

OK Indigent Defense System (047)

Lead Administrator: Craig Sutter

Angie Cole

FY'18 Projected Division/Program Funding By Source						
	Appropriations	Federal	Revolving	Local	Other*	Total
Appellate Services	\$2,935,791		\$805,688		\$18,049	\$3,759,528
General Operations	\$467,927				\$2,840	\$470,767
Trial Services	\$2,619,879		\$431,713		\$94,380	\$3,145,972
Non-Capital Contracts	\$5,637,700		\$1,020,467		\$542,496	\$7,200,663
Regional Offices	\$3,647,562		\$30,000		\$5,000	\$3,682,562
Forensic Testing	\$0		\$143,718		\$506,521	\$650,239
Information Systems	\$651,334		\$0		\$19,580	\$670,914
Total	\$15,960,193	\$0	\$2,431,586	\$0	\$1,188,866	\$19,580,646

*Source of "Other" and % of "Other" total for each.
 *Revolving includes 23000 retained funding carried over from previous FY non-capital contracts
 *Other - carry over funding 19711 and 57611
 *Other carry over funding includes previous FY contracts carried over to FY-18
 *Revolving includes previous FY contracts carried over to FY-18

FY'17 Carryover and Refund by Funding Source						
	Appropriations	Federal	Revolving	Local	Other*	Total
FY'17 Carryover	\$ 704,332.00		\$ 20,237.00		\$ 589,800.00	\$ 1,314,369.00
FY'17 GR Refund**	\$104,679					\$104,679

*Source of "Other" and % of "Other" total for each.
 *Carry over funding includes previous FY contracts carried over to FY-18
 *Other - Carry over funding 57611
 *Revolving includes previous FY contracts carried over to FY-18

**Indicate how the FY'17 General Revenue refund was budgeted
 **Funded 86% conflict services and 14% personnel

What Changes did the Agency Make between FY'17 and FY'18?	
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?	Budget reductions during recent years have resulted in fewer attorneys handling increasing caseloads, causing a slower response time and attorneys exceeding caseload standards of national defender organizations.
4.) Did the agency provide any pay raises that were not legislatively/statutorily required?	If so, please provide a detailed description in a separate Document. During FY17, four salary increases were made, as reflected in Attachment "A."

FY'19 Requested Division/Program Funding By Source						
	Appropriations	Federal	Revolving	Other	Total	% Change
Appellate Services	\$3,051,791		\$805,688		\$3,857,479	2.61%
General Operations	\$467,927				\$467,927	-0.60%
Trial Services	\$2,680,737		\$426,713		\$3,107,450	-1.22%
Non-Capital Contracts	\$6,413,700		\$984,670		\$7,398,370	2.75%
Regional Offices	\$3,783,562		\$30,000		\$3,813,562	3.56%
Forensic Testing	\$400,000		\$90,000		\$490,000	-24.64%
Information Systems	\$551,334				\$551,334	-17.82%
Total	\$17,349,051	\$0	\$2,337,071	\$0	\$19,686,122	0.54%

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

FY'19 Top Five Appropriation Funding Requests		\$ Amount
Request 1: Description	The agency is requesting this amount in order to increase the average cost-per-case of fiscal year county contracts to \$200 per case. A portion of this request will be necessary to address an anticipated increase in annual fiscal year contract costs.	\$856,000
Request 2: Description	The agency is requesting this amount to establish salary parity with prosecutors.	\$312,858
Request 3: Description	The agency is requesting this amount to increase the hourly rate paid to conflict of interest contract counsel.	\$220,000
Request 4: Description		
Request 5: Description		
Total Increase above FY-18 Request		1,388,858

How would the agency handle a 2% appropriation reduction in FY'19?

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.

How would the agency handle a 4% appropriation reduction in FY'19?

A reduction of 4% will leave the agency unable to continue providing legal representation in a majority of conflict of interest trial court cases, resulting in a stoppage of the prosecution of those cases.

How would the agency handle a 6% appropriation reduction in FY'19?

A reduction of 6% will leave the agency unable to continue providing legal representation in all 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'19?

		\$ 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 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

Division and Program Descriptions

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.

General Operations Program

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 contacts.

Forensic Testing Program

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

Information Systems

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

FY'18 Budgeted FTE						
	Supervisors	Classified	Unclassified	\$0 - \$35 K	\$35 K - \$70 K	\$70 K - \$\$\$
Appellate Services	7		35.5	1.5	20	14
General Operations	3		9	2	5	2
Trial Services	5		25	0	16	9
Non-Capital Contracts	0		0	0	0	0
Regional Offices	6		39	4	27	8
Forensic Testing	0		0	0	0	0
Information Systems	0		0	0	0	0
Total	21	0	108.5	7.5	68	33

FTE History					
	2018 Budgeted	2017	2014	2011	2007
Appellate Services	35.5	35	35	36	39
General Operations	9	9	10	12	15
Trial Services	25	24	24	22	27
Non-Capital Contracts	0	0	0	0	0
Regional Offices	39	38	31	29	27
Forensic Testing	0	0	0	0	0
Information Systems	0	0	0	0	0
Total	109	106	100	99	107

Performance Measure Review					
	FY'17	FY'16	FY'15	FY'14	FY'13
Appellate Services					
Homicide Direct Appeal Cases	99	86	86	93	81
Capital Post Conviction Cases	46	48	55	60	65
Non-Capital Appeals Cases	557	525	565	648	595
Trial Services					
Capital Trial Cases	58	44	50	53	67
Capital Trial Conflict Cases	1	3	2	3	4
Non-Capital Contracts					
Non-Capital Conflict Cases	1509	1527	1454	1058	834
Non-Capital Attorney Cases	45844	43159	37176	38530	34729
Regional Offices					
Non-Capital Staff Attorney Cases	12633	12632	10334	7995	7604

Revolving Funds (200 Series Funds)			
	FY'15-17 Avg. Revenues	FY'15-17 Avg. Expenditures	June '17 Balance
Revolving Fund I - Fund 200	\$1,403,078	\$1,629,139	\$283,569
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	\$524,803	\$524,900	\$849,632
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.			