

0324 – PUBLIC DEFENDER COMMISSION

FISCAL YEAR 2024

As enacted by Act 761 of 2023

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		2021-2022	2022-2023	2023-2024
		Actual	Authorized	Legislative
1VA	Ombudsman Program	\$65,681	\$75,252	\$76,691
337	Public Defender-Operations	\$3,159,738	\$3,135,034	\$3,782,034
530	Public Defender -Trial Office	\$25,543,825	\$26,650,664	\$30,114,151
AT7	AR Public Defender Cash - NEH0000	\$269,730	\$4,500,000	\$1,000,000
AT8	AR Public Defender ARP-AM Rescue Plan	\$0	\$4,500,000	\$0
X66	Commission for Parent Counsel	\$4,116,567	\$4,683,650	\$4,775,665
Total		\$33,155,541	\$43,544,600	\$39,748,541

FUNDING SOURCES

Funding Sources		2021-2022	%
		Actual	
Fund Balance	4000005	\$4,560,405	11.79
Special Revenue	4000030	\$7,763	0.02
State Central Services	4000035	\$27,400,000	70.84
Cash Fund	4000045	\$2,499	0.01
Bail Bond Fees	4000115	\$914,260	2.36
Inter-agency Fund Transfer	4000316	\$51,218	0.13
Transfer from DHS	4000510	\$1,031,973	2.67
Transfer from DHS-DYS	4000515	\$78,861	0.20
Transfer State Admn of Justice	4000570	\$2,072,408	5.36
User / Attorney Fees	4000725	\$1,598,884	4.13
Restricted Reserve Fund	4000755	\$1,000,000	2.59
Total Funds		\$38,677,102	100.00
Excess Appropriation/(Funding)		(\$5,521,561)	
Grand Total		\$33,155,541	

CHANGE LEVEL REQUESTS

Ombudsman Program (Appropriation 1VA)

Commitment Item		2022-2023	2023-2024	
		Authorized	Legislative	Change Level
5010003	Personal Services Matching	\$18,567	\$20,006	\$1,439
Total		\$18,567	\$20,006	\$1,439

- Matching is increased to provide for changes in matching rates.

Public Defender-Operations (Appropriation 337)

Commitment Item		2022-2023	2023-2024	
		Authorized	Legislative	Change Level
5010000	Regular Salaries	\$1,484,012	\$1,808,836	\$324,824
5010003	Personal Services Matching	\$446,684	\$570,687	\$124,003
Total		\$1,930,696	\$2,379,523	\$448,827

- Salaries and Matching are increased to provide for changes in matching rates and career service payments.

Public Defender -Trial Office (Appropriation 530)

Commitment Item		2022-2023	2023-2024	
		Authorized	Legislative	Change Level
5010000	Regular Salaries	\$18,472,279	\$20,149,639	\$1,677,360
5010003	Personal Services Matching	\$5,693,129	\$6,444,554	\$751,425
Total		\$24,165,408	\$26,594,193	\$2,428,785

- Salaries and Matching are increased to provide for changes in matching rates and career service payments.

AR Public Defender Cash - NEH0000 (Appropriation AT7)

Commitment Item		2022-2023	2023-2024	
		Authorized	Legislative	Change Level
5900046	Extra Help & Matching Costs - Cash	\$4,500,000	\$1,000,000	(\$3,500,000)
Total		\$4,500,000	\$1,000,000	(\$3,500,000)

- Decreased to be more in line with funding

Commission for Parent Counsel (Appropriation X66)

Commitment Item		2022-2023	2023-2024	
		Authorized	Legislative	Change Level
5010000	Regular Salaries	\$467,876	\$513,772	\$45,896
5010001	Extra Help	\$310,000	\$280,000	(\$30,000)
5010003	Personal Services Matching	\$170,543	\$188,738	\$18,195
5110014	Refunds/Reimbursements	\$3,600,231	\$3,630,231	\$30,000
Total		\$4,548,650	\$4,612,741	\$64,091

- Salaries and Matching are increased to provide for changes in matching rates and career service payments.
- Reallocation of \$30,000 from extra help to refunds/reimbursements for costs associated with contract reimbursement.

POSITIONS

Total Authorized Positions FY20224: 289

Total Authorized Positions FY2023: 287

Increase / (Decrease): 2

Extra Help Positions FY2023: 65

SPECIAL LANGUAGE REVISIONS

Added Maximum Salary language. It allows the Public Defender Commission after Office of Personnel Management approval to maintain equity between prosecutors and public defenders and authorize to pay to the maximum salary of their grade.