

**ARKANSAS PUBLIC DEFENDER COMMISSION (0324)  
FISCAL YEAR 2011**

**I) AGENCY SUMMARY & REVENUE SOURCES**

**Mission**

The Public Defender Commission was created to address a variety of concerns relating to the representation of indigent criminal defendants in Arkansas. The Commission also has the responsibility for the Trial Public Defender System and the Ombudsman Division which insures that children placed within the custody of the Division of Youth Services are receiving the necessary services. In the 2007 Session the Commission was given the responsibility of handling Dependency-Neglect appeals.

**Total Biennial Budget**

The total appropriation for fiscal year 2011 is \$21,127,653.

**Funding Source**

Operations of the Commission are funded through an allocation from the Administration of Justice Fund, State Central Services Fund Monies, a transfer from the Department of Human Services, User/Attorney Fees, and Bail Bond Fees.

- **Ombudsman Program**-Funded directly from funds transferred by the Department of Human Services per Special Language.
- **Public Defender-Operations**-State Central Services Funding.
- **Public Defender-Trial Office**-Funded by Administration of Justice Funds, State Central Services Fund, and User/Attorney Fees.

**II) SIGNIFICANT CHANGES OVER FY2010**

None

**III) ADDITIONAL POSITIONS**

Total Positions for FY 2011-237

Total Positions for FY 2010-237

**IV) SPECIAL LANGUAGE**

Fees-Courts. Attorney/User fees generated through the provisions of ACA 5-4-303(g) and 16-87-213 shall be deposited into or transferred to the State Central Services Fund.

Fees-Bail Bond. Three dollars collected by each licensed bail bond company shall be transferred to various Counties for the operating expenses of the local public defender's office. On a quarterly basis, the Commission shall remit to each County its portion of the three dollars based upon the formula used for state aid for counties.

Transfer Provision. If the appropriations made available for payments to the Counties are insufficient, appropriation may be transferred from the Public Defender Commission Program line item to the Bail Bond-County Public Defender line item, after approval from the Chief Fiscal Officer of the state.

Duties of Dependency-Neglect Appeals Attorneys. Dependency-Neglect Appeals Attorneys shall be used exclusively to write appeals in dependency-neglect cases.

\*Special Language for DHS-Youth Services regulates transfer of up to \$240,000 each year for the Juvenile Ombudsman Program.