

**Agency Biennium Comparison**

The following table compares the 2021 biennium appropriated budget and the 2023 biennium budget request by type of expenditure and source of funding.

Agency Biennium Comparison				
Budget Item	Appropriated Budget 20-21	Requested Budget 22-23	Biennium Change	Biennium % Change
Personal Services	52,561,797	56,935,689	4,373,892	8.32 %
Operating Expenses	23,160,700	24,558,739	1,398,039	6.04 %
<b>Total Expenditures</b>	<b>\$75,722,497</b>	<b>\$81,494,428</b>	<b>\$5,771,931</b>	<b>7.62 %</b>
General Fund	75,722,497	81,494,428	5,771,931	7.62 %
<b>Total Funds</b>	<b>\$75,722,497</b>	<b>\$81,494,428</b>	<b>\$5,771,931</b>	<b>7.62 %</b>
<b>Total Ongoing</b>	<b>\$75,256,949</b>	<b>\$81,494,428</b>	<b>\$6,237,479</b>	<b>8.29 %</b>
<b>Total OTO</b>	<b>\$465,548</b>	<b>\$0</b>	<b>(\$465,548)</b>	<b>(100.00)%</b>

**Mission Statement**

The mission of the Office of the State Public Defender (OPD) is to provide effective professional legal services with equal access to quality client-centered representation.

**Agency Highlights**

<b>Office of the Public Defender Major Budget Highlights</b>
<p>The Office of the Public Defender's 2023 biennium budget request is 7.6% or \$5.8 million higher than the 2021 biennium. Significant changes include:</p> <ul style="list-style-type: none"> <li>• Projected caseload growth increases the budget by \$2.4 million over the biennium</li> <li>• Statewide present law adjustments for personal services and operating costs result in a request for \$2.0 million</li> <li>• Lease increases of \$0.6 million</li> <li>• An increase of \$0.3 million for a new case management system</li> </ul>

**Agency Actuals and Budget 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.

Agency Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2020	Approp. Fiscal 2020	Approp. Fiscal 2021	Request Fiscal 2022	Request Fiscal 2023
FTE	0.00	302.44	302.44	302.44	302.44
Personal Services	24,519,642	25,029,308	27,532,489	28,421,137	28,514,552
Operating Expenses	11,806,709	12,346,330	10,814,370	12,283,050	12,275,689
<b>Total Expenditures</b>	<b>\$36,326,351</b>	<b>\$37,375,638</b>	<b>\$38,346,859</b>	<b>\$40,704,187</b>	<b>\$40,790,241</b>
General Fund	36,326,351	37,375,638	38,346,859	40,704,187	40,790,241
<b>Total Funds</b>	<b>\$36,326,351</b>	<b>\$37,375,638</b>	<b>\$38,346,859</b>	<b>\$40,704,187</b>	<b>\$40,790,241</b>
<b>Total Ongoing</b>	<b>\$36,175,126</b>	<b>\$37,141,468</b>	<b>\$38,115,481</b>	<b>\$40,704,187</b>	<b>\$40,790,241</b>
<b>Total OTO</b>	<b>\$151,225</b>	<b>\$234,170</b>	<b>\$231,378</b>	<b>\$0</b>	<b>\$0</b>

## Agency Discussion

### *FY 2020 Appropriation Compared to FY 2020 Actual Expenditures*

In FY 2020, the Office of Public Defender expended \$36.3 million or 97.2% of its HB 2 modified budget of \$37.4 million. Personal services were 98.0% spent at \$24.5 million and operating expenses were 95.6% expended at \$11.8 million. The Office of Public Defender (OPD) had a budget balance of approximately \$1.0 million. Of that amount, \$434,000 was in the Conflict Defender Division. This is due to costs of contract cases being less than what was budgeted in FY 2020. This is a biennial appropriation; therefore, unused authority can be used in FY 2021.

### *FY 2020 Appropriations Compared to FY 2021 Appropriations*

FY 2020 appropriations for OPD are \$37.4 million. FY 2021 appropriations are \$38.3 million or 2.6% higher than FY 2020. The main difference between the fiscal years is an increase from FY 2020 to FY 2021 in the Public Defender Division for attorney pay ladder adjustments.

### *Comparison of FY 2021 Legislative Budget to FY 2021 Base*

Figure 1 illustrates the beginning FY 2021 budget as adopted by the 2019 Legislature compared to the finalized FY 2021 base budget, which included modifications as approved by the executive during the interim. The FY 2021 base budget was agreed upon by the executive and legislative branches to be the point from which any changes would be recorded for the 2023 biennium budgeting process.

Figure 1

FY 2021 Legislative Appropriations - Office of Public Defender				
	Legislative Action	Executive Modifications per Statutory Authority	Executive Base	% Change from Legislative Action
01 PUBLIC DEFENDER DIVISION				
61000 Personal Services	20,705,222	-	20,705,222	0.0%
62000 Operating Expenses	2,710,235	-	2,710,235	0.0%
01 PUBLIC DEFENDER DIVISION Total	23,415,457	-	23,415,457	0.0%
02 APPELLATE DEFENDER DIVISION				
61000 Personal Services	1,751,148	-	1,751,148	0.0%
62000 Operating Expenses	687,064	-	687,064	0.0%
02 APPELLATE DEFENDER DIVISION Total	2,438,212	-	2,438,212	0.0%
03 CONFLICT DEFENDER DIVISION				
61000 Personal Services	3,174,162	-	3,174,162	0.0%
62000 Operating Expenses	5,845,694	-	5,845,694	0.0%
03 CONFLICT DEFENDER DIVISION Total	9,019,856	-	9,019,856	0.0%
04 CENTRAL SERVICES DIVISION				
61000 Personal Services	1,901,957	-	1,901,957	0.0%
62000 Operating Expenses	1,339,999	-	1,339,999	0.0%
04 CENTRAL SERVICES DIVISION Total	3,241,956	-	3,241,956	0.0%
61080 OFFICE OF STATE PUBLIC DEFENDER Total	38,115,481	-	38,115,481	0.0%

There were no executive budget modifications to the FY 2021 base.

#### *Executive Request*

#### Caseload Growth

The Office of the Public Defender requests \$2.4 million in present law adjustments over the biennium for caseload growth. Caseloads drive costs within the Office of Public Defender. Figure 2 shows historic case counts from FY 2007 to FY 2020.

Figure 2

Office of the Public Defender Caseload Statistics							
Fiscal Year	Criminal (DC)	Dependent & Neglect (DN)	Guardianship (DG)	Involuntary Commitment (DI)	Juvenile (DJ)	Limited Courts (LC)	Total Cases
2007	8,929	2,897	235	907	1,674	15,879	30,521
2008	5,523	2,181	248	735	959	16,910	26,556
2009	6,124	2,073	244	807	1,060	18,109	28,417
2010	5,708	2,258	212	844	917	17,721	27,660
2011	5,660	2,219	222	915	971	17,677	27,664
2012	5,988	3,061	268	1,058	1,081	19,456	30,912
2013	6,090	3,129	255	983	1,193	20,330	31,980
2014	6,597	3,029	178	1,046	1,052	19,803	31,705
2015	6,699	3,925	189	1,080	927	20,814	33,634
2016	7,904	4,691	200	1,103	907	21,543	36,348
2017	8,454	4,853	170	1,176	868	21,605	37,126
2018	8,850	4,535	170	1,107	799	18,967	34,428
2019	8,882	4,804	183	1,025	709	18,650	34,253
2020	8,959	4,222	209	976	659	17,890	33,199

Note: Total cases received by the agency in the fiscal year also include a small number of additional minor case types, which are not included in the cases per type in this table. Minor case types in a fiscal year include: sentence review cases, treatment court cases, developmentally delayed cases, non-division 2 appellate cases, and post-conviction relief cases.

\*COVID-19 effected FY 2020 case counts.

Figure 3

Office of Public Defender Percentage Growth in Caseload							
Case Type	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	
Criminal	1.6%	18.0%	7.0%	4.7%	0.4%	0.8%	
Dependent & Neglect	29.6%	19.5%	3.5%	-6.6%	5.9%	-12.1%	
Guardianship	6.2%	5.8%	-15.0%	0%	7.7%	14.2%	
Involuntary Commitment	3.3%	2.1%	6.6%	-5.9%	-7.4%	-4.8%	
Juvenile	-11.9%	-2.2%	-4.3%	-8.0%	-11.3%	-7.1%	
Limited Courts	5.1%	3.5%	0.3%	-12.2%	-1.7%	-4.1%	
Total Average Percentage Growth	6.1%	8.1%	2.1%	-7.3%	-0.5%	-3.1%	

Note: Total cases received by the agency in the fiscal year also include a small number of additional minor case types, which are not included in the cases per type in this table. Minor case types in a fiscal year include: sentence review cases, treatment court cases, developmentally delayed cases, non-division 2 appellate cases, and post-conviction relief cases.

\*COVID-19 effected FY 2020 case counts.

Caseload Declining in Recent Years

Figure 2 shows the caseload growth by total number of cases and by case type. It should be noted that COVID-19 effected the FY 2020 case numbers. This will be discussed further under the "COVID-19 Budget Interaction" section. Figure 3 shows the percent change by total cases and by case type. While caseloads were increasing in FY 2015, FY 2016, and FY 2017, growth in caseloads shows a decline in FY 2018, FY 2019, and FY 2020. The six-year average of caseload growth across total cases is 0.9%.

<b>LFD COMMENT</b>	<p><u>Caseload Impacts on Overall Cost</u></p> <p>It is important to note that different case types cost different amounts with dependent and neglect cases and criminal cases being the costliest case type for the agency. In prior years, the Office of Public Defender reported average cost per case by type. However, in FY 2020, the agency changed its reporting methods. The agency felt that the methodology used to provide cost per case had various issues that did not provide an accurate assessment of the cost per case. The Legislative Audit Division also had similar concerns in reporting cost per case in a recent performance audit. The Legislative Audit Division provides details of the agency’s challenges in reporting and provides suggestions to improve reporting cases.</p> <p>The legislature may wish to work with the OPD to gain a better understanding of cost drivers and effective ways of measuring and projecting fiscal needs in order to make informed budget decisions.</p>
--------------------	---

*5.0% Plan*

Statute requires that agencies submit plans to reduce general fund and certain state special revenue funds by 5.0%. A summary of the entire 2023 biennium 5.0% plan can be found on the [Section D subcommittee page](#) under ‘Tab D Materials.’ The Office of Public Defender’s 5.0% plan is a reduction in \$1.8 million in general fund per year. Reductions proposed would include transferring capital case expenditures of contract attorneys, expert witness fees and mental health evaluations to the Attorney General’s Office.

<b>LFD COMMENT</b>	<p>While the proposal in the agency’s 5.0% plan will reduce general fund expenditures in OPD it does not reduce general fund for the state. Instead, it is shifting costs to another agency.</p>
--------------------	--

*COVID-19 Budget Interaction*

As a result of the partial shutdown of the Montana court system and the governor’s shelter-in-place directives beginning March 27, 2020 until May 4, 2020, many cases were delayed during this time. COVID-19 effected caseloads in OPD, specifically dependent and neglect (DN) cases. As previously reported by DPHHS, COVID-19 has directly impacted the volume of abuse and neglect reports submitted. This directly corresponds to the reduction seen in DN cases as these cases are filed based on reports received by DPHHS. OPD expects this number to gain back the decrease seen in FY 2020 and likely rise further. A delay in services as a result of COVID-19 provides a partial explanation to unspent appropriations within OPD at the end of FY 2020. However, those services will still need to be provided as the court system works through the backlog of cases created by the shutdown. The majority of funding within OPD is biennial. Therefore, any unused funds in FY 2020 can be used in FY 2021.

**Agency Personal Services**

In order to explain the factors influencing personal services changes, the proposed statewide personal services present law adjustment (DP 1) has been broken down into three categories, as follows:

1. Expected Changes - This category includes those adjustments explicitly approved by the legislature, such as

expected changes to annualize personal services costs including FY 2021 statewide pay plan adjustments, changes to benefit rates, and longevity adjustments related to incumbents in each position at the time of the personal services snapshot, plus rate changes for workers' compensation and unemployment insurance.

2. Personal Services Management Decisions - Any agency management decisions that adjusted employee pay. This includes raises or position changes that may increase or reduce a budget, such as hiring FTE at a lower rate to replace retired senior staff, or moving FTE between programs.
3. Modifications to the Personal Services Base Budget - Other modifications to the FY 2021 personal services base like operating plan transfers that occurred during the interim may impact the overall size of the personal services present law adjustment (DP 1)

The figure below shows the analysis of the executive budget for personal services compared to the expected personal services budget for each program.

Figure 3

Personal Services Present Law DP 1 - FY 2022				
Program	Expected Changes	Management Decisions	Budget Modifications	DP1 SWPL
01 PUBLIC DEFENDER DIVISION	199,197	533,464	50,984	783,645
02 APPELLATE DEFENDER DIVISION	19,576	(17,802)	-	1,774
03 CONFLICT DEFENDER DIVISION	11,882	(50,397)	-	(38,515)
04 CENTRAL SERVICES DIVISION	15,716	126,028	-	141,744
Agency Total	\$ 246,371	\$ 591,293	\$ 50,984	\$ 888,648

Personal services were \$27.5 million or 71.8% of the agency's fiscal year 2021 appropriation. The executive proposes an increase of \$0.9 million in FY 2022 as part of statewide present law adjustments. The agency made approximately \$51,000 in budget modifications within the Public Defender Division. This was a result of a transfer out of personal services into operating expenses due to unused FTE in capital case spending.

The Office of Public Defender had an approximately \$246,000 in expected changes, of which approximately \$134,000 was a result of pay plan increases and \$86,000 was a result of longevity increases for staff. In addition to the expected changes, DP 1 includes funding for management decision for broad band pay increases.

Management decisions included position reclassifications, hiring new employees at a lower rate, and career ladder adjustments. At the time of the snapshot, the Office of Public Defender had a 6.5% vacancy rate. In FY 2020, a number of higher salaried employees left employment and were replaced with employees with less experience earning a lower salary.

Funding

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

Total Office of State Public Defender Funding by Source of Authority 2023 Biennium Budget Request - Office of State Public Defender							
Funds	HB2 Ongoing	HB2 OTO	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds	
General Fund	81,494,428	0	0	0	81,494,428	100.00 %	
State Special Total	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 %	
Other Total	0	0	0	0	0	0.00 %	
<b>Total All Funds</b>	<b>\$81,494,428</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$81,494,428</b>		
<b>Percent - Total All Sources</b>	<b>100.00 %</b>	<b>0.00 %</b>	<b>0.00 %</b>	<b>0.00 %</b>			

OPD is funded with general fund.

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 Summary by Category								
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	38,115,481	38,115,481	76,230,962	93.54 %	38,115,481	38,115,481	76,230,962	93.54 %
SWPL Adjustments	992,397	1,017,435	2,009,832	2.47 %	992,397	1,017,435	2,009,832	2.47 %
PL Adjustments	1,596,309	1,657,325	3,253,634	3.99 %	1,596,309	1,657,325	3,253,634	3.99 %
New Proposals	0	0	0	0.00 %	0	0	0	0.00 %
<b>Total Budget</b>	<b>\$40,704,187</b>	<b>\$40,790,241</b>	<b>\$81,494,428</b>		<b>\$40,704,187</b>	<b>\$40,790,241</b>	<b>\$81,494,428</b>	

HB 2 Language

The executive is not proposing HB 2 language for the Office of Public Defender.

**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	39,157,053	43,045,741	3,888,688	9.93 %
Operating Expenses	7,887,668	7,283,336	(604,332)	(7.66)%
<b>Total Expenditures</b>	<b>\$47,044,721</b>	<b>\$50,329,077</b>	<b>\$3,284,356</b>	<b>6.98 %</b>
General Fund	47,044,721	50,329,077	3,284,356	6.98 %
<b>Total Funds</b>	<b>\$47,044,721</b>	<b>\$50,329,077</b>	<b>\$3,284,356</b>	<b>6.98 %</b>
<b>Total Ongoing</b>	<b>\$46,647,961</b>	<b>\$50,329,077</b>	<b>\$3,681,116</b>	<b>7.89 %</b>
<b>Total OTO</b>	<b>\$396,760</b>	<b>\$0</b>	<b>(\$396,760)</b>	<b>(100.00)%</b>

**Program Description**

The Public Defender Division oversees services to qualifying clients by providing effective assistance of counsel to indigent criminal defendants and other persons in certain civil cases who are entitled by law to assistance of counsel.

**Program Highlights**

<b>Public Defender Division Major Budget Highlights</b>
<p>The Public Defender Division 2023 biennium budget request is \$3.3 million or 7.0% higher than the 2021 biennium. Significant changes include:</p> <ul style="list-style-type: none"> <li>• An increase of \$1.6 million over the biennium in present law adjustments for caseload growth</li> <li>• A request for approximately \$228,000 in present law adjustments for lease increases</li> </ul>

**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	230.94	230.94	230.94	230.94
Personal Services	18,367,608	18,451,831	20,705,222	21,488,867	21,556,874
Operating Expenses	4,752,928	4,946,055	2,941,613	3,620,724	3,662,612
<b>Total Expenditures</b>	<b>\$23,120,536</b>	<b>\$23,397,886</b>	<b>\$23,646,835</b>	<b>\$25,109,591</b>	<b>\$25,219,486</b>
General Fund	23,120,536	23,397,886	23,646,835	25,109,591	25,219,486
<b>Total Funds</b>	<b>\$23,120,536</b>	<b>\$23,397,886</b>	<b>\$23,646,835</b>	<b>\$25,109,591</b>	<b>\$25,219,486</b>
<b>Total Ongoing</b>	<b>\$23,023,217</b>	<b>\$23,232,504</b>	<b>\$23,415,457</b>	<b>\$25,109,591</b>	<b>\$25,219,486</b>
<b>Total OTO</b>	<b>\$97,319</b>	<b>\$165,382</b>	<b>\$231,378</b>	<b>\$0</b>	<b>\$0</b>

### Program Discussion -

#### *FY 2020 Appropriations Compared to FY 2020 Actual Expenditures*

The Public Defender Division expended 98.8% of its \$23.4 million budget. Personal services were 99.5% expended or \$18.4 million of the \$18.4 million budgeted HB 2 appropriations. Operating expenses were 96.1% expended or \$4.8 million of the \$4.9 million budgeted HB 2 appropriations.

#### *FY 2020 Appropriations Compared to FY 2021 Appropriations*

FY 2020 appropriations are \$23.4 million compared to \$23.6 million, which an increase of 1.1% from FY 2020 to FY 2021. This difference is driven by changes in personal services.

#### *Executive Request*

The executive is proposing present law increases of \$1.6 million over the biennium for personal services, approximately \$228,000 for lease increases, and \$1.6 million for caseload growth.

### Program Personal Services

Personal services in the Public Defender Division increase by 9.9% or \$3.9 million 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, 01-Public 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	50,329,077	0	0	0	50,329,077	100.00 %	
<b>State Special Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.00 %</b>	
03664 Title IV-E from DPHHS	0	0	0	0	0	0.00 %	
03709 OPD Treatment Courts	0	0	0	0	0	0.00 %	
03291 COVID Relief	0	0	0	0	0	0.00 %	
<b>Federal Special Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.00 %</b>	
<b>Proprietary Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.00 %</b>	
<b>Total All Funds</b>	<b>\$50,329,077</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$50,329,077</b>		

The Public 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	23,415,457	23,415,457	46,830,914	93.05 %	23,415,457	23,415,457	46,830,914	93.05 %
SWPL Adjustments	783,645	851,652	1,635,297	3.25 %	783,645	851,652	1,635,297	3.25 %
PL Adjustments	910,489	952,377	1,862,866	3.70 %	910,489	952,377	1,862,866	3.70 %
New Proposals	0	0	0	0.00 %	0	0	0	0.00 %
<b>Total Budget</b>	<b>\$25,109,591</b>	<b>\$25,219,486</b>	<b>\$50,329,077</b>		<b>\$25,109,591</b>	<b>\$25,219,486</b>	<b>\$50,329,077</b>	

**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	783,645	0	0	783,645	0.00	851,652	0	0	851,652
DP 10 - Lease Increases	0.00	104,181	0	0	104,181	0.00	124,010	0	0	124,010
DP 5 - Caseload Growth	0.00	806,308	0	0	806,308	0.00	828,367	0	0	828,367
<b>Grand Total All Present Law Adjustments</b>	<b>0.00</b>	<b>\$1,694,134</b>	<b>\$0</b>	<b>\$0</b>	<b>\$1,694,134</b>	<b>0.00</b>	<b>\$1,804,029</b>	<b>\$0</b>	<b>\$0</b>	<b>\$1,804,029</b>

\*\*\*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 \$104,181 in FY 2022 and \$124,010 in FY 2023 for office lease increases in the Public Defender Division due to contractual 1.5% inflation factors.

DP 5 - Caseload Growth -

The executive proposes \$806,308 in FY 2022 and \$828,367 in FY 2023 due to a historical 3.0% caseload growth. This includes an additional \$37,000 in each fiscal year as a result of increased costs due to changes in 45-5-220, MCA, (Stalking), and an additional \$34,000 in each fiscal year as a result of increased costs due to changes in 45-8-213, MCA, (Privacy in Communications). This request will fund contract attorney services, holistic defense services, mental health evaluations, and chemical dependency evaluations.

**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	3,370,139	3,510,194	140,055	4.16 %
Operating Expenses	1,460,911	1,607,233	146,322	10.02 %
<b>Total Expenditures</b>	<b>\$4,831,050</b>	<b>\$5,117,427</b>	<b>\$286,377</b>	<b>5.93 %</b>
General Fund	4,831,050	5,117,427	286,377	5.93 %
<b>Total Funds</b>	<b>\$4,831,050</b>	<b>\$5,117,427</b>	<b>\$286,377</b>	<b>5.93 %</b>
<b>Total Ongoing</b>	<b>\$4,831,050</b>	<b>\$5,117,427</b>	<b>\$286,377</b>	<b>5.93 %</b>
<b>Total OTO</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.00 %</b>

**Program Description**

The Appellate Defender Division provides appellate services to qualifying clients and practices almost exclusively before the Montana Supreme Court and the United States Supreme Court. Most of the workforce is comprised of attorneys providing legal services. Legal assistants comprise the remaining portion of the workforce.

**Program Highlights**

<b>Appellate Defender Division Major Budget Highlights</b>
<p>The Appellate Defender Division's 2023 biennium budget request is 5.9% or \$286,000 higher than the 2021 biennium budget. Significant changes include:</p> <ul style="list-style-type: none"> <li>• Caseload growth projections drive \$162,000 of the increase</li> <li>• Lease increases for \$71,000 over the biennium</li> </ul>

**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	17.50	17.50	17.50	17.50
Personal Services	1,618,992	1,618,991	1,751,148	1,752,922	1,757,272
Operating Expenses	704,358	773,847	687,064	801,979	805,254
<b>Total Expenditures</b>	<b>\$2,323,350</b>	<b>\$2,392,838</b>	<b>\$2,438,212</b>	<b>\$2,554,901</b>	<b>\$2,562,526</b>
General Fund	2,323,350	2,392,838	2,438,212	2,554,901	2,562,526
<b>Total Funds</b>	<b>\$2,323,350</b>	<b>\$2,392,838</b>	<b>\$2,438,212</b>	<b>\$2,554,901</b>	<b>\$2,562,526</b>
<b>Total Ongoing</b>	<b>\$2,323,350</b>	<b>\$2,392,838</b>	<b>\$2,438,212</b>	<b>\$2,554,901</b>	<b>\$2,562,526</b>
<b>Total OTO</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**Program Discussion -**

*FY 2020 Appropriations Compared to FY 2020 Actual Expenditures*

The Appellate Defender Division was 97.1% or \$2.3 million expended of the program’s \$2.4 million budgeted expenditures. Personal services were 100% expended at \$1.6 million and operating expenses were 91.0% expended at \$704,000 of the \$774,000 budgeted.

*FY 2020 Appropriations Compared to FY 2021 Appropriations*

FY 2020 appropriations differ from FY 2021 mainly due to some present law adjustments and attorney pay ladder adjustments. The percent change from FY 2020 to FY 2021 is 1.9%.

*Executive Request*

The executive is proposing present law adjustments for lease increases at \$71,000 over the biennium and present law increases for caseload growth of \$162,000 over the biennium.

**Program Personal Services**

The Appellate Defender Division's personal services request increases by 4.2% or \$140,000 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, 02-Appellate 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	5,117,427	0	0	0	5,117,427	100.00 %	
<b>State Special Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.00 %</b>	
03291 COVID Relief	0	0	0	0	0	0.00 %	
<b>Federal Special Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.00 %</b>	
<b>Proprietary Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.00 %</b>	
<b>Total All Funds</b>	<b>\$5,117,427</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$5,117,427</b>		

The Appellate Defender Division is funded solely from 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 Summary by Category								
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	2,438,212	2,438,212	4,876,424	95.29 %	2,438,212	2,438,212	4,876,424	95.29 %
SWPL Adjustments	1,774	6,124	7,898	0.15 %	1,774	6,124	7,898	0.15 %
PL Adjustments	114,915	118,190	233,105	4.56 %	114,915	118,190	233,105	4.56 %
New Proposals	0	0	0	0.00 %	0	0	0	0.00 %
<b>Total Budget</b>	<b>\$2,554,901</b>	<b>\$2,562,526</b>	<b>\$5,117,427</b>		<b>\$2,554,901</b>	<b>\$2,562,526</b>	<b>\$5,117,427</b>	

**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	1,774	0	0	1,774	0.00	6,124	0	0	6,124
DP 10 - Lease Increases	0.00	35,116	0	0	35,116	0.00	35,997	0	0	35,997
DP 5 - Caseload Growth	0.00	79,799	0	0	79,799	0.00	82,193	0	0	82,193
<b>Grand Total All Present Law Adjustments</b>	<b>0.00</b>	<b>\$116,689</b>	<b>\$0</b>	<b>\$0</b>	<b>\$116,689</b>	<b>0.00</b>	<b>\$124,314</b>	<b>\$0</b>	<b>\$0</b>	<b>\$124,314</b>

\*\*"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 \$35,116 in FY 2022 and \$35,997 in FY 2023 for office lease increases in the Appellate Defender Division due to contractual 1.5% inflation factors.

DP 5 - Caseload Growth -

The Appellate Defender Division is requesting \$79,799 in FY 2022 and \$82,193 in FY 2023 due to a historical 3.0% caseload growth. This request will fund transcript services and contract attorney services.

**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 %
<b>Total Expenditures</b>	<b>\$17,338,007</b>	<b>\$18,821,187</b>	<b>\$1,483,180</b>	<b>8.55 %</b>
General Fund	17,338,007	18,821,187	1,483,180	8.55 %
<b>Total Funds</b>	<b>\$17,338,007</b>	<b>\$18,821,187</b>	<b>\$1,483,180</b>	<b>8.55 %</b>
<b>Total Ongoing</b>	<b>\$17,270,991</b>	<b>\$18,821,187</b>	<b>\$1,550,196</b>	<b>8.98 %</b>
<b>Total OTO</b>	<b>\$67,016</b>	<b>\$0</b>	<b>(\$67,016)</b>	<b>(100.00)%</b>

**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**

<b>Conflict Defender Division Major Budget Highlights</b>
<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"> <li>• Projected caseload increases drive a request for \$605,000</li> <li>• Office lease increase of approximately \$242,000</li> </ul>

**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
<b>Total Expenditures</b>	<b>\$7,883,928</b>	<b>\$8,318,151</b>	<b>\$9,019,856</b>	<b>\$9,397,425</b>	<b>\$9,423,762</b>
General Fund	7,883,928	8,318,151	9,019,856	9,397,425	9,423,762
<b>Total Funds</b>	<b>\$7,883,928</b>	<b>\$8,318,151</b>	<b>\$9,019,856</b>	<b>\$9,397,425</b>	<b>\$9,423,762</b>
<b>Total Ongoing</b>	<b>\$7,831,794</b>	<b>\$8,251,135</b>	<b>\$9,019,856</b>	<b>\$9,397,425</b>	<b>\$9,423,762</b>
<b>Total OTO</b>	<b>\$52,134</b>	<b>\$67,016</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**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 %
<b>State Special Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.00 %</b>
03664 Title IV-E from DPHHS	0	0	0	0	0	0.00 %
03291 COVID Relief	0	0	0	0	0	0.00 %
<b>Federal Special Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.00 %</b>
<b>Proprietary Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.00 %</b>
<b>Total All Funds</b>	<b>\$18,821,187</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$18,821,187</b>	

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 Summary by Category								
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 %
<b>Total Budget</b>	<b>\$9,397,425</b>	<b>\$9,423,762</b>	<b>\$18,821,187</b>		<b>\$9,397,425</b>	<b>\$9,423,762</b>	<b>\$18,821,187</b>	

**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
<b>Grand Total All Present Law Adjustments</b>	<b>0.00</b>	<b>\$377,569</b>	<b>\$0</b>	<b>\$0</b>	<b>\$377,569</b>	<b>0.00</b>	<b>\$403,906</b>	<b>\$0</b>	<b>\$0</b>	<b>\$403,906</b>

\*\*"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.

**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	3,917,047	4,096,627	179,580	4.58 %
Operating Expenses	2,591,672	3,130,110	538,438	20.78 %
<b>Total Expenditures</b>	<b>\$6,508,719</b>	<b>\$7,226,737</b>	<b>\$718,018</b>	<b>11.03 %</b>
General Fund	6,508,719	7,226,737	718,018	11.03 %
<b>Total Funds</b>	<b>\$6,508,719</b>	<b>\$7,226,737</b>	<b>\$718,018</b>	<b>11.03 %</b>
<b>Total Ongoing</b>	<b>\$6,506,947</b>	<b>\$7,226,737</b>	<b>\$719,790</b>	<b>11.06 %</b>
<b>Total OTO</b>	<b>\$1,772</b>	<b>\$0</b>	<b>(\$1,772)</b>	<b>(100.00)%</b>

**Program Description**

Central Services Division provides management of non-legal services (i.e., accounting, budgeting, IT, payroll, contracting, quality and performance controls) to all programs. The oversight of the eligibility determination process, including verification of all hardship cases, is also a responsibility of this division.

**Program Highlights**

<b>Central Services Division Major Budget Highlights</b>
<p>The Central Services Division 2023 biennium budget request is \$0.7 million or 11.0% higher than the 2021 biennium. Significant changes include:</p> <ul style="list-style-type: none"> <li>• A new case management system with an annual licensing and maintenance cost of \$300,000</li> <li>• ServiceNow reductions that save \$100,000</li> <li>• Lease increases of \$71,000</li> <li>• Equipment replacement for \$40,000</li> </ul>

**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	23.00	23.00	23.00	23.00	23.00
Personal Services	2,006,058	2,015,090	1,901,957	2,043,701	2,052,926	
Operating Expenses	992,479	1,251,673	1,339,999	1,598,569	1,531,541	
<b>Total Expenditures</b>	<b>\$2,998,537</b>	<b>\$3,266,763</b>	<b>\$3,241,956</b>	<b>\$3,642,270</b>	<b>\$3,584,467</b>	
General Fund	2,998,537	3,266,763	3,241,956	3,642,270	3,584,467	
<b>Total Funds</b>	<b>\$2,998,537</b>	<b>\$3,266,763</b>	<b>\$3,241,956</b>	<b>\$3,642,270</b>	<b>\$3,584,467</b>	
<b>Total Ongoing</b>	<b>\$2,996,765</b>	<b>\$3,264,991</b>	<b>\$3,241,956</b>	<b>\$3,642,270</b>	<b>\$3,584,467</b>	
<b>Total OTO</b>	<b>\$1,772</b>	<b>\$1,772</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	

**Program Discussion -**

*FY 2020 Appropriations Compared to FY 2020 Actual Expenditures*

Central Services Division expended 91.8%, or \$3.0 million of its \$3.3 million in HB appropriations. Personal services were 99.6% expended. Operating expenses were 79.3% expended or approximately \$993,000 was expended of its total \$1.3 million operating budget.

*FY 2020 Appropriations compared to FY 2021 Appropriations*

FY 2021 appropriations are less than FY 2020 appropriations by 0.8%.

*Executive Request*

The executive is proposing an increase in lease expenses of \$71,000 over the biennium and \$300,000 over the biennium for licensing and maintenance costs of a new case management system.

**Program Personal Services**

Personal services in the Central Services Division increases by 4.6% or \$180,000 when compared to the 2021 biennium. Management decisions include career ladder adjustments and position reclassifications.

**Funding**

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

Office of State Public Defender, 04-Central Services 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	7,226,737	0	0	0	7,226,737	100.00 %	
<b>State Special Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.00 %</b>	
03664 Title IV-E from DPHHS	0	0	0	0	0	0.00 %	
03291 COVID Relief	0	0	0	0	0	0.00 %	
<b>Federal Special Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.00 %</b>	
<b>Proprietary Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.00 %</b>	
<b>Total All Funds</b>	<b>\$7,226,737</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$7,226,737</b>		

The Central Services Division is funded solely from 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	3,241,956	3,241,956	6,483,912	89.72 %	3,241,956	3,241,956	6,483,912	89.72 %
SWPL Adjustments	245,493	186,341	431,834	5.98 %	245,493	186,341	431,834	5.98 %
PL Adjustments	154,821	156,170	310,991	4.30 %	154,821	156,170	310,991	4.30 %
New Proposals	0	0	0	0.00 %	0	0	0	0.00 %
<b>Total Budget</b>	<b>\$3,642,270</b>	<b>\$3,584,467</b>	<b>\$7,226,737</b>		<b>\$3,642,270</b>	<b>\$3,584,467</b>	<b>\$7,226,737</b>	

**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 10 - Lease Increases	0.00	35,067	0	0	35,067	0.00	36,416	0	0	36,416
DP 1 - Personal Services	0.00	141,744	0	0	141,744	0.00	150,969	0	0	150,969
DP 2 - Fixed Costs	0.00	103,749	0	0	103,749	0.00	35,372	0	0	35,372
DP 30 - Case Management System	0.00	150,000	0	0	150,000	0.00	150,000	0	0	150,000
DP 6 - Equipment Replacement	0.00	20,000	0	0	20,000	0.00	20,000	0	0	20,000
DP 7 - Service Now Reduction	0.00	(50,246)	0	0	(50,246)	0.00	(50,246)	0	0	(50,246)
<b>Grand Total All Present Law Adjustments</b>	<b>0.00</b>	<b>\$400,314</b>	<b>\$0</b>	<b>\$0</b>	<b>\$400,314</b>	<b>0.00</b>	<b>\$342,511</b>	<b>\$0</b>	<b>\$0</b>	<b>\$342,511</b>

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

DP 10 - Lease Increases -

The executive requests \$35,067 in FY 2022 and \$36,416 in FY 2023 for office lease increases in the Central Services Division due to contractual 1.5% escalators and anticipated increases in leases due to renewal during the next biennium.

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 2 - Fixed Costs -

The executive requests adjustments to provide the funding required in the proposed budget to pay increases in fixed costs assessed by other agencies within state government for the services they provide. Examples include: warrant writer, motor pool, etc. The rates charged for these services are approved in the section of the budget that provides the services.

DP 30 - Case Management System -

The agency's current case management system is terminating support, requiring the agency to undertake a request for proposal process. The executive is requesting \$150,000 for FY 2022 and \$150,000 for FY 2023 for the anticipated increase in the annual licensing and maintenance cost for a new case management system.

DP 6 - Equipment Replacement -

The executive is requesting \$20,000 in FY 2022 and \$20,000 in FY 2023 to replace the agency's computers nearing the end of their life cycle with laptops to enable a more mobile workforce in response to the pandemic or other potential crisis situations. This request represents the difference between laptop and desktop computer replacement funding already in the base.

DP 7 - Service Now Reduction -

The executive requests a decrease in funding because of the purchase of ServiceNow licenses and programs for the 2023 biennium. The executive is anticipating operating efficiencies and other savings by using ServiceNow. This request reflects a reduction in the operating budget of \$50,246 in each fiscal year due to projected operating efficiencies by implementing ServiceNow.