

Program Biennium Comparison

The following table compares the last full fiscal year actuals, previous biennium appropriations by year, and current annual biennium budget request by type of expenditure and source of funding.

Program Biennium Comparison				
Budget Item	Appropriated Budget 20-21	Requested Budget 22-23	Biennium Change	Biennium % Change
Personal Services	6,117,558	6,283,127	165,569	2.71 %
Operating Expenses	11,220,449	12,538,060	1,317,611	11.74 %
Total Expenditures	\$17,338,007	\$18,821,187	\$1,483,180	8.55 %
General Fund	17,338,007	18,821,187	1,483,180	8.55 %
Total Funds	\$17,338,007	\$18,821,187	\$1,483,180	8.55 %
Total Ongoing	\$17,270,991	\$18,821,187	\$1,550,196	8.98 %
Total OTO	\$67,016	\$0	(\$67,016)	(100.00)%

Program Description

The Conflict Defender Division oversees services to qualifying clients by providing effective assistance of counsel to indigent criminal defendants and other persons in certain civil cases. This division represents only those clients, in circumstances where, because of a conflict of interest the public defender division is unable to provide representation.

Program Highlights

Conflict Defender Division Major Budget Highlights
<p>The Conflict Defender Division's 2023 biennium budget request is 8.6% or \$1.5 million higher than the 2021 biennium. Significant changes include:</p> <ul style="list-style-type: none"> • Projected caseload increases drive a request for \$605,000 • Office lease increase of approximately \$242,000

Program Actuals and Budget Comparison

The following table compares FY 2020 actual expenditures to the 2021 biennium appropriated budget and the 2023 biennium budget request by type of expenditure and source of funding.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2020	Approp. Fiscal 2020	Approp. Fiscal 2021	Request Fiscal 2022	Request Fiscal 2023
FTE	0.00	31.00	31.00	31.00	31.00
Personal Services	2,526,984	2,943,396	3,174,162	3,135,647	3,147,480
Operating Expenses	5,356,944	5,374,755	5,845,694	6,261,778	6,276,282
Total Expenditures	\$7,883,928	\$8,318,151	\$9,019,856	\$9,397,425	\$9,423,762
General Fund	7,883,928	8,318,151	9,019,856	9,397,425	9,423,762
Total Funds	\$7,883,928	\$8,318,151	\$9,019,856	\$9,397,425	\$9,423,762
Total Ongoing	\$7,831,794	\$8,251,135	\$9,019,856	\$9,397,425	\$9,423,762
Total OTO	\$52,134	\$67,016	\$0	\$0	\$0

Program Discussion -

FY 2020 Appropriations Compared to FY 2020 Actual Expenditures

The Conflict Defender Division’s \$8.3 million budget was 94.8% expended at \$7.9 million. Personal services of \$2.9 million were 85.9% expended. Operating expenses were 99.7% expended at \$5.4 million.

FY 2020 Appropriations Compared to FY 2021 Appropriations

FY 2020 appropriations differ by approximately 8.4% overall from FY 2021 appropriations. Reasons for this include attorney pay ladder adjustments and administrative staff pay adjustments as negotiated with the union.

Executive Request

The executive is proposing approximately \$242,000 for lease increases and a request for approximately \$605,000 for caseload increases.

Program Personal Services

Personal services in the Conflict Defender Division increase by 2.7% or \$166,000 when compared to the 2021 biennium. Management decisions included a number of reclassified positions as well as negotiated pay scale increases for attorneys.

Funding

The following table shows proposed program funding by source of authority.

Office of State Public Defender, 03-Conflict Defender Division Funding by Source of Authority						
Funds	HB2 Ongoing	HB2 OTO	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds
01100 General Fund	18,821,187	0	0	0	18,821,187	100.00 %
State Special Total	\$0	\$0	\$0	\$0	\$0	0.00 %
03664 Title IV-E from DPHHS	0	0	0	0	0	0.00 %
03291 COVID Relief	0	0	0	0	0	0.00 %
Federal Special Total	\$0	\$0	\$0	\$0	\$0	0.00 %
Proprietary Total	\$0	\$0	\$0	\$0	\$0	0.00 %
Total All Funds	\$18,821,187	\$0	\$0	\$0	\$18,821,187	

The Conflict Defender Division is funded solely with general fund.

Program Budget Summary by Category

The following table summarizes the total budget by base, present law adjustments, and new proposals. For a description of these categories, please see the [glossary](#).

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2022	Budget Fiscal 2023	Biennium Fiscal 22-23	Percent of Budget	Budget Fiscal 2022	Budget Fiscal 2023	Biennium Fiscal 22-23	Percent of Budget
2021 Base Budget	9,019,856	9,019,856	18,039,712	95.85 %	9,019,856	9,019,856	18,039,712	95.85 %
SWPL Adjustments	(38,515)	(26,682)	(65,197)	(0.35)%	(38,515)	(26,682)	(65,197)	(0.35)%
PL Adjustments	416,084	430,588	846,672	4.50 %	416,084	430,588	846,672	4.50 %
New Proposals	0	0	0	0.00 %	0	0	0	0.00 %
Total Budget	\$9,397,425	\$9,423,762	\$18,821,187		\$9,397,425	\$9,423,762	\$18,821,187	

Present Law Adjustments

The "Present Law" Adjustments table shows the changes from the base appropriation to the proposed budget. "Statewide Present Law" adjustments (DP 1, DP 2, DP 3) are standard categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies.

Present Law Adjustments	-----Fiscal 2022-----					-----Fiscal 2023-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 1 - Personal Services	0.00	(38,515)	0	0	(38,515)	0.00	(26,682)	0	0	(26,682)
DP 10 - Lease Increases	0.00	118,242	0	0	118,242	0.00	123,810	0	0	123,810
DP 5 - Caseload Growth	0.00	297,842	0	0	297,842	0.00	306,778	0	0	306,778
Grand Total All Present Law Adjustments	0.00	\$377,569	\$0	\$0	\$377,569	0.00	\$403,906	\$0	\$0	\$403,906

**"Total Funds" amount includes funding from sources other than General Fund, State Special, or Federal Special (i.e. Proprietary).

DP 1 - Personal Services -

The executive requests adjustments to the present law personal services budget. This request has been broken into the following categories, and further detail is shown in the agency summary:

- Expected changes
- Personal services management decisions
- Modifications made to the personal services budget in the 2021 biennium

DP 10 - Lease Increases -

The executive requests \$118,242 in FY 2022 and \$123,810 in FY 2023 for office lease increases in the conflict defender division due to contractual 1.5% inflationary adjustments.

DP 5 - Caseload Growth -

The Conflict Defender Division is requesting \$297,842 in FY 2022 and \$306,778 in FY 2023 due to a historical 3.0% caseload growth. This request will fund contract attorney services, mental health evaluations, and chemical dependency evaluations.