

**2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0324 Public Defender Commission, Arkansas**

**ACT#: 16**

**SECTION#: 12**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

INDIGENT PARENT COUNSEL REPRESENTATION. The Commission for Parent Counsel shall have the authority to use the appropriation provided in line item Parent Counsel Reimbursements of the Parent Counsel Program appropriation herein for the purpose of entering into independent professional service contracts on a full-time or part-time basis with attorneys who are qualified to provide counsel for indigent parents in dependency-neglect cases.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

AGENCY REQUEST

**2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0324 Public Defender Commission, Arkansas**

**ACT#: 16**

**SECTION#: 13**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

TRANSFER PROVISION - LINE ITEMS - COMMISSION FOR PARENT COUNSEL.  
After receiving approval from the Chief Fiscal Officer of the State and prior review by the Arkansas Legislative Council or Joint Budget Committee, the Director of the Arkansas Public Defender Commission is authorized to transfer appropriation, with the exception of Personal Services Matching, between the line items authorized herein for the Commission for Parent Counsel, to best utilize resources to meet the needs of the Parent Counsel's clientele.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

AGENCY REQUEST

**2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0324 Public Defender Commission, Arkansas**

**ACT#: 16**

**SECTION#: 14**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

EXTRA HELP EXEMPTION - COMMISSION FOR PARENT COUNSEL. Extra Help positions authorized herein for the Commission for Parent Counsel are specifically exempt from limitation of hours. Employees currently working on a part-time basis may be utilized concurrently as Extra Help within the agency. The total amount of compensation for part-time and Extra Help work combined cannot exceed the maximum compensation allowed for a grade GS11 as authorized in the Uniform Classification and Compensation Act. Flexibility is needed to allow for non-traditional work schedules that may be necessary to accommodate the schedule of the individual being represented. Attorneys utilized as Extra Help employees are not prevented from having other employment.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

AGENCY REQUEST

**2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0324 Public Defender Commission, Arkansas**

**ACT#: 16**

**SECTION#: 15**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

TRANSFER PROVISION. If the Public Defender Commission should determine that the appropriations made available for payments to the Counties are insufficient, appropriation may be transferred from the Public Defender Commission Program line item to the Bail Bond-County Public Defender line item, after receiving approval of the Chief Fiscal Officer of the State.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

AGENCY REQUEST

**2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0324 Public Defender Commission, Arkansas**

**ACT#: 16**

**SECTION#: 16**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

PUBLIC DEFENDERS. (a) No funds appropriated herein shall be used for expenses in cases where a defendant is represented by retained counsel where retained counsel have not gone through the Public Defender Commission's attorney certification procedure and designation process as established by state law and the Commission's regulations. All defendants and retained attorneys must strictly adhere to the procedure established by the Commission to equitably and responsibly monitor and distribute State funds for this purpose.

(b) The Public Defender Commission may approve exemptions to subsection (a) as needed. Reasons for granting exemption should be specified in writing.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

AGENCY REQUEST

**2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**0324 Public Defender Commission, Arkansas**

**ACT#: NEW**

**SECTION#: NEW**

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

MAXIMUM SALARY. In order to maintain equity between the prosecutors and public defenders, Public Defender positions are authorized to be paid up to the maximum salary of their grade as determined by the Public Defender Commission.  
The provisions of this section shall be in effect only from July 1, 2023 through June 30, 2024.

AGENCY REQUEST