All of the Public Defender Commission's change level requests are made with the goal of increasing the availability, the effectiveness, and the efficiency of both the Commission and the trial public defenders' offices throughout the State of Arkansas. With each Legislative Session, since its creation in 1993, the Commission's duties and responsibilities have grown. During the 1997 Legislative Session, the Commission's obligations and responsibilities were greatly expanded as the State assumed responsibility for funding the trial public defender system. Nonetheless, the number of attorney positions provided during that Session was actually less than the number of attorneys that had been provided by the respective Counties. Further, the duties of many public defenders were increased by Act 1341 of 1997, requiring municipal and city court appearances for example. This increase in responsibility and decrease in positions left the Commission shorthanded almost everywhere. Further, the Commission did not receive any additional support staff to handle the new responsibility of administering the statewide trial public defender offices.

During the 1999 Legislative Session, the Commission was appropriated several new positions; however, the funding for these positions was contingent upon the Commission raising monies through attorneys' fees and user fees. By appropriating these positions, the need for them was recognized and acknowledged. Funding the positions was a concern because the State was also taking over funding for deputy prosecuting attorneys at that time. To date, these funds have raised only approximately $240,000. The bulk of these funds have been used to pay for ad litem matching costs as well as personal services costs for two (2) secretarial positions in Crittenden County. Crittenden County did contribute a one-time lump sum payment of $75,000 to this account; however, that contribution was approximately $53,000 less than the actual cost of employing those secretaries through June, 2000. The current expenditures from this account, for the ad litem matching and the secretarial positions, are in excess of $8,000 a month. The monthly collections have averaged approximately $13,000. Consequently, there is simply not enough income generated monthly to employ all of the personnel needed to effectively operate the entire system.

We would like to continue collecting the attorneys' fees and user fees to help defray costs. Unfortunately, it has become abundantly clear that these fees will not generate sufficient funds to support the hiring of necessary additional personnel in the near future.

The Commissions' Change Level requests are not made lightly. We have carefully analyzed and assessed the needs of the Public Defender System, and feel that the requests made are modest, yet essential to the effective administration of the criminal justice system. Public defenders are an integral part of the court system. If we fail, the system fails. If we are not prepared due to unconscionable caseloads and under-funding, justice is compromised.

The primary focus of our request is, essentially, to delete the special language that limits our use of appropriated positions and funds. If the addition of personnel remains contingent on user and attorney fees, it is evident that this office will be unable to provide adequate representation to those we are constitutionally responsible to represent. The understaffed offices and unconscionable caseloads that are currently present in some

districts, will become the norm throughout the State. The following requests are made in order for the Commission to meet its constitutionally, and statutorily, imposed duties, of providing adequate representation to all persons facing a risk of loss of liberty.

Appropriation 337 - Public Defender Commission and Capital Conflicts Office

Capital Outlay

We are requesting $2,000 for FY02 only for Capital Outlay. This money is needed to purchase additional bookcases and file cabinets to accommodate our increasing need for file and records storage.

Executive Director

An increase of 9.9% in Regular Salaries is requested for FY02 only for the Executive Director position. This increase will bring compensation levels more closely in line with Prosecuting Attorneys in the largest judicial districts as well as Executive salaries for Public Defenders in other states with similar systems. Salary and matching Change levels total $6,660 for FY02 and $6,834 for FY03. The incremental increase for FY03 over FY02 represents the standard 2.6% increase level for this position.

Appropriation 1VA - Ombudsman Division

During the 1999 Legislative Session an Ombudsman Division was created within the Public Defender Commission. This Division is presently staffed with eight (8) social workers whose job it is to insure that children placed within the custody of the Division of Youth Services are receiving necessary services and are safe both mentally and physically. The Ombudsman Division has proven its worth repeatedly over the last several months. We have: taken kids out of harms way; insured that an aftercare plan is implemented; contacted the child abuse hotline when necessary; and pushed to insure that sex offenders are segregated from non-sex offenders while in DYS' custody. The eight social workers currently employed by the Commission are at various DYS facilities daily checking on the children within DYS' custody. Each year there are approximately 800 children committed to the care and custody of DYS.

At the present time, there are 297 children within the custody of the Division of Youth Services. As of July 10, 2000, 156 children are at the Alexander Campus and the other 141 are at the Wilderness Camps throughout the state. With the increased number of children in DYS' custody and the eminent construction of additional facilities, it is essential to insure the safety and well being of the children within DYS' custody that

additional ombudsman social workers be provided. The Commission is requesting four (4) new social worker positions and accompanying Capital Outlay for equipment purchases for these positions. Again, these are necessary to help insure that the children in state custody are receiving the services ordered by the Juvenile Court and to insure that they are neither being physically nor mentally abused.

Appropriation 530 - Trial Public Defenders

Since the State took over the public defender system on January 1, 1998, it has become more and more clear that we are seriously, and substantially, understaffed both as to attorneys and support staff. This understaffing is causing many of the public defenders to carry an horrendous caseload. It is also causing some Courts and some Defendants to go without public defenders, ultimately requiring appointment of private counsel. While the appointment of private counsel cannot be avoided in some instances, it should not be necessitated simply because there are not enough public defenders in place. This is neither expedient nor efficient, and certainly it is not cost effective. At present, we have several districts in which the public defenders carry a caseload of over 600 defendants per attorney. We have a couple of districts where the caseload exceeds more than 800 defendants per attorney. These numbers are horribly in excess of nationally recommended standards. The National Advisory Committee of Criminal Justice recommends the following caseloads: 150 felonies per attorney per year; or 400 misdemeanors per attorney per year; or 200 juvenile cases per attorney per year; or 200 mental cases per attorney per year; or 25 appeals per attorney per year. Our caseloads are far in excess of the national standards. Some states have adopted caseload standards that are not quite as stringent as the national recommendations. However, our caseloads are grossly in excess of the less stringent standards adopted by some states. Because our caseloads are so high, we are dangerously close to being constitutionally suspect. One attorney's ability to provide effective representation to 600 defendants in one year is certainly open to question. Without some relief, the Commission is concerned that we might not withstand a challenge to the constitutionality of our public defender system. This concern is justified. In recent years several states have been subject to lawsuits challenging the constitutionality of the public defender system because of excessive caseloads. There are several such challenges pending across the country now. Do we want the federal courts running our public defender system?

There is currently a substantial surplus in the State Administration of Justice Fund. Clearly, whether the public defender system is run in an effective, efficient and Constitutional manner is a concern of the administration of justice. Further, at the present time, the Commission receives some funding from the State Administration of Justice Fund. With the foregoing in mind, the Commission respectfully requests that all or a portion of the funding for its change level requests be provided through the State Administration of Justice Fund. Due to the fact that there also exists a modest surplus that has been accumulated in User/Attorney Fees over the 1999-01 biennium, and, keeping in mind that receipts are being collected annually, the Commission intends to budget a significant portion of these funds to meet present and ongoing priorities. The sporadic nature of collections has caused the Commission to exercise caution in the distribution of these funds.

At the present time, several counties are voluntarily subsidizing the public defender system by providing attorneys, investigators, and some support staff. We have received increasing resistance from the counties to continue this gratuitous support. By statute, the counties are not required to provide additional staffing. The indication is that the counties plan to quit subsidizing the public defender system in the very near future. Our request for attorneys, investigators, and support take into account these precariously funded county positions. With the foregoing as a paramount concern we have a number of requests dealing with personnel issues.

Under change Level 01, we are requesting three (3) appellate attorney positions, three (3) secretary II positions, twenty-six (26) secretary I positions, twenty (20) Class B public defender positions and a public defender personnel manager. It is essential that we set up an appellate office within the Commission. Recent Supreme Court and Court of Appeals cases, handed down in the spring of 2000, have dealt a blow to our trial public defenders. The trial public defenders can no longer receive any type of compensation for their appellate work. Many of our trial public defenders have no state funded secretary and have been using the money provided by the Appellate Court to pay their private secretaries to do their public defender appellate work. Additionally, many of the trial public defenders had used the money for the appellate work to fund a "ghost writer". There is no longer any appellate money flowing their way, meaning they now have to fund the appellate work and that adds to their already overly burdensome caseload. We are requesting only three (3) appellate attorney positions and two (2) appellate secretary positions. Clearly with this number of staff, we will not be able to do all of the appellate work; however, we hope to be able to do all life, life without, and death cases. It should be noted that the Attorney General's office does all of the appellate work for the state's prosecutors.

Of the trial public defender positions and secretary positions requested, the majority of these are currently county funded and are in jeopardy of being discontinued at the first of the year. If the counties were to cut funding and the state were not pick up these positions, we would have a serious disaster on our hands and a serious constitutional challenge looming. For instance, in Pulaski County, we currently have twenty-six (26) attorneys, five (5) secretaries and three (3) investigators. When Pulaski County carries out its threat to discontinue it's voluntary funding, the office would be reduced to two (2) secretaries and no investigators. Benton and Sebastian Counties are in a similar situation. Again, the positions that we are requesting are not being requested lightly. We feel it is absolutely essential to the effective administration of justice that these positions be re-authorized and funded.

Further, we are requesting a Public Defender Personnel Manager position. This position is necessary. We have grown from an agency of eighteen (18) employees to an agency of over two hundred (200) employees, yet we did not have a corresponding growth in central support staff. Because of the number of full-time and the number of job-share positions we have, it is very necessary we have someone who is trained in state personnel procedures and whose only job is to act as personnel manager.

These positions are currently appropriated to the Commission, yet unfunded. These positions were subject to the special language making them contingent upon the collection of "User" and "Attorney" fees. As previously indicated, we have not come close to generating enough funds necessary to fill these positions. Nevertheless, filling these positions is critical at this time.

Change Level 02 reflects the maintenance and operating expenses associated with the requests for the Appellate Attorneys, two (2) Appellate Secretaries and the Personnel Manager position. Clearly, in order to fill and use the positions, operating expenses must be provided.

In Change Level 03 we are requesting $500,000 in Professional Fees & Services for each year. It is absolutely essential that this money be provided. Again, this money was appropriated though not funded during the last Legislative Session. We were not given enough money to pay professional fees and services during the last Legislative Session. We ran out of funding in this line item in early March, 2000. We are required to pay attorneys' fees and expert witness fees associated with indigent defense. This obligation to pay at the trial level extends to post-convictions proceedings involving the death penalty. (The Arkansas Supreme Court, in a case that is currently pending, may determine that our office must pay in all post-conviction proceedings. If this occurs, this line item will need to be adjusted.) Since we ran out of funding in March of 2000, we anticipate getting an incredibly large number of Orders for payment after, July 1, 2000. In light of this, we anticipate running out of money much sooner during this fiscal year. Again, we are required by statute to pay these fees. Failure to pay could result in a contempt citation or a lawsuit. In assessing the Orders for Payment which we have received over the last eighteen months to two years we feel like the amount requested is reasonable, and will adequately cover our needs, unless the Supreme Court broadens our responsibility, as discussed above.

Under Change Level 11 we are requesting that two (2) Grade 26 public defenders be upgraded to Grade 99 public defenders. Each of the full time public defenders who supervise other full time public defenders are Grade 99's. In an effort to adequately and equitably reflect the job duties of these individuals, it is necessary that they be upgraded to Grade 99 as well. Again, their duties and responsibilities are identical to those of other Grade 99's.

Under Change Level 10, reclasses are being requested for all Grade 99 Class A Chief Public Defenders to Chief Public Defenders at a salary increase of 6.2% for FY02 over Base Level. The requested increases will bring these salaries to eighty-five percent (85%) of the amount paid Prosecuting Attorneys for their respective districts. The increase for FY03 is the standard 2.6% increase over FY02 requested levels. Salary and matching costs for these positions total $12,872 for FY02 and $13,212 for FY03 above Base Levels.

In Change Level 04 we are requesting $351,014 in FY02 and FY03 to pay for Extra Help and associated matching costs for part-time secretarial support for trial public defenders' offices. While many of our public defenders are part time and maintain a private practice, the majority of them spend well over 50% of their time doing public defender work. Presently if any secretarial work is done on the public defender cases, it is done by the attorney or by his private practice secretary. This is neither an effective, nor efficient, use of attorney time. Furthermore, a law office with a caseload of any size cannot operate without support staff. Incredibly, some of our full-time public defenders have no secretarial help at all. For these reasons we are requesting an extra help appropriation.

In Change Level 05 we are requesting five (5) public defender investigator positions. As previously indicated, several counties are currently funding investigator positions. While the state assuming the responsibility for five of these positions would not completely relieve the counties of their obligations, it will help alleviate some of the fiscal responsibility of the counties. There are presently approximately nine (9) investigator positions funded by the counties. We are requesting that the State assume responsibility for funding five (5) of these positions. These investigators are located in the most populous districts in Arkansas and in districts which have the highest caseloads. Investigators are essential to the effective and efficient administration of the local trial public defender offices. Without the Investigators, there would be no one to serve subpoenas, track down witnesses, and take statements from various witnesses.

CLIP - Career Ladder Incentive Program

The Commission wishes to fully participate in the Career Ladder Incentive program, so that incentives and rewards for dedication and exemplary work ethic may be provided. We discovered, however, during the preparation of the Career Ladder Incentive plan, recently approved by the Personnel Subcommittee, that most of the Commission employees were not included in the original CLIP plan. Working with the Office of Personnel Management, we have determined needed amendments to the plan, which are evidenced in the OPM budget documents. Full implementation of the CLIP plan will require that most employees' designation change from "CLIP II" (not on a career ladder), to "CLIP I", making them eligible for career ladder growth. Additionally, the requested changes establish a "career ladder" for trial public defenders and makes needed amendments to existing "career ladders" for Attorney positions in the Capital Conflicts Office. The Commission anticipates the utilization of salary savings, resource reallocation, and a portion of User/Attorney receipts to meet costs associated with CLIP over the 2001-03 biennium.

Information Technology Requests

We are requesting that the Commission be provided with a Grade 19 Systems Coordinator Analyst I position. At the present time, we have only one (1) position authorized whose duties involve the maintenance, operation, and servicing of the our computer system. Again, because of the

size of the agency, one person is simply not sufficient to handle the needs of the office. Additionally, we are need of a software specialist position. This is another of the unfunded contingent positions authorized during the last Legislative Session. With the advent of the Governor's mandate, with regards to the unification of the information, our office requests the following budget. With this funding, we will be able to update, purchase and maintain our existing equipment and advance with the rest of the State in its development of statewide database accessibility. All of our computer equipment has passed its warranty period. Therefore, we will need to purchase the parts that are necessary to maintain our equipment when it is necessary. Our advancements in data collection for our office require software development and maintenance. The added software licenses are for the new users we anticipate having. Inclusive of salary and matching costs for the position requested, personal services and maintenance and operation costs for information technology total $326,434 for FY02 and $142,571 for FY03.

ARKANSAS PUBLIC DEFENDER COMMISSION
SUMMARY OF AUDIT FINDINGS AND RECOMMENDATIONS
FOR THE YEAR ENDED JUNE 30, 1998

Assets				Liabilities			
Cash and Investments	Fixed	Other	Total	Current	Long-Term	Total	Total Equity
$ 280,804	$ 152,718	$ 181,248	$ 614,770	$ 0	$ 179,802	$ 179,802	$ 434,968

Revenues					Expenditures					
Intergovern-mental	Federal	Licenses and Fees	Other	Total	Salaries and Matching	Grants and Aid	Capital	Other Operating	Total	Other Sources (Uses)
$ 1,192,000	$ 0	$ 3,340,779	$ 4,967	$ 4,537,746	$ 4,403,147	$ 0	$ 86,182	$ 315,190	$ 4,804,519	$ 0

Findings	Recommendations
None	None

Audited by Division of Legislative Audit
SA0932498

ARKANSAS BUDGET SYSTEM
EMPLOYMENT SUMMARY
AS REQUIRED BY ACT 358 OF 1993
(A.C.A 19-4-307)

AGENCY TITLE 324 - PUBLIC DEFENDER COMMISSION

	MALE	FEMALE	TOTAL	PERCENTAGE OF TOTAL
WHITE EMPLOYEES	84	79	163	94%
BLACK EMPLOYEES	3	5	8	5%
EMPLOYEES OF OTHER RACIAL MINORITIES	1	1	2	1%
TOTAL EMPLOYED AS OF 08/05/00 (DATE)			10 (TOTAL MINORITIES)	6%
			173 (TOTAL EMPLOYEES)	100%

AGENCY DIRECTOR

STATE AGENCY PUBLICATIONS

Fiscal Year 2001

Act 1276 of 1999

AGENCY: ARKANSAS PUBLIC DEFENDER COMMISSION **AGENCY #** 324

NAME OF PUBLICATION	STATUTORY AUTHORIZATION ACT # OR A.C.A.	REQUIRED FOR GOVERNOR AND/OR GENERAL ASSEMBLY ONLY	NUMBER OF COPIES PUBLISHED & DISTRIBUTED	REASON(S) FOR CONTINUED PUBLICATION AND DISTRIBUTION
NOT APPLICABLE	N/A	N/A	N/A	N/A

ARKANSAS BUDGET SYSTEM
DEPARTMENT APPROPRIATION SUMMARY

AGENCY TITLE **Arkansas Public Defender Commission (324)**	1999-01 Expenditures				2001-03 Biennium Request				2001-03 Executive Recommendation			
Appropriations Code Name	Actual 1999-00	No. of Pos.	Budgeted 2000-01	No. of Pos.	Year 1 2001-02	No. of Pos.	Year 2 2002-03	No. of Pos.	Year 1 2001-02	No. of Pos.	Year 2 2002-03	No. of Pos.
1VA Ombudsman Program	$ 277,957	11	$ 553,193	11	$ 771,845	15	$ 766,769	15	$ 583,313	11	$ 575,101	11
337 State Operations	1,012,435	15	1,115,159	15	1,153,680	15	1,172,506	15	1,147,020	15	1,165,672	15
530 Trial Public Defender Office	9,606,477	152	10,045,856	151	13,320,160	206	13,399,265	206	10,146,431	147	10,286,519	147
APPROPRIATIONS NOT REQUESTED:												
B45 Jefferson County Operations - Cash	4,407	0	0	0	0	0	0	0	0	0	0	0
911 Attorney Liaison Project - Federal	28,455	1	45,000	1	0	0	0	0	0	0	0	0
TOTALS	$ 10,929,731	179	$ 11,759,208	178	$ 15,245,685	236	$ 15,338,540	236	$ 11,876,764	173	$ 12,027,292	173
Funding Sources		% of Total		% of Total		% of Total		% of Total		% of Total		% of Total
Fund Balances			$ 181,914	1.5%	$ 217,337	1.4%			$ 217,337	1.9%		
General Revenues												
Special Revenues												
Federal Funds	28,455	0.3%	45,000	0.4%								
Const. & Fiscal Agency Fund												
State Central Services Fund	4,076,757	36.7%	4,679,604	39.1%	7,946,701	52.2%	8,256,590	53.8%	4,438,164	37.9%	4,912,726	41.0%
State Administration of Justice Fund Transfers	6,754,805	60.8%	6,908,027	57.7%	6,908,027	45.3%	6,908,027	45.1%	6,908,027	58.9%	6,908,027	57.6%
Cash Funds	4,407	0.1%										
User/Attorney Fees	247,221	2.1%	162,000	1.3%	162,000	1.1%	162,000	1.1%	162,000	1.3%	162,000	1.4%
Total Funding	11,111,645	100.0%	11,976,545	100.0%	15,234,065	100.0%	15,326,617	100.0%	11,725,528	100.0%	11,982,753	100.0%
Excess Appro./ (Funding)	(181,914)		(217,337)		11,620		11,923		151,236		44,539	
TOTAL	$ 10,929,731		$ 11,759,208		$ 15,245,685		$ 15,338,540		$ 11,876,764		$ 12,027,292	

DEPARTMENT	DIRECTOR	DEPARTMENT APPROPRIATION SUMMARY
Arkansas Public Defender Commission (324)	Didi H. Sallings	BR 40

ARKANSAS BUDGET SYSTEM
ANALYSIS OF BUDGET REQUEST
2001-2003

The Ombudsman Division of the Arkansas Public Defender Commission was created during the 82nd General Session for the purpose of insuring that children placed within the custody of the DHS – Division of Youth Services are receiving necessary services designed to keep them safe both mentally and physically. The Ombudsman Division of the Arkansas Public Defender Commission is funded directly from 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 are then allocated for deposit into the State Central Services Fund for the benefit of the Ombudsman Division of the Public Defender Commission as provided for by Act 1396 of 1999.

Change Level requests include personal services costs for four (4) Grade 20 Social Workers totaling $132,532 for FY02 and $135,668 for FY03. According to the Commission, these additional positions are requested to meet demands associated with the increased number of juvenile commitments and are essential in fulfilling the mission of the Ombudsman Division. Operating Expenses and Conference Fees and Travel costs to support these positions total $56,000 each year of the 2001-03 biennium. Capital Outlay requests total $19,200 for FY02 only. According to the Commission, the amount requested for Capital Outlay for FY02 is needed in order to purchase furniture and related equipment for the additional positions and computer hardware for record keeping and case management purposes.

The Executive Recommendation provides for Base Level, which includes appropriation for a 2.6% pay plan increase for all incumbents on July 1 of each year of the biennium along with accompanying employee matching requirements. In addition, the Change Level request for Capital Outlay in the amount of $19,200 for FY02 is recommended in appropriation only.

The Executive will work with the General Assembly to address the needs of the Ombudsman Program through legislation.

01	02	03	04	05	06	07	08	09	10	11	12	13	14
CHARACTER TITLE	------EXPENDITURES------- 99-00 ACTUAL	00-01 BUDGETED	00-01 AUTHORIZED APPRO	----------01-02 FISCAL YEAR---------- BASE	CHANGE LEVEL	TOTAL REQUEST	----------02-03 FISCAL YEAR---------- BASE	CHANGE LEVEL	TOTAL REQUEST	----------RECOMMENDATIONS---------- EXECUTIVE 01-02	EXECUTIVE 02-03	LEGISLATIVE 01-02	LEGISLATIVE 02-03
REGULAR SALARIES	137,415	350,258	245,225	359,345	102,516	461,861	368,690	105,180	473,870	359,345	368,690		
NUMBER OF POSITIONS	11	11	11	11	4	15	11	4	15	11	11		
PERSONAL SERV MATCHING	56,862	94,420	77,439	96,253	30,016	126,269	97,896	30,488	128,384	96,253	97,896		
OPERATING EXPENSES	29,905	82,845	82,845	82,845	48,800	131,645	82,845	48,800	131,645	82,845	82,845		
CONF FEES & TRAVEL	2,005	5,670	5,670	5,670	7,200	12,870	5,670	7,200	12,870	5,670	5,670		
PROF FEES & SERVICES	0	20,000	20,000	20,000	0	20,000	20,000	0	20,000	20,000	20,000		
CAPITAL OUTLAY	51,770	0	0	0	19,200	19,200	0	0	0	19,200	0		
DATA PROCESSING	0	0	0	0	0	0	0	0	0	0	0		
TOTAL	277,957	553,193	431,179	564,113	207,732	771,845	575,101	191,668	766,769	583,313	575,101		
PROPOSED FUNDING SOURCES			**********										
FUND BALANCES			**********										
GENERAL REVENUES			**********										
SPECIAL REVENUES			**********										
FEDERAL FUNDS			**********										
STATE CENTRAL SERVICES FUND		122,014	**********	132,934	207,732	340,666	143,922	191,668	335,590	132,934	143,922		
NON-REVENUE RECEIPTS			**********										
CASH FUNDS			**********										
STATE ADMIN OF JUST. FUND TRANSFERS	277,957	431,179	**********	431,179		431,179	431,179		431,179	431,179	431,179		
TOTAL FUNDING	277,957	553,193	**********	564,113	207,732	771,845	575,101	191,668	766,769	564,113	575,101		
EXCESS APPRO/ (FUNDING)			**********							19,200			
TOTAL	277,957	553,193	**********	564,113	207,732	771,845	575,101	191,668	766,769	583,313	575,101		

DEPT 009 OTHER BOARDS AND COMMISSIONS
AGY 324 ARKANSAS PUBLIC DEFENDER COMMISSION
APPRO 1VA OMBUDSMAN PROGRAM

FUND HSC STATE CENTRAL SERV-(000)

The FY01 Budgeted amounts for Regular Salaries and Personal Services Matching may exceed Authorized Levels due to implementation of the pay plan and OPM/Legislative Council approval of special entry compensation rates for applicable personnel.

APPROPRIATION SUMMARY

BR 215

ARKANSAS BUDGET SYSTEM

PROGRAM/SERVICE INFORMATION LIST

RANK BY APPROPRIATION

01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19
							2001 - 03 BIENNIUM REQUESTS								RECOMMENDATIONS			
				D	EXPENDITURES		FY 2001 - 02					FY 2002 - 03			EXECUTIVE		LEGISLATIVE	
RANK	PROGRAM DESCRIPTION	FUND	ACCOUNTING INFORMATION	E S	ACTUAL 99-00	BUDGETED 00-01	REQUEST					REQUEST			2001-02	2002-03	2001-02	2002-03
000		HSC	324 1VA	B	277,957 11	553,193 11	564,113 11					575,101 11			564,113 11	575,101 11		
001		HSC	324 1VA 100 OPERATIONS	C01			198,132 4					191,668 4			9,600			
	The Public Defender Commission is requesting four (4) additional Grade 20 Social Worker positions for the Ombudsman Office. During the last Legislative Session we were given eight (8) Social Workers; however, with the increased number of juvenile commitments, as well as the new facilities being opened by DYS, an additional four (4) Social Worker positions are essential to carry out the mission of the Ombudsman Office. The Ombudsman mission is to insure that the children in DYS custody are receiving necessary services and are safe physically and mentally. The costs for salary and matching are $132,532 for FY02 and $135,668 for FY03. Associated operating expenses and conference fees and travel costs for these positions total $56,000 each year. Capital Outlay requests for these positions total $9,600 for FY02 only.																	
002		HSC	324 1VA A90 INFORMATION TECHNOLOGY	C08			9,600 0					0 0			9,600			
	We are requesting Capital Outlay in the amount of $9,600 for FY02 only for four (4) additional Ombudsman Social Worker positions. Appropriation and funding is requested in order to purchase each social worker a computer. This is necessary due to the fact that the majority of record keeping and case management duties are accomplished through the use of computer programs.																	

DEPT 009 OTHER BOARDS AND COMMISSIONS

AGY 324 ARKANSAS PUBLIC DEFENDER COMMISSION

APPRO 1VA OMBUDSMAN PROGRAM

FUND HSC STATE CENTRAL SERV-(000)

RANK BY APPROPRIATION

BR 264

ARKANSAS BUDGET SYSTEM
ANALYSIS OF BUDGET REQUEST
2001-2003

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 the State of Arkansas. The State Operations appropriation is funded from the State Central Services Fund. The primary Change Level is to increase the Executive Director's salary to $85,131 for FY02, which represents a 9.9% increase over FY01 levels. The standard 2.6% increase is requested for FY03 over the FY02 request level, bringing the Executive Director's salary level to $87,345 for FY03. For all other positions, Base Level includes a pay plan increase of 2.6% each year over the 2001 fiscal year salary levels for all incumbents plus appropriate Personal Services Matching costs. Base Level positions which were authorized by the 82nd General Assembly for the Career Ladder Incentive Program (CLIP) are reflected at the maximum authorized classification with additional appropriation only and in accordance with CLIP guidelines. A total of six (6) positions are requested for eligibility pursuant to CLIP guidelines for the 2001-03 biennium.

Restoration of the FY01 authorized level of $2,000 for FY02 only is requested in Capital Outlay for the purchase of additional bookcases and file cabinets to accommodate the Commission's file and record storage needs.

The Executive Recommendation provides for the Agency Request with the exception of an extraordinary salary increase for the Executive Director position. It is further recommended that two (2) Grade 24 Attorney positions be approved for eligibility pursuant to CLIP guidelines at the level of a Grade 25 Attorney Specialist.

01	02	03	04	05	06	07	08	09	10	11	12	13	14
CHARACTER TITLE	-----EXPENDITURES------- 99-00 ACTUAL	00-01 BUDGETED	00-01 AUTHORIZED APPRO	----------01-02 FISCAL YEAR---------- BASE	CHANGE LEVEL	TOTAL REQUEST	----------02-03 FISCAL YEAR---------- BASE	CHANGE LEVEL	TOTAL REQUEST	----------RECOMMENDATIONS---------- EXECUTIVE 01-02	EXECUTIVE 02-03	LEGISLATIVE 01-02	LEGISLATIVE 02-03
REGULAR SALARIES	604,710	648,264	589,362	675,002	5,658	680,660	692,552	5,806	698,358	675,002	692,552		
NUMBER OF POSITIONS	15	15	15	15	0	15	15	0	15	15	15		
EXTRA HELP	11,930	12,000	12,000	12,000	0	12,000	12,000	0	12,000	12,000	12,000		
NUMBER OF POSITIONS	3	3	3	3	0	3	3	0	3	3	3		
PERSONAL SERVICES MATCHIN	153,671	159,802	153,524	164,925	1,002	165,927	168,027	1,028	169,055	164,925	168,027		
OPERATING EXPENSES	164,478	180,093	180,093	180,093	0	180,093	180,093	0	180,093	180,093	180,093		
CONF FEES AND TRAVEL	14,594	17,000	17,000	17,000	0	17,000	17,000	0	17,000	17,000	17,000		
PROFESSIONAL FEES AND SER	57,013	96,000	96,000	96,000	0	96,000	96,000	0	96,000	96,000	96,000		
CAPITAL OUTLAY	6,039	2,000	2,000	0	2,000	2,000	0	0	0	2,000	0		
DATA PROCESSING	0	0	0	0	0	0	0	0	0	0	0		
TOTAL	1,012,435	1,115,159	1,049,979	1,145,020	8,660	1,153,680	1,165,672	6,834	1,172,506	1,147,020	1,165,672		
PROPOSED FUNDING SOURCES			**********										
FUND BALANCES			**********										
GENERAL REVENUES			**********										
SPECIAL REVENUES			**********										
FEDERAL FUNDS			**********										
STATE CENTRAL SERVICES FUND	1,012,435	1,115,159	**********	1,133,400	8,660	1,142,060	1,153,749	6,834	1,160,583	1,135,400	1,153,749		
NON-REVENUE RECEIPTS			**********										
CASH FUNDS			**********										
OTHER			**********										
TOTAL FUNDING	1,012,435	1,115,159	**********	1,133,400	8,660	1,142,060	1,153,749	6,834	1,160,583	1,135,400	1,153,749		
EXCESS APPRO/ (FUNDING)			**********	11,620		11,620	11,923		11,923	11,620	11,923		
TOTAL	1,012,435	1,115,159	**********	1,145,020	8,660	1,153,680	1,165,672	6,834	1,172,506	1,147,020	1,165,672		

DEPT 009 OTHER BOARDS AND COMMISSIONS
AGY 324 ARKANSAS PUBLIC DEFENDER COMMISSION
APPRO 337 STATE OPERATIONS

FUND HSC STATE CENTRAL SERV-(000)

The FY01 Budgeted amounts for Regular Salaries and Personal Services Matching may exceed Authorized Levels due to implementation of the pay plan and OPM/Legislative Council approval of special entry compensation rates for applicable personnel.

APPROPRIATION SUMMARY

BR 215

ARKANSAS BUDGET SYSTEM

PROGRAM/SERVICE INFORMATION LIST

RANK BY APPROPRIATION

01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19
					------EXPENDITURES-------		----------2001 - 03 BIENNIUM REQUESTS----------								----------RECOMMENDATIONS----------			
				D			----------FY 2001 - 02----------			----------FY 2002 - 03----------							
RANK	PROGRAM DESCRIPTION	FUND	ACCOUNTING INFORMATION	E S	---ACTUAL--- 99-00	--BUDGETED-- 00-01	---------REQUEST------			---------REQUEST------					--------EXECUTIVE-------- 2001-02	2002-03	-------LEGISLATIVE------- 2001-02	2002-03
000		HSC	324 337	B	1,012,435 15	1,115,159 15	1,145,020 15			1,165,672 15					1,145,020 15	1,165,672 15		
001		HSC	324 337 100 OPERATIONS	C09			0 0			0 0								

We are requesting that six (6) positions be considered for eligibility pursuant to the Career Ladder Incentive Plan. We have submitted our plan to the Office of Personnel Management. These changes represent not only implementation of the CLIP plan, but amendments to the previous plan, as directed by the Office of Personnel Management. This change broadens the career ladder for attorneys in the Capital Conflicts Office.

001		HSC	324 337 100 OPERATIONS	C10			6,660 0			6,834 0								

We are requesting an increase of 9.9% in the Regular Salary line item for the Executive Director position for FY02 only. This increase will bring compensation levels more closely in line with those of Prosecuting Attorneys in the largest judicial districts as well as Public Defender State Executive salaries in other states with similar systems. It is necessary to reflect the increased responsibilities the position entails. Salary and Matching Change Levels total $6,660 for FY02 and $6,834 for FY03 above Base Levels. The incremental increase for FY03 over FY02 represents the standard 2.6% increase level for this position.

DEPT 009 OTHER BOARDS AND COMMISSIONS

AGY 324 ARKANSAS PUBLIC DEFENDER COMMISSION

APPRO 337 STATE OPERATIONS

FUND HSC STATE CENTRAL SERV-(000)

RANK BY APPROPRIATION

BR 264

ARKANSAS BUDGET SYSTEM

PROGRAM/SERVICE INFORMATION LIST

RANK BY APPROPRIATION

01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19
							2001 - 03 BIENNIUM REQUESTS								RECOMMENDATIONS			
				D	EXPENDITURES		FY 2001 - 02					FY 2002 - 03			EXECUTIVE		LEGISLATIVE	
RANK	PROGRAM DESCRIPTION	FUND	ACCOUNTING INFORMATION	E S	ACTUAL 99-00	BUDGETED 00-01	REQUEST			REQUEST					2001-02	2002-03	2001-02	2002-03
002		HSC	324 337 100	C01			2,000			0					2,000			
			OPERATIONS				0			0								

The Public Defender Commission is requesting $2,000 for Capital Outlay for FY02 only to cover costs of purchasing additional file cabinets, bookcases, and miscellaneous office furniture. This request restores the FY01 authorized level for CAPITAL OUTLAY.

ARKANSAS BUDGET SYSTEM
ANALYSIS OF BUDGET REQUEST
2001-2003

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 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 are then allocated for deposit into the State Central Services Fund for the benefit of the Public Defender Commission per Arkansas Code §16-10-310. It is the position of the Arkansas Public Defender Commission that a portion of the FY00 fund balance of approximately $20 million in the State Administration of Justice Fund could be directed to meet costs for much of the biennial budget requests detailed below. Base Level includes a pay plan increase of 2.6% each year over the 2001 fiscal year salary levels, and related Personal Services Matching costs.

A total of fifty-nine (59) additional positions are requested each year of the 2001-03 biennium. Regular Salary and associated matching costs for these positions total $1,928,164 for FY02 and $1,973,730 for FY03. Of the total Change Level positions requested, fifty-four (54) are currently authorized but unfunded. These are: twenty (20) Grade 24 Class B Trial Public Defenders; three (3) Grade 25 Appellate Attorneys; twenty-six (26) Grade 14 Secretary I positions; three (3) Secretary II positions; one (1) Grade 22 Personnel Manager and one (1) Grade 19 Systems Coordination Analyst I. Salary and matching costs for the currently authorized but unfunded positions total $1,760,969 for FY02 and $1,802,615 for FY03.

For each year of the 1999-01 biennium, special language authorized in Act 1379 of 1999 restricted funding support for certain levels of personal services, maintenance & operation, and extra help costs to the extent that fees generated through the provisions of Arkansas Code § 5-4-303(g) and 16-87-213 (User & Attorney Fees) are available. User/Attorney Fees collected for FY01 are budgeted for Extra Help and personal services costs for two (2) secretarial positions. According to the Commission, the majority of costs applicable to funding restrictions are not budgeted due to the sporadic nature of collections and the need to exercise due caution in the expenditure of fee revenue.

Appellate Attorneys are requested in order to help alleviate caseload burdens for trial public defenders, handle appellate and

appeals work, and act as a research resource on various legal issues. Also, recent court decisions mean that trial public defenders can no longer receive compensation for appellate work. The Trial Public Defender positions are requested to address the critical shortage of public defenders as evidenced by unmanageable caseloads and the fact that some courts have no alternative but to appoint expensive private counsel for their indigent defendants. Secretarial positions are requested to assist the trial public defender offices in such areas as implementation of accurate accounting procedures, data collection and compilation, and case management. The Personnel Manager position is requested to respond to personnel and staffing needs made evident by the Commission's growth. In the area of information technology, the Change Level personal services request consists of a Systems Analyst position needed to assist with the maintenance, operating, and servicing needs of the computer network system.

Five (5) new Grade 20 Investigator positions comprise the balance of personnel requests. Personal services costs for these positions total $165,665 for FY02 and $169,585 for FY03. Many of the public defenders are currently forced to conduct all of their own investigations and subpoena work. The addition of these positions would permit public defenders to make more efficient use of their time and the courts could avoid the costly process of case-by-case appointment of investigators.

In support of the additional positions and to meet renovation and increased office space rental costs, Operating Expenses totaling $81,300 are requested each year. In addition, Conference Fees & Travel requests total $8,600 each year and associated Capital Outlay requests total $44,616 for FY02 and $32,616 for FY03.

Of the total of thirty-four (34) Extra Help positions, three (3) are requested for information technology purposes and thirty-one (31) are requested for the various trial public defender offices located throughout the State in order to provide part-time secretarial and investigative help. Assistance will also be provided in the area of managing public defender caseloads and in support of current information technology needs. Salary and associated matching costs for these positions total $372,544 each year.

For Professional Fees & Services, $500,000 each year is requested to meet statutory obligations of paying fees of all private attorneys appointed by the courts to represent indigent defendants. This will also include all fees related to post-conviction representation and expenses associated with the hiring of expert witnesses, temporary investigators, and testing and travel expenses. It should be noted that the Commission has experienced funding shortfalls in this area the last few years. Many

old year bills were paid by court order in the following year, thus reducing available appropriation and funding for current year obligations. This request would restore the FY01 authorized level for the Professional Fees & Services line item.

The Information Technology request for the Trial Public Defender Office include $155,285 for FY02 and $79,285 for FY03 in Operating Expenses, $22,500 for FY02 and $5,700 for FY03 in Conference Fees & Travel, and $20,000 for FY02 and $4,000 for FY03 in Professional Fees & Services. The balance of this request ($75,800 for FY02 only) is Capital Outlay to meet expenses associated with the purchase of computer hardware and software necessary for the establishment and upkeep of a public defender wide area network to facilitate data collection and resource sharing statewide between trial public defender offices.

For the Trial Public Defender appropriation, salary and matching costs totaling $55,220 for FY02 and $56,637 for FY03 are requested for eligible positions pursuant to the Career Ladder Incentive Program (CLIP) guidelines. In addition, two (2) Grade 26 Class A Public Defenders are requested to be upgraded to Grade 99 Chief Public Defenders at a cost of $18,774 for FY02 and $19,268 for FY03. This action represents a 13.9% increase for FY02 over FY01 budgeted levels. All four (4) Grade 99 Class A Chief Public Defenders are requested to be reclassified to Chief Public Defenders at a cost of $12,872 for FY02 and $13,212 for FY03. This action represents a 6.2% increase for FY02 over FY01 budgeted levels. The standard 2.6% increase over the FY02 requested level is requested for FY03.

It is the intention of the Commission to utilize User/Attorney Fee revenue to support as many Change Level needs of the Trial Public Defender program as possible during each year of the 2001-03 biennium. Fee revenues collected to date during the 1999-01 biennium have been utilized to fund two (2) secretarial positions, extra help costs, and matching costs for positions contracted to provide ad litem representation services. The use of fee revenue in association with salary savings and reallocation of available resources is proposed to meet costs associated with implementation of CLIP for each year of the 2001-03 biennium.

The Executive Recommendation provides for Base Level, which includes appropriation for a 2.6% pay plan increase for all incumbents on July 1 of each year along with accompanying employee matching requirements. The Executive further provides appropriation only increases each year for the Capital Outlay Change Level request. The Executive will work with the General Assembly to address the needs of the Arkansas Public Defender System through legislation.

01	02	03	04	05	06	07	08	09	10	11	12	13	14
CHARACTER TITLE	-----EXPENDITURES------- 99-00 ACTUAL	00-01 BUDGETED	00-01 AUTHORIZED APPRO	----------01-02 FISCAL YEAR---------- BASE	CHANGE LEVEL	TOTAL REQUEST	----------02-03 FISCAL YEAR---------- BASE	CHANGE LEVEL	TOTAL REQUEST	----------RECOMMENDATIONS---------- EXECUTIVE 01-02	02-03	LEGISLATIVE 01-02	02-03
REGULAR SALARIES	7,116,529	7,457,114	8,419,598	7,445,544	1,561,966	9,007,510	7,639,125	1,602,574	9,241,699	7,445,544	7,639,125		
NUMBER OF POSITIONS	152	151	201	147	59	206	147	59	206	147	147		
EXTRA HELP	2,200	15,000	341,068	15,000	346,068	361,068	15,000	346,068	361,068	15,000	15,000		
NUMBER OF POSITIONS	3	3	0	3	34	37	3	34	37	3	3		
PERSONAL SERV MATCHING	1,681,793	1,763,742	2,168,895	1,755,471	478,010	2,233,481	1,789,778	485,219	2,274,997	1,755,471	1,789,778		
OPERATING EXPENSES	51,975	60,000	154,000	60,000	236,585	296,585	60,000	160,585	220,585	60,000	60,000		
CONF FEES & TRAVEL	0	0	0	0	31,100	31,100	0	14,300	14,300	0	0		
PROF FEES & SERVICES	749,980	750,000	1,250,000	750,000	520,000	1,270,000	750,000	504,000	1,254,000	750,000	750,000		
CAPITAL OUTLAY	4,000	0	0	0	120,416	120,416	0	32,616	32,616	120,416	32,616		
DATA PROCESSING	0	0	0	0	0	0	0	0	0	0	0		
TOTAL	9,606,477	10,045,856	12,333,561	10,026,015	3,294,145	13,320,160	10,253,903	3,145,362	13,399,265	10,146,431	10,286,519		
PROPOSED FUNDING SOURCES			**********										
FUND BALANCES		181,914	**********	217,337		217,337				217,337			
GENERAL REVENUES			**********										
SPECIAL REVENUES			**********										
FEDERAL FUNDS			**********										
STATE CENTRAL SERVICES FUND	3,064,322	3,442,431	**********	3,169,830	3,294,145	6,463,975	3,615,055	3,145,362	6,760,417	3,169,830	3,615,055		
STATE ADMIN OF JUST. FUND TRANSFERS	6,476,848	6,476,848	**********	6,476,848		6,476,848	6,476,848		6,476,848	6,476,848	6,476,848		
CASH FUNDS			**********										
USER/ATTORNEY FEES	247,221	162,000	**********	162,000		162,000	162,000		162,000	162,000	162,000		
TOTAL FUNDING	9,788,391	10,263,193	**********	10,026,015	3,294,145	13,320,160	10,253,903	3,145,362	13,399,265	10,026,015	10,253,903		
EXCESS APPRO/ (FUNDING)	(181,914)	(217,337)	**********							120,416	32,616		
TOTAL	9,606,477	10,045,856	**********	10,026,015	3,294,145	13,320,160	10,253,903	3,145,362	13,399,265	10,146,431	10,286,519		

DEPT 009 OTHER BOARDS AND COMMISSIONS
AGY 324 ARKANSAS PUBLIC DEFENDER COMMISSION
APPRO 530 TRIAL PUBLIC DEFENDER OFFICE

FUND HSC STATE CENTRAL SERV-(000)

Of the total positions budgeted for FY01, four (4) positions are not reflected in Base Level for each year since funding for these positions is the result of a contractual arrangement for the provision of ad litem representation services with the Administrative Office of the Courts. The current contract is scheduled to end effective June 30, 2001.

APPROPRIATION SUMMARY

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ARKANSAS BUDGET SYSTEM

PROGRAM/SERVICE INFORMATION LIST

RANK BY APPROPRIATION

01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19
							2001 - 03 BIENNIUM REQUESTS								RECOMMENDATIONS			
					EXPENDITURES		FY 2001 - 02			FY 2002 - 03					EXECUTIVE		LEGISLATIVE	
RANK	PROGRAM DESCRIPTION	FUND	ACCOUNTING INFORMATION	D E S	ACTUAL 99-00	BUDGETED 00-01	REQUEST			REQUEST					2001-02	2002-03	2001-02	2002-03
000		HSC	324 530	B	9,606,477 154	9,871,190 147	10,026,015 147			10,253,903 147					10,026,015 147	10,253,903 147		
001		HSC	324 530 200 TRIAL PUBLIC DEFENDER SYSTEM	C01		174,666 4	1,729,650 53			1,770,559 53								

The Arkansas Public Defender Commission is requesting reauthorization of currently authorized but unfunded positions. These positions are: three (3) Grade 25 Appellate Attorneys, three (3) Grade 15 Secretary II's, twenty-six (26) Grade 14 Secretary I's, twenty (20) Grade 24 Class B Public Defenders and a Grade 22 Public Defender Personnel Manager. These positions were authorized during the 82nd Session of the General Assembly; however, funding was made contingent upon the accumulation of "User" and "Attorneys Fees ". Revenues collected from User and Attorney fees during each year of the 1999-01 biennium have not been sufficient to provide the Commission with the funding needed to fill these positions. Each of these positions is critical to the effective and constitutional administration of the criminal justice system in the State of Arkansas. Associated Salary and Matching costs for these positions total $1,729,650 for FY02 and $1,770,559 for FY03.

001		HSC	324 530 200 TRIAL PUBLIC DEFENDER SYSTEM	C02			134,516 0			122,516 0					44,616	32,616		

The Commission requests Operating Expenses of $81,300 each year and Conference Fees & Travel of $8,600 each year. In addition, a total of $44,616 for FY02 and $32,616 for FY03 is requested for Capital Outlay, bringing the total Change Level requests to $134,516 for FY02 and $122,516 for FY03. These amounts reflect the associated maintenance and operating costs needed for three (3) Appellate Attorneys, two (2) Appellate Secretaries (Secretary II), and the Personnel Manager position. Inclusive within this request is additional appropriation and funding needed to meet costs associated with renovation and increased office space rental expenses.

ARKANSAS BUDGET SYSTEM

PROGRAM/SERVICE INFORMATION LIST

RANK BY APPROPRIATION

01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19
							2001 - 03 BIENNIUM REQUESTS								RECOMMENDATIONS			
				D	EXPENDITURES		FY 2001 - 02			FY 2002 - 03					EXECUTIVE		LEGISLATIVE	
RANK	PROGRAM DESCRIPTION	FUND	ACCOUNTING INFORMATION	E S	ACTUAL 99-00	BUDGETED 00-01	REQUEST			REQUEST					2001-02	2002-03	2001-02	2002-03
001		HSC	324 530 200 TRIAL PUBLIC DEFENDER SYSTEM	C03			500,000	0		500,000	0							

We are requesting $500,000 in Professional Fees and Services each year of the 2001-03 biennium in order to pay the court ordered fees for private attorneys appointed to represent indigent defendants as well as the various fees and expenses associated with expert witnesses. Additionally, the appropriation and funding requested will be used to cover any and all expenses related to post conviction proceedings in death penalty cases. We are required, by Act 1341 and 925 of 1997 and Arkansas Rules of the Supreme Court, Rule 37.5, to pay all of these costs. We had a shortfall in this line item in the previous fiscal year, and anticipate a larger shortfall in FY02 if additional sums are not provided. The request would also restore the FY01 authorized level for each year of the 2001-03 biennium for this line item.

001		HSC	324 530 200 TRIAL PUBLIC DEFENDER SYSTEM	C10			12,872	0		13,212	0							

The Commission requests all Grade 99 Class A Chief Public Defenders be reclassified to Chief Public Defenders and receive a salary increase of 6.2% for FY02 only over Base Level. The requested increases for these Grade 99 positions would bring the salaries to 85% of the amount paid Prosecuting Attorneys for their respective districts. The increase for FY03 is the standard 2.6% increase over FY02 requested levels. Salary and matching costs for these positions total $12,872 for FY02 and $13,212 for FY03 above Base Levels.

001		HSC	324 530 200 TRIAL PUBLIC DEFENDER SYSTEM	C11			18,774	0		19,268	0							

We are requesting that two (2) Grade 26 (positions #32400020 & #32400022) Public Defenders be upgraded to Grade 99's. This is necessary to more accurately and equitably reflect current job duties. The full time Public Defenders who supervise other full time Public Defenders are Grade 99's, with the exception of these two (2) positions. We are requesting that these positions be moved to the same level as the other four (4) Chief Public Defenders. The increased salary and matching costs for these upgrades total $18,774 for FY02 and $19,268 for FY03.

DEPT 009 OTHER BOARDS AND COMMISSIONS

AGY 324 ARKANSAS PUBLIC DEFENDER COMMISSION

APPRO 530 TRIAL PUBLIC DEFENDER OFFICE

FUND HSC STATE CENTRAL SERV-(000)

RANK BY APPROPRIATION

BR 264

ARKANSAS BUDGET SYSTEM
PROGRAM/SERVICE INFORMATION LIST
RANK BY APPROPRIATION

01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19
					------EXPENDITURES-------		----------2001 - 03 BIENNIUM REQUESTS----------								----------RECOMMENDATIONS----------			
				D			----------FY 2001 - 02----------			----------FY 2002 - 03----------							
RANK	PROGRAM DESCRIPTION	FUND	ACCOUNTING INFORMATION	E S	---ACTUAL--- 99-00	--BUDGETED-- 00-01	----------REQUEST------			----------REQUEST------					--------EXECUTIVE-------- 2001-02	2002-03	-------LEGISLATIVE------- 2001-02	2002-03
002		HSC	324 530 A90 INFORMATION TECHNOLOGY	C08			326,434			142,571					75,880			
							1			1								

The Commission is requesting funding of a Grade 19 Systems Coordinator Analyst I position authorized but not funded in the 1999-01 biennium. The position is essential to the effective operation of our computer system. At the present time, we only have one position to monitor and maintain computers throughout the State of Arkansas. This has proven to be woefully inadequate. A support position is needed to provide the skill and knowledge necessary to modify and develop databases. Costs for salary and matching for this position are $31,319 for FY02 and $32,056 for FY03. Operating Expenses, Professional Fees, Travel, and Capital Outlay requests for information technology totals $273,585 for FY02 and $88,985 for FY03. Extra Help and associated matching costs of $21,530 and three (3) Extra Help positions are requested each year. These requests will serve to support current information technology needs and includes operating and maintenance expenses necessary for the additional position as well as development of a statewide information network. Funds are essential to maximize the use of AASIS as well as to meet the Governor's mandate with regard to unification of information within the criminal justice system. The funding and appropriation requested will enable the Commission to update, purchase, and maintain our existing equipment and develop a statewide communication network and database.

002		HSC	324 530 200 TRIAL PUBLIC DEFENDER SYSTEM	C09			55,220			56,637								
							0			0								

The Commission requests that one-hundred thirty-seven (137) positions be considered for eligibility pursuant to the Career Ladder Incentive Plan. We have submitted our plan to the Office of Personnel Management. These changes represent not only implementation of the CLIP plan, but amendments to the previous plan, as directed by the Office of Personnel Management. This action establishes career ladder tracks for trial public defenders.

003		HSC	324 530 200 TRIAL PUBLIC DEFENDER SYSTEM	C04			351,014			351,014								
							0			0								

We are asking for a level of $351,014 each year of the 2001-03 biennium for Extra Help and associated matching costs for thirty-one (31) positions in order to meet costs associated with the hiring of part time secretarial and investigative help for the Trial Public Defender offices. Many of our Public Defenders are "part time" due to the fact that they are able to maintain a private practice. However, a majority of the part-time public defenders spend more than fifty percent (50%) of their time doing Public Defender work and carrying caseloads totaling over three hundred (300) defendants per year. Extra Help support personnel are essential in assisting with management responsibilities of an ever increasing Public Defender caseload.

DEPT 009 OTHER BOARDS AND COMMISSIONS
AGY 324 ARKANSAS PUBLIC DEFENDER COMMISSION
APPRO 530 TRIAL PUBLIC DEFENDER OFFICE

FUND HSC STATE CENTRAL SERV-(000)

RANK BY APPROPRIATION

BR 264

ARKANSAS BUDGET SYSTEM

PROGRAM/SERVICE INFORMATION LIST

RANK BY APPROPRIATION

01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19
							2001 - 03 BIENNIUM REQUESTS								RECOMMENDATIONS			
				D	EXPENDITURES		FY 2001 - 02			FY 2002 - 03					EXECUTIVE		LEGISLATIVE	
RANK	PROGRAM DESCRIPTION	FUND	ACCOUNTING INFORMATION	E S	ACTUAL 99-00	BUDGETED 00-01	REQUEST			REQUEST					2001-02	2002-03	2001-02	2002-03
004		HSC	324 530 200 TRIAL PUBLIC DEFENDER SYSTEM	C05			165,665 5			169,585 5								

We are requesting authorization for five (5) additional Grade 20 Trial Public Defender Investigator positions. At the present time, there are nine (9) county funded Investigator positions. We are requesting that the State take over funding for five (5) of the nine (9) positions. The operating expenses associated with these positions will remain a county expense. The salary and matching costs requested to support these positions total $165,665 for FY02 and $169,585 for FY03.

01	02	03	04	05	06	07	08	09	10	11	12	13	14
CHARACTER TITLE	-----EXPENDITURES------- 99-00 ACTUAL	00-01 BUDGETED	00-01 AUTHORIZED APPRO	----------01-02 FISCAL YEAR---------- BASE	CHANGE LEVEL	TOTAL REQUEST	----------02-03 FISCAL YEAR---------- BASE	CHANGE LEVEL	TOTAL REQUEST	----------RECOMMENDATIONS---------- EXECUTIVE 01-02	02-03	LEGISLATIVE 01-02	02-03
VARIOUS OFFICE EXPENSES	4,407	0	0	0	0	0	0	0	0	0	0		
THIS APPROPRIATION IS NOT REQUESTED FOR THE NEW BIENNIUM													
TOTAL	4,407	0	0	0	0	0	0	0	0				
PROPOSED FUNDING SOURCES			**********										
FUND BALANCES			**********										
GENERAL REVENUES			**********										
SPECIAL REVENUES			**********										
FEDERAL FUNDS			**********										
STATE CENTRAL SERVICES FUND			**********										
NON-REVENUE RECEIPTS			**********										
CASH FUNDS	4,407		**********										
OTHER			**********										
TOTAL FUNDING	4,407		**********										
EXCESS APPRO/ (FUNDING)			**********										
TOTAL	4,407		**********										

DEPT 009 OTHER BOARDS AND COMMISSIONS
AGY 324 ARKANSAS PUBLIC DEFENDER COMMISSION
APPRO B45 JEFFERSON COUNTY OPERATIONS -- CASH

FUND 332 ARK PUBLIC DEFENDER-(324)

Appropriation was established through the authority of the DFA Cash Holding Account

APPROPRIATION SUMMARY

BR 215

01	02	03	04	05	06	07	08	09	10	11	12	13	14
CHARACTER TITLE	-----EXPENDITURES------- 99-00 ACTUAL	00-01 BUDGETED	00-01 AUTHORIZED APPRO	----------01-02 FISCAL YEAR---------- BASE	CHANGE LEVEL	TOTAL REQUEST	----------02-03 FISCAL YEAR---------- BASE	CHANGE LEVEL	TOTAL REQUEST	----------RECOMMENDATIONS---------- EXECUTIVE 01-02	02-03	LEGISLATIVE 01-02	02-03
REGULAR SALARIES	24,182	34,094	0	0	0	0	0	0	0	0	0		
NUMBER OF POSITIONS	1	1	0	0	0	0	0	0	0	0	0		
PERSONAL SERV MATCHING	4,273	10,906	0	0	0	0	0	0	0	0	0		
				THIS APPROPRIATION IS NOT REQUESTED FOR THE NEW BIENNIUM									
TOTAL	28,455	45,000	0	0	0	0	0	0	0				
PROPOSED FUNDING SOURCES			**********										
FUND BALANCES			**********										
GENERAL REVENUES			**********										
SPECIAL REVENUES			**********										
FEDERAL FUNDS	28,455	45,000	**********										
STATE CENTRAL SERVICES FUND			**********										
NON-REVENUE RECEIPTS			**********										
CASH FUNDS			**********										
OTHER			**********										
TOTAL FUNDING	28,455	45,000	**********										
EXCESS APPRO/ (FUNDING)			**********										
TOTAL	28,455	45,000	**********										

DEPT 009 OTHER BOARDS AND COMMISSIONS
AGY 324 ARKANSAS PUBLIC DEFENDER COMMISSION
APPRO 911 ATTORNEY LIAISON PROJECT -- FEDERAL

FUND FPD PUBLIC DEFENDER FEDERAL-(324)

Appropriation was established through the authority of the MFG Holding Account.

APPROPRIATION SUMMARY

BR 215