Dr	Woodward	Woodward	5			5
220 N Admire Ave	El Reno	Canadian	7			7
22 S Adair St	Pryor	Mayes	3			3
507 Dewey Ave	Poteau	LeFlore	4			4
Total Agency Employees						173.5