

**0324 – PUBLIC DEFENDER COMMISSION
FISCAL YEAR 2020
LEGISLATIVE RECOMMENDATION**

The Public Defender Commission was created to address a variety of concerns relating to the representation of indigent criminal defendants in Arkansas.

TOTAL APPROPRIATION

Appropriation		2017-2018	2018-2019	2019-2020
		Actual	Authorized	Legislative
1VA	Ombudsman Program	\$53,952	\$89,900	\$74,892
337	Public Defender-Operations	\$2,862,165	\$2,863,430	\$2,985,443
530	Public Defender -Trial Office	\$22,551,175	\$22,976,489	\$24,705,522
	Commission for Parent Counsel	n/a	n/a	\$3,142,156
Total		\$25,467,292	\$25,929,819	\$27,765,857

FUNDING SOURCES

Funding Sources		2017-2018 Actual	%
Fund Balance	4000005	\$2,553,368	8.74
State Central Services	4000035	\$30,908,013	66.65
Bail Bond Fees	4000115	\$1,158,720	3.97
State Administration of Justice	4000470	\$4,490,218	15.38
Transfer from DHS-DYS	4000515	\$53,952	0.18
User / Attorney Fees	4000725	\$1,482,700	5.08
Total Funds		\$40,646,971	100.00
Excess Appropriation/(Funding)		(\$3,732,109)	
Grand Total		\$36,914,862	

CHANGE LEVEL REQUESTS

Public Defender - Trial Office (Appropriation 530)

Commitment Item		2018-2019	2019-2020	
		Authorized	Legislative	Change Level
5010000	Regular Salaries	\$16,823,828	\$16,973,828	\$150,000
5010003	Personal Services Matching	\$5,179,438	\$5,221,438	\$42,000
Total		\$22,003,266	\$22,195,266	\$192,000

- Amendment during Regular Session adding 2 new positions with Salary and Match.

***NEW APPROPRIATION* Commission for Parent Counsel**

Commitment Item		2018-2019	2019-2020	
		Authorized	Legislative	Change Level
	Regular Salaries	n/a	\$457,441	\$457,441
	Extra Help	n/a	\$630,000	\$630,000
	Personal Services Matching	n/a	\$139,484	\$139,484

	Operating Expenses	n/a	\$20,000	\$20,000
	Professional Fees	n/a	\$25,000	\$25,000
	Total		\$3,142,156	\$3,142,156

- Moved Commission for Parent Counsel from Administrative Office of the Courts.

POSITIONS

Total Authorized Positions FY2020: 276

Total Authorized Positions FY2019: 272

Increase / (Decrease): 4

Extra Help Positions FY2020:20

SPECIAL LANGUAGE REVISIONS

Indigent Parent Counsel Representation - New language for Public Defender moved from Administrative Office of the Courts that gives Parent Counsel the authority to enter into independent professional service contracts.

Transfer Provision - Line Items - Commission for Parent Counsel - New language - Allows the transfer between line items except Personal Services Matching.

Extra Help Exemption - Commission for Parent Counsel - New language - Allows concurrent employment within the agency.

Code Amendments to § 9-27-703 and § 9-27-704 - Changes to code deleting Administrative Office of the Courts and adding Public Defender Commission as the agency that Commission for Parent Counsel falls under. Also makes it so the Commission for Parent Counsel and the Arkansas Public Defender Commission work independent of one another.

Fee Generation and Support - Courts - Section codified in statute § 5-4-303 and deleted from bill.

Fee Generation and Support - Bail Bond Fees - Section codified in statute §17-19-301 and deleted from bill.

Duties of Dependency-Neglect Appeals Attorney - Language deleted

Providing Public Defender Services Agreement- Section codified in statute § 16-87-203(a) and deleted from bill.