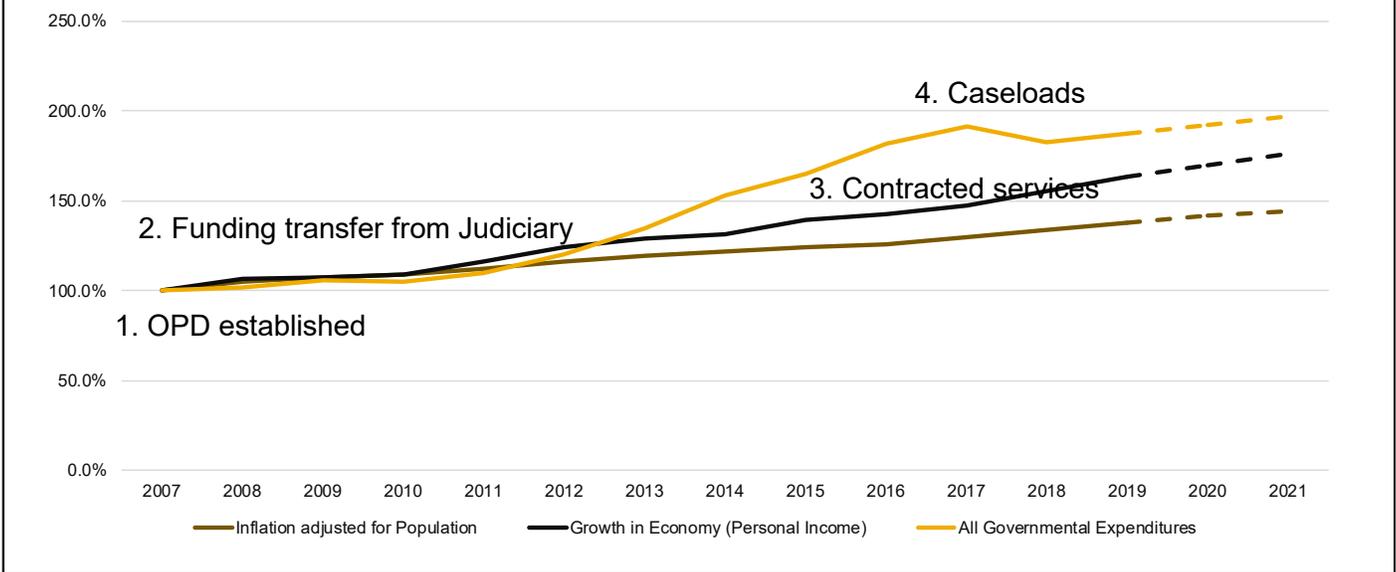


## 61080-Office of Public Defender

This chart shows the **all funds growth** in total expenditures compared to **growth in inflation** and to the **growth in the economy** since fiscal year 2007.



This report includes a series of charts that compare expenditure growth to the growth in the economy and growth in inflation adjusted for population. Montana statute, 17-8-106, MCA, recommends using growth in personal income for comparison purposes. Personal income is a measure for growth in the economy. Comparing growth allows financial planners to consider past and future demands in services or changes in revenues.

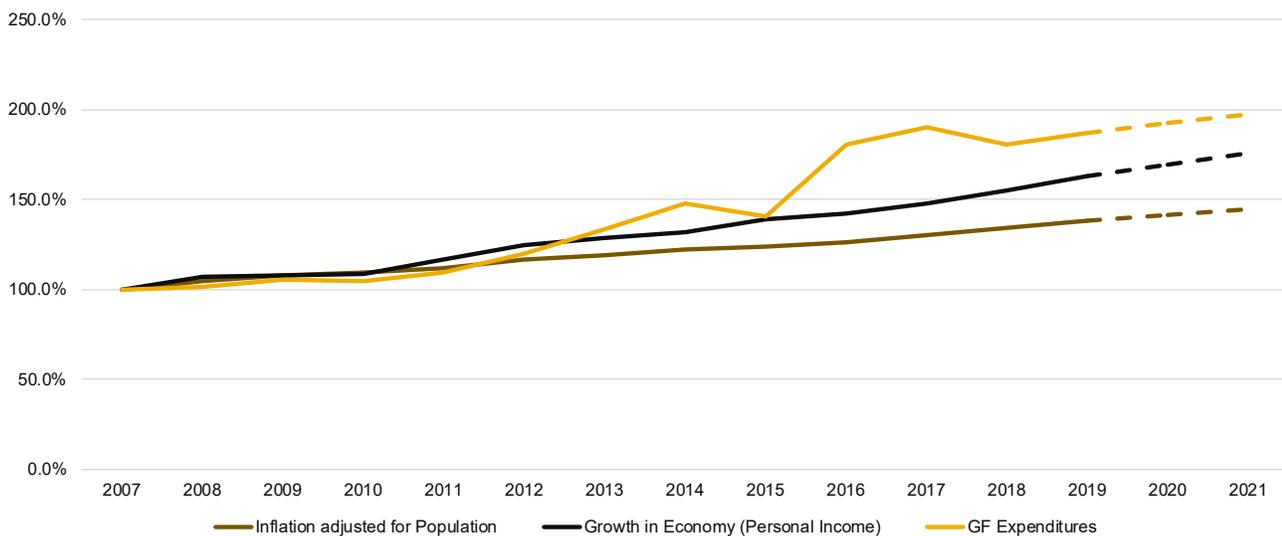
The following list discusses in more detail the inflection points on the charts:

1. The Office of Public Defender was established in 2006 through SB 146. 5.50 FTE in 2006 and 20.00 FTE in FY 2007 were added to manage and administer the system. 3.00 FTE and \$205,261 general fund were added to the Appellate Defender agency beginning in FY 2007.
2. In FY 2007 1.50 FTE and \$8.1 million general fund were transferred from the Judiciary and 42.00 FTE attorneys and 23.75 FTE support staff were transferred from local governments. In the 2009 biennium funding was \$5.6 million greater than in FY 2007 including an additional 102.25 FTE as outlined in the strategic plan adopted by the Public Defender Commission for anticipated caseload increases.
3. The Office of Public Defender was \$8.4 million higher in the 2015 biennium due to contracted services, attorney career ladder adjustments to address attorney turnover, and funding for 8.00 FTE to address caseload impacts.
4. In FY 2016 and FY 2017, there was an increase of \$11.2 million due to the approval of 26.40 FTE to address caseloads, a market adjustment for staff, increase in funds for contract attorneys, and 1.00 FTE to address caseload issues in the Appellate Defender.

## 61080-Office of Public Defender

## GF ONLY

This chart shows the **general fund growth** in total expenditures compared to **growth in inflation** and to the **growth in the economy** since fiscal year 2007.



### General fund

As shown in the above chart, the Office of the Public Defender's **general fund growth** exceeds **growth in the economy** beginning in 2013. The agency has requested supplemental appropriations every year except FY 2008, FY 2012, and FY 2016. Supplemental appropriations were used to cover shortages in the following areas of the budget: costs of the new system exceeded the level anticipated, anticipated budget shortfalls, contract costs, and the cost of modified FTE attorney positions during the biennium.

### State special revenue

The amount of state special revenue the agency receives accounts for a small percentage of the overall budget; even a small change in the amount of funding accounts for a large percentage fund change. In the past, the Office of Public Defender received state special revenue from defendant fees as a reimbursement for services. As of 2019 biennium, the Department of Revenue is collecting these fees and the Office of Public Defender is entirely funded by general fund.