

Oklahoma Indigent Defense System

Lead Administrator: Joe P. Robertson, Executive Director

FY'16 Projected Division/Program Funding By Source						
	Appropriations	Federal	Revolving	Local	Other*	Total
Appellate Services	\$3,125,124	\$0	\$876,461	\$0	\$200,000	\$4,201,585
General Operations	\$526,841	\$0	\$0	\$0	\$10,000	\$536,841
Trial Services	\$3,174,513	\$0	\$1,135,894	\$0	\$300,000	\$4,610,407
Non-Capital Contracts	\$5,283,950	\$0	\$431,250	\$0	\$0	\$5,715,200
Regional Offices	\$3,177,331	\$0	\$356,667	\$0	\$91,714	\$3,625,712
Forensic Testing	\$80,904	\$0	\$705,000	\$0	\$75,000	\$860,904
Information Systems	\$711,058	\$0	\$0	\$0	\$10,000	\$721,058
Total	\$16,079,720	\$0	\$3,505,272	\$0	\$686,714	\$20,271,705

*Source of "Other" and % of "Other" total for each.

* Carryover funds are allocated for unfinished FY15 contracts and an additional IT purchase estimated at \$10,000, totaling \$686,714

* Appropriations column includes funds for department 4000408 in the amount of \$514,020. These funds will be transferred to the 230 revolving fund (10% Retainage) later on in FY 16

FY'15 Carryover by Funding Source						
	Appropriations	Federal	Revolving	Local	Other*	Total
FY'15 Carryover	\$686,714	\$0	\$0	\$0	\$0	\$686,714

*Source of "Other" and % of "Other" total for each.

What Changes did the Agency Make between FY'15 and FY'16?	
<p>1.) Are there any services no longer provided because of budget cuts? Because there was no change in the agency's FY16 appropriation from the previous fiscal year, it has been able to continue to provide services mandated by the Oklahoma and Federal constitutions, and will do so as long as current funding levels are maintained and costs do not increase.</p> <p>2.) What services are provided at a higher cost to the user? None.</p> <p>3.) What services are still provided but with a slower response rate? While the agency has been able to provide constitutionally- mandated services, budget reductions of recent years have resulted in fewer attorneys handling increasing caseloads, causing a slower response time and agency attorneys exceeding caseload recommendations of national defender organizations by 50%.</p> <p>4.) Did the agency provide any pay raises that were not legislatively/statutorily required? If so, please provide a detailed description in a separate document. During the current fiscal year, one promotion and two salary adjustments were made, as reflected in Attachment "A".</p>	

FY'17 Requested Division/Program Funding By Source						
	Appropriations	Federal	Revolving	Other	Total	% Change
Appellate Services	\$3,125,124	\$0	\$876,461	\$0	\$4,001,585	-4.76%
General Operations	\$526,841	\$0	\$0	\$0	\$526,841	-1.86%
Trial Services	\$3,174,513	\$0	\$428,641	\$0	\$3,603,154	-21.85%
Non-Capital Contracts	\$5,283,950	\$0	\$431,250	\$0	\$5,715,200	0.00%
Regional Offices	\$3,177,331	\$0	\$356,667	\$0	\$3,533,998	-2.53%
Forensic Testing	\$80,904	\$0	\$705,000	\$0	\$785,904	-8.71%
Information Systems	\$711,058	\$0	\$0	\$0	\$711,058	-1.39%
Total	\$16,079,720	\$0	\$2,798,019	\$0	\$18,877,738	-6.88%

*Source of "Other" and % of "Other" total for each.

* FY17 budget will increase significantly once unfinished contracts (funded with revolving fund 200 monies) are rolled forward into the FY17 budget period.

That amount is unpredictable at this time. In addition, the FY 17 budget may increase once appropriated FY16 funds are carried over.

FY'17 Top Five Appropriation Funding Requests	
	\$ Amount
N/A	\$0
	\$0
	\$0
	\$0
	\$0

Total Increase above FY-17 Request

0

How would the agency handle a 5% appropriation reduction in FY'17?
A reduction of 5% will render the agency unable to continue providing legal representation in all trial and appellate level conflict of interest cases, resulting in a stoppage of the prosecution of those cases.

How would the agency handle a 7.5% appropriation reduction in FY'17?
A reduction of 7.5% will render the agency unable to continue providing legal representation in all trial and appellate level conflict of interest cases, resulting in a

stoppage in the prosecution of those cases. Further, it will leave the agency unable to furnish expert services in cases requiring such services as mandated by the state and federal constitutions, resulting in the cessation of prosecution of those cases or probable reversal on appeal.

How would the agency handle a 10% appropriation reduction in FY'17?

A reduction of 10% will render the agency unable to continue providing legal representation in all trial and appellate level conflict of interest cases, resulting in a stoppage of the prosecution of those cases. It will further leave the agency unable to furnish expert services in cases requiring such services as mandated by the state and federal constitutions, resulting in the cessation of prosecution of those cases or probable reversal on appeal. Finally, a 10% reduction will further result in the agency unable to continue providing legal representation in a number of trial level cases provided through fiscal year county contracts renewed or bid each year, also resulting in the stoppage of prosecution of those cases.

Is the agency seeking any fee increases for FY'16?

		\$ Amount
Increase 1	N/A	\$0
Increase 2	N/A	\$0
Increase 3	N/A	\$0

What are the agency's top 2-3 capital or technology (one-time) requests, if applicable?

N/A

Federal Government Impact

1.) How much federal money received by the agency is tied to a mandate by the Federal Government?

N/A

2.) Are any of those funds inadequate to pay for the federal mandate?

N/A

3.) What would the consequences be of ending all of the federal funded programs for your agency?

N/A

4.) How will your agency be affected by federal budget cuts in the coming fiscal year?

N/A

5.) Has the agency requested any additional federal earmarks or increases?

N/A

Division and Program Descriptions

Appellate Program

This program provides direct appeal representation to agency court-appointed clients, both capital and non-capital, as well as capital post-conviction services. Services are provided through three staffed divisions: the General Appeals Division, the Homicide Direct Appeals Division and the Capital-Post Conviction Division. Conflict of interest appeals which cannot be handled by staff are contracted with private counsel.

Trial Services Program

The Trial Services program provides services through the Non-Capital Trial Division, the Capital Trial - Tulsa Division and the Capital Trial - Norman Division. The Non-Capital Trial Division in turn provides services through staff attorneys in its satellite offices (identified as the Regional Office Program), and through non-capital contracts (identified as the Non-Capital Contracts program). The Capital Trial divisions provide services through staff attorneys, except in cases of a conflict of interest, in which case services are provided by contract counsel. The Non-Capital Trial Division provides services through both staff attorneys and contract lawyers.

Regional Offices Program

Six Non-Capital Trial Division satellite offices are operated in Norman, Mangum, Clinton, Guymon, Okmulgee and Sapulpa, which provide services in regions covering 20 Oklahoma counties. These offices provide services through staff attorneys.

Non-Capital Contracts Program

Non-capital contracts involve fiscal year county contracts, which are bid or renewed each year, covering 55 Oklahoma counties, as well as conflict of interest contracts with private counsel.

General Operations Program

The General Operations program, through its executive and finance divisions, provides administrative direction, supervision and support to the agency, all agency staff, as well as the administration of agency contracts.

Forensic Testing Program

This program ensures that constitutionally required expert assistance is provided in cases where the necessity for such services is established.

Informations Systems

This program provides information technology services to the agency and staff.

FY'17 Budgeted FTE

	Supervisors	Classified	Unclassified	\$0 - \$35 K	\$35 K - \$70 K	\$70 K - \$\$\$
Appellate Services	6.9	0	38.5	2.7	18.2	17.6
General Operations	2.2	0	3	0.4	0.4	2.2

Trial Services	5.2	0	33	2.4	18.4	13.2
Non-Capital Contracts	0	0	0	0	0	0
Regional Offices	6	0	39	4	28	7
Forensic Testing	0	0	0	0	0	0
Information Systems	0	0	0	0	0	0
Total	20.3	0	113.5	9.5	65	40

FTE History						
	2016 Budgeted	2015	2012	2009	2005	
Appellate Services	38.5	37.4	38.8	46.9	44.5	
General Operations	3.0	3.0	3.7	4.3	4.0	
Trial Services	33.0	32.7	29.5	40.3	43.5	
Non-Capital Contracts	0.0	0.0	0.0	0.0	0.0	
Regional Offices	39.0	39.0	29.7	34.0	29.0	
Forensic Testing	0.0	0.0	0.0	0.0	0.0	
Information Systems	0.0	0.0	0.0	0.0	5.0	
Total	113.5	112.1	101.7	125.5	126.0	

Performance Measure Review					
	FY'15	FY'14	FY'13	FY'12	FY'11
Appellate Services					
Capital Direct Appeals Cases	86	93	81	114	95
Capital Post Conviction Cases	55	60	65	70	60
Non-Capital Appeals Cases	565	648	595	540	609
General Appeals Attorney Caseloads	51	50	46	43	47
Trial Services					
Capital Trial Clients	50	53	67	98	112
Capital Trial Conflict Cases	2	3	4	3	3
Non-Capital Contracts					
Non-Capital Conflict Cases	1,454	1,058	834	670	549
Non-Capital Attorney Cases	37,176	38,530	34,729	34,739	33,232
Regional Offices					
Non-Capital Staff Attorney Cases	10,334	7,955	7,604	7,468	7,295
Forensic Testing					
Client Provided Services	152	139	110	119	128

Revolving Funds (200 Series Funds)			
	FY'13-15 Avg. Revenues	FY'13-15 Avg. Expenditures	June '15 Balance
Revolving Fund I- Fund 200			
Indigent Defense System Revolving Fund Authorized by 22 O.S.S.1368- It is a continuing fund used for the deposit of "federal funds" grants, gifts, and other such funds provided by law. Virtually all funds deposited into this revolving fund are receipts from various county clerks for representation costs assessed and collected as authorized by 22 O.S.S.1355.14 The amount deposited in this fund is unpredictable.	1,432,489	1,330,471	617,959
Revolving Fund II- Fund 230			
Contract Retention Fund Authorized by 22 O.S.S. 1369- is a continuing fund used for deposit of the 10% of annual county non-capital contracts in accordance with 22 O.S.S. 1355.8.G.2. These funds are retained in fund 230 until all cases have been closed in accordance with these annual contracts.	519,064	534,233	869,145