

**SUMMARY BUDGET INFORMATION**  
**TABLE OF CONTENTS**  
**ARKANSAS PUBLIC DEFENDER COMMISSION**

	<u>Page #</u>
<b>Public Defender Commission, Arkansas</b> .....	1
Action Required: ( 1VA ) Ombudsman Program .....	4
( 337 ) Public Defender-Operations .....	6
( 530 ) Public Defender -Trial Office .....	8

# ARKANSAS PUBLIC DEFENDER COMMISSION

## State Contracts Over \$50,000 Awarded To Minority Owned Businesses Fiscal Year 2018

None

### Employment Summary

	Male	Female	Total	%
White Employees	159	139	298	90 %
Black Employees	12	19	31	9 %
Other Racial Minorities	1	1	2	1 %
Total Minorities			33	10 %
Total Employees			331	100 %

### Publications

#### A.C.A. 25-1-201 et seq.

Name	Statutory Authorization	Required for		# of Copies	Reason(s) for Continued Publication and Distribution	Unbound Black & White Copies Produced During the Last Two Years	Cost of Unbound Copies Produced During the Last Two Years
		Governor	General Assembly				
Annual Reports	ACA §16-87-203	Y	Y	40	Required by Law	0	0.00

## Department Appropriation Summary

Appropriation	Historical Data						Agency Request and Executive Recommendation							
	2017-2018		2018-2019		2018-2019		2019-2020				2020-2021			
	Actual	Pos	Budget	Pos	Authorized	Pos	Agency	Pos	Executive	Pos	Agency	Pos	Executive	Pos
1VA Ombudsman Program	53,952	1	72,952	1	89,900	1	74,892	1	74,892	1	74,892	1	74,892	1
337 Public Defender-Operations	2,862,165	19	2,989,328	19	2,863,430	19	2,985,443	19	2,985,443	19	2,986,922	19	2,986,922	19
530 Public Defender -Trial Office	22,551,175	251	24,473,633	252	22,976,489	252	24,513,522	252	24,513,522	252	24,520,791	252	24,520,791	252
Total	25,467,292	271	27,535,913	272	25,929,819	272	27,573,857	272	27,573,857	272	27,582,605	272	27,582,605	272

Funding Sources		%		%		%		%		%		%	
Fund Balance	4000005	2,553,368	8.7	3,732,109	12.0	3,436,680	10.4	3,436,680	11.2	5,417,181	15.5	2,999,472	10.0
State Central Services	4000035	19,460,443	66.6	20,269,214	65.4	20,271,439	61.4	20,271,439	66.3	20,280,065	58.0	20,280,065	67.3
Bail Bond Fees	4000115	1,158,720	4.0	1,170,000	3.8	1,100,000	3.3	1,100,000	3.6	1,100,000	3.1	1,100,000	3.6
State Administration of Justice	4000470	4,490,218	15.4	4,490,318	14.5	6,908,027	20.9	4,490,318	14.7	6,908,027	19.7	4,490,318	14.9
Transfer from DHS-DYS	4000515	53,952	0.2	72,952	0.2	74,892	0.2	74,892	0.2	74,892	0.2	74,892	0.2
User / Attorney Fees	4000725	1,482,700	5.1	1,238,000	4.0	1,200,000	3.6	1,200,000	3.9	1,200,000	3.4	1,200,000	4.0
Total Funds		29,199,401	100.0	30,972,593	100.0	32,991,038	100.0	30,573,329	100.0	34,980,165	100.0	30,144,747	100.0
Excess Appropriation/(Funding)		(3,732,109)		(3,436,680)		(5,417,181)		(2,999,472)		(7,397,560)		(2,562,142)	
Grand Total		25,467,292		27,535,913		27,573,857		27,573,857		27,582,605		27,582,605	

FY19 Budget amount in Appropriations 337 and 530 exceeds the authorized amount due to salary and matching rate adjustments during the 2017-2019 Biennium.

FY18 Actual and FY19 Budget Appropriations that receive Administration of Justice Funds have been reduced proportionately based upon available funding in accordance with A.C.A. 16-10-312. Agency Request reflects the maximum allocations authorized by Act 250 of 2018(56).

## **Analysis of Budget Request**

**Appropriation:** 1VA - Ombudsman Program

**Funding Sources:** HSC - State Central Services

The Ombudsman Division of the Arkansas Public Defender Commission was created during the 82<sup>nd</sup> General Assembly for the purpose of insuring that children placed within the custody of the Department of Human Services (DHS) - Division of Youth Services are receiving necessary services designed to keep them safe both mentally and physically. One position in the Ombudsman Division of the Arkansas Public Defender Commission is funded from funds transferred by the DHS. This transfer is for the benefit of the Juvenile Ombudsman Program of the Public Defender Commission.

The Agency Request is \$74,892 each year of the Biennium, a decrease of (\$15,008) each fiscal year from current FY2019 authorized amounts.

The Executive Recommendation provides for the Agency Request.

## Appropriation Summary

**Appropriation:** 1VA - Ombudsman Program

**Funding Sources:** HSC - State Central Services

### Historical Data

### Agency Request and Executive Recommendation

Commitment Item		2017-2018	2018-2019	2018-2019	2019-2020		2020-2021	
		Actual	Budget	Authorized	Agency	Executive	Agency	Executive
Regular Salaries	5010000	40,105	55,137	69,059	56,685	56,685	56,685	56,685
<b>#Positions</b>		<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>
Personal Services Matching	5010003	13,847	17,815	20,841	18,207	18,207	18,207	18,207
<b>Total</b>		<b>53,952</b>	<b>72,952</b>	<b>89,900</b>	<b>74,892</b>	<b>74,892</b>	<b>74,892</b>	<b>74,892</b>
<b>Funding Sources</b>								
Transfer from DHS-DYS	4000515	53,952	72,952		74,892	74,892	74,892	74,892
<b>Total Funding</b>		<b>53,952</b>	<b>72,952</b>		<b>74,892</b>	<b>74,892</b>	<b>74,892</b>	<b>74,892</b>
Excess Appropriation/(Funding)		0	0		0	0	0	0
<b>Grand Total</b>		<b>53,952</b>	<b>72,952</b>		<b>74,892</b>	<b>74,892</b>	<b>74,892</b>	<b>74,892</b>

## **Analysis of Budget Request**

**Appropriation:** 337 - Public Defender-Operations

**Funding Sources:** HSC - State Central Services

The Arkansas Public Defender Commission was established in 1993 to address a variety of problems and concerns related to the representation of indigent criminal defendants in Capital Conflicts and Appeals to the Supreme Court in the State of Arkansas. The State Operations appropriation is funded from the State Central Services Fund.

The Agency Request provides for continuation of current FY2019 Authorized amounts with necessary salary and matching rate adjustments totaling \$2,985,443 in FY20 and \$2,986,922 in FY21.

The Executive Recommendation provides for the Agency Request.

## Appropriation Summary

**Appropriation:** 337 - Public Defender-Operations

**Funding Sources:** HSC - State Central Services

### Historical Data

### Agency Request and Executive Recommendation

Commitment Item		Historical Data			Agency Request and Executive Recommendation			
		2017-2018 Actual	2018-2019 Budget	2018-2019 Authorized	2019-2020		2020-2021	
					Agency	Executive	Agency	Executive
Regular Salaries	5010000	1,392,139	1,370,698	1,271,474	1,366,875	1,366,875	1,368,075	1,368,075
<b>#Positions</b>		<b>19</b>	<b>19</b>	<b>19</b>	<b>19</b>	<b>19</b>	<b>19</b>	<b>19</b>
Extra Help	5010001	5,666	12,000	12,000	12,000	12,000	12,000	12,000
<b>#Extra Help</b>		<b>1</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>
Personal Services Matching	5010003	409,247	414,292	387,618	414,230	414,230	414,509	414,509
Operating Expenses	5020002	247,648	247,648	247,648	247,648	247,648	247,648	247,648
Conference & Travel Expenses	5050009	16,802	19,690	19,690	19,690	19,690	19,690	19,690
Professional Fees	5060010	790,663	925,000	925,000	925,000	925,000	925,000	925,000
Data Processing	5090012	0	0	0	0	0	0	0
Capital Outlay	5120011	0	0	0	0	0	0	0
<b>Total</b>		<b>2,862,165</b>	<b>2,989,328</b>	<b>2,863,430</b>	<b>2,985,443</b>	<b>2,985,443</b>	<b>2,986,922</b>	<b>2,986,922</b>
<b>Funding Sources</b>								
State Central Services	4000035	2,862,165	2,989,328		2,985,443	2,985,443	2,986,922	2,986,922
<b>Total Funding</b>		<b>2,862,165</b>	<b>2,989,328</b>		<b>2,985,443</b>	<b>2,985,443</b>	<b>2,986,922</b>	<b>2,986,922</b>
Excess Appropriation/(Funding)		0	0		0	0	0	0
<b>Grand Total</b>		<b>2,862,165</b>	<b>2,989,328</b>		<b>2,985,443</b>	<b>2,985,443</b>	<b>2,986,922</b>	<b>2,986,922</b>

FY19 Budget amount in Regular Salaries and Personal Services Matching exceeds the authorized amount due to salary and matching rate adjustments during the 2017-2019 Biennium.

## **Analysis of Budget Request**

**Appropriation:** 530 - Public Defender -Trial Office

**Funding Sources:** HSC - State Central Services

The Trial Public Defender Office of the Arkansas Public Defender Commission was created by Act 1341 of 1997 and provides for the establishment of a statewide public defender system in Arkansas. The Trial Public Defender Office operates under the supervision of the Executive Director of the Arkansas Public Defender Commission. Duties of all public defenders are to provide for competent, effective, and uniform representation of indigent criminal defendants throughout the State. The Commission utilizes over sixty-one (61) job share positions.

The Trial Public Defender Office is funded from a share of those funds remitted by the cities and counties from court costs and filing fees for deposit into the State Administration of Justice Fund. A portion of those funds is then allocated for deposit into the State Central Services Fund for the benefit of the Public Defender Commission per Arkansas Code §16-10-310. Arkansas Code §17-19-301(e) allows for a fee to be charged and collected by all bail bond companies on each bond. The additional revenue helps defray the cost of the public defender system, both statewide and in each individual county.

The Agency Request provides for continuation of current FY19 Authorized amounts with necessary salary and matching rates adjustments during the 2017-2019 Biennium. The Agency Request is \$24,513,522 in FY20 and \$24,520,791 in FY21.

The Agency's Request to maintain appropriation above 10% of FY18 Actual expenditures includes the following justifications:

- Operating Expenses and Professional Fees Line Items to allow for continued operations of the statewide public defender system in Arkansas. A reduction of appropriation could affect the ability to provide competent, effective, and uniform representation of indigent criminal defendants.
- Public Defender Commission Programs and Bail Bond County Public Defender Line Items - to allow the Commission to remit to each County its portion of the bail bond fee collected for state aid to counties pursuant to special language.

The Executive Recommendation provides for the Agency Request.



## Appropriation Summary

**Appropriation:** 530 - Public Defender -Trial Office

**Funding Sources:** HSC - State Central Services

### Historical Data

### Agency Request and Executive Recommendation

Commitment Item	2017-2018	2018-2019	2018-2019	2019-2020		2020-2021	
	Actual	Budget	Authorized	Agency	Executive	Agency	Executive
Regular Salaries 5010000	15,952,787	16,799,643	15,620,905	16,823,828	16,823,828	16,829,728	16,829,728
<b>#Positions</b>	<b>251</b>	<b>252</b>	<b>252</b>	<b>252</b>	<b>252</b>	<b>252</b>	<b>252</b>
Extra Help 5010001	12,437	15,000	15,000	15,000	15,000	15,000	15,000
<b>#Extra Help</b>	<b>1</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>
Personal Services Matching 5010003	4,822,035	5,163,734	4,845,328	5,179,438	5,179,438	5,180,807	5,180,807
Operating Expenses 5020002	429,034	641,256	641,256	641,256	641,256	641,256	641,256
Conference & Travel Expenses 5050009	33,995	34,000	34,000	34,000	34,000	34,000	34,000
Professional Fees 5060010	570,274	750,000	750,000	750,000	750,000	750,000	750,000
Data Processing 5090012	0	0	0	0	0	0	0
Capital Outlay 5120011	0	0	0	0	0	0	0
Public Defender Comm. Prgms. 5900046	554,555	770,000	770,000	770,000	770,000	770,000	770,000
Bail Bond Co. Public Def. Prgm. 5900047	176,058	300,000	300,000	300,000	300,000	300,000	300,000
<b>Total</b>	<b>22,551,175</b>	<b>24,473,633</b>	<b>22,976,489</b>	<b>24,513,522</b>	<b>24,513,522</b>	<b>24,520,791</b>	<b>24,520,791</b>

  

Funding Sources							
Fund Balance 4000005	2,553,368	3,732,109		3,436,680	3,436,680	5,417,181	2,999,472
State Central Services 4000035	16,598,278	17,279,886		17,285,996	17,285,996	17,293,143	17,293,143
Bail Bond Fees 4000115	1,158,720	1,170,000		1,100,000	1,100,000	1,100,000	1,100,000
State Administration of Justice 4000470	4,490,218	4,490,318		6,908,027	4,490,318	6,908,027	4,490,318
User / Attorney Fees 4000725	1,482,700	1,238,000		1,200,000	1,200,000	1,200,000	1,200,000
<b>Total Funding</b>	<b>26,283,284</b>	<b>27,910,313</b>		<b>29,930,703</b>	<b>27,512,994</b>	<b>31,918,351</b>	<b>27,082,933</b>
<b>Excess Appropriation/(Funding)</b>	<b>(3,732,109)</b>	<b>(3,436,680)</b>		<b>(5,417,181)</b>	<b>(2,999,472)</b>	<b>(7,397,560)</b>	<b>(2,562,142)</b>
<b>Grand Total</b>	<b>22,551,175</b>	<b>24,473,633</b>		<b>24,513,522</b>	<b>24,513,522</b>	<b>24,520,791</b>	<b>24,520,791</b>

FY19 Budget amount in Regular Salaries and Personal Services Matching exceeds the authorized amount due to salary and matching rate adjustments during the 2017-2019 Biennium. FY18 Actual and FY19 Budget Appropriations that receive Administration of Justice Funds have been reduced proportionately based upon available funding in accordance with A.C.A. 16-10-312. Agency Request reflects the maximum allocations authorized by Act 250 of 2018(56).