

FY23 Budget Performance Review Oklahoma Indigent Defense System 047							
Lead Administrator: Charles "Tim" Laughlin, Executive Director				Lead Financial Officer: Cary Cundiff			
Agency Mission							
The Oklahoma Indigent Defense System implements the Indigent Defense Act by providing trial, appellate, and post-conviction criminal defense services to persons who have been judicially determined to be entitled to legal counsel at State expense. The mission of the System is to provide indigents with legal representation comparable to that obtainable by those who can afford counsel and to do so in the most cost effective manner possible.							
Division and Program Descriptions							
Appellate Services - 10							
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							
General Operations - 20							
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.							
Trial Services - 30							
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 attorneys.							
Regional Offices - 60							
The Non-Capital Trial Division is responsible for providing defense representation for the agency's largest group of clients. Staff attorneys provide services in 20 Oklahoma counties, through satellite offices operated in Norman, Mangum, Clinton, Guymon, Okmulgee and Sapulpa. The remainder of the counties are represented by private providers and accounted for in Program 40.							
Non-Capital Contracts - 40							
The Non-Capital Trial Division is responsible for providing defense representation for the agency's largest group of clients at the district court level, in 75 of 77 Oklahoma counties. In accordance with the Indigent Defense Act, the agency provides non-capital trial services in 55 counties through fiscal year contracts with private attorneys at a flat rate, in 20 counties through staffed satellite offices, and where a conflict of interest arises precluding staff or contractor representation, through agreements with private attorneys on a case by case basis to accept court appointments at established agency hourly rates, subject to maximum amounts set by the Board.							
Forensic Testing - 70							
This program ensures that constitutionally required expert assistance is provided in cases where the necessity for such services arises. The program was created by the Legislature as a separate spending limit activity to account for expenditures for Forensic Testing services provided to indigent clients							
Information Systems - 88							
This program provides information services to the agency and staff. The information Systems Program provides the agency information systems equipment and personnel to support all agency functions through the Information Systems Department 8800001.							
FY'22 Budgeted Department Funding By Source							
Dept. #	Department Name	Appropriations	Federal	Revolving	Local ¹	Other ²	Total
1000110	General Appeals	\$1,713,701					\$1,713,701
1000120	Homicide Direct Appeals	\$1,212,883					\$1,212,883
1000130	Capital Post Conviction	\$994,746					\$994,746
1000170	Appellate Operations	\$241,254					\$241,254
2000200	General Operations	\$571,992		\$1,800			\$573,792
2000210	Training	\$14,000		\$1,200			\$15,200
3000300	Capital Trial Norman	\$967,128		\$20,000			\$987,128
3000301	Capital Trial Tulsa	\$1,029,159					\$1,029,159
3000302	Conflict Services			\$100,000			\$100,000
3000310	Non-Capital Trial Norman	\$835,868		\$10,000			\$845,868
3000370	Trial Operations	\$396,749					\$396,749
4000408	Non-Capital County Contracts	\$5,181,321		\$575,702			\$5,757,023
4000409	Non-Capital Conflict Contracts	\$50,000		\$625,000			\$675,000
4000417	Non-Capital Contracts Previous Years' Retained Funds			\$1,202,640			\$1,202,640
4000429	Non-Capital Contracts Previous Years	\$25,000					\$25,000
6000611	Non-Capital Trial Clinton	\$1,222,355					\$1,222,355
6000612	Non-Capital Trial Mangum	\$792,389					\$792,389
6000613	Non-Capital Trial Okmulgee	\$618,531					\$618,531
6000614	Non-Capital Trial Sapulpa	\$686,636		\$5,000			\$691,636
6000615	Non-Capital Trial Guymon	\$338,832					\$338,832
6000617	Non-Capital Trial Cleveland County	\$686,165					\$686,165
6000619	Non-Capital Trial Enid	\$653,277					\$653,277
6000620	Non-Capital Trial Lawton	\$849,936					\$849,936

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Dept. #	Department Name	Appropriations	Federal	Revolving	Local ¹	Other ²	Total
6000621	Non-Capital Trial Woodward						\$0
7000711	Forensic Testing General Appeals			\$3,000			\$3,000
7000712	Forensic Testing Homicide Direct Appeals			\$23,000			\$23,000
7000713	Forensic Testing Capital Post Conviction	\$1,000		\$1,000			\$2,000
7000731	Forensic Testing Capital Trial Norman	\$70,000		\$15,000			\$85,000
7000732	Forensic Testing Capital Trial Tulsa	\$62,000		\$65,000			\$127,000
7000733	Forensic Testing Capital Trial Conflicts			\$30,000			\$30,000
7000741	Forensic Testing Non-Capital Trial	\$250,000					\$250,000
8800001	Information Systems	\$497,254					\$497,254
Total		\$19,962,176	\$0	\$2,678,342	\$0	\$0	\$22,640,518
FY'21 Carryover by Funding Source							
Class Fund	Carryover Class Fund Name	Appropriations	Federal	Revolving	Local ¹	Other ²	Total
19021	FY20 General Revenue						\$0
19111	FY21 General Revenue						\$0
20000	Indigent Defense System Revolving Fund						\$0
What changes did the agency make between FY'21 and FY'22?							
1.) Are there any services no longer provided because of budget cuts?							
The agency was able to mitigate impacts of budget cuts going into FY21 by utilizing carryover from prior years as well as implementing operational practices to reduce cash expenditures. These operational practices included but were not limited to delays in filling vacated positions (from turnover).							
2.) What services are provided at a higher cost to the user?							
Clients are appointed to the agency by the courts, and are potentially subject to fees pursuant to 22 O.S. § 1355.14, unless those fees are waived by the courts. However, costs to the agency to provide services to clients are increasing in categories including (but not limited to) information technology, office rent/leases, and contracts with outside counsel (to represent clients in counties where the agency does not have satellite office coverage).							
3.) What services are still provided but with a slower response rate?							
N/A							
4.) Did the agency provide any pay raises that were not legislatively/statutorily required?							
The agency has provided pay raises to several support staff, but these increases came after other positions had turnover and the new employees were hired at reduced rates. The savings resulting from the reduced salary of those positions allowed for slight increases to other positions which took on additional duties resulting from the aforementioned turnover. The agency has also provided raises to staff attorneys in the hopes of reducing turnover, due to the federal government and tribes' ability to pay higher salaries. The Oklahoma Indigent Defense System Board also recently approved a pay raise to the agency's Executive Director (pursuant to 22 O.S. § 1355.3) to bring his salary equivalent to the Executive Coordinator of the District Attorneys Council.							
FY'23 Requested Funding By Department and Source							
Dept. #	Department Name	Appropriations	Federal	Revolving	Other ¹	Total	% Change
1000110	General Appeals	\$1,760,389	\$0	\$0	\$0	\$1,760,389	2.72%
1000120	Homicide Direct Appeals	\$1,245,862	\$0	\$0	\$0	\$1,245,862	2.72%
1000130	Capital Post Conviction	\$1,022,312	\$0	\$0	\$0	\$1,022,312	2.77%
1000170	Appellate Operations	\$241,254	\$0	\$0	\$0	\$241,254	0.00%
2000200	General Operations	\$571,992	\$0	\$1,800	\$0	\$573,792	0.00%
2000210	Training	\$22,000	\$0	\$28,000	\$0	\$50,000	228.95%
3000300	Capital Trial Norman	\$992,764	\$0	\$20,000	\$0	\$1,012,764	2.60%
3000301	Capital Trial Tulsa	\$1,056,132	\$0	\$0	\$0	\$1,056,132	2.62%
3000302	Conflict Services	\$0	\$0	\$100,000	\$0	\$100,000	0.00%
3000310	Non-Capital Trial Norman	\$857,783	\$0	\$10,000	\$0	\$867,783	2.59%
3000370	Trial Operations	\$396,749	\$0	\$0	\$0	\$396,749	0.00%
4000408	Non-Capital County Contracts	\$5,106,321	\$0	\$568,202	\$0	\$5,674,523	-1.43%
4000409	Non-Capital Conflict Contracts	\$50,000	\$0	\$475,000	\$0	\$525,000	-22.22%
4000417	Non-Capital Contracts Previous Years' Retained	\$0	\$0	\$1,202,640	\$0	\$1,202,640	0.00%
4000429	Non-Capital Contracts Previous Years	\$25,000	\$0	\$0	\$0	\$25,000	0.00%
6000611	Non-Capital Trial Clinton	\$1,055,081	\$0	\$0	\$0	\$1,055,081	-13.68%
6000612	Non-Capital Trial Mangum	\$813,515	\$0	\$0	\$0	\$813,515	2.67%
6000613	Non-Capital Trial Okmulgee	\$635,611	\$0	\$0	\$0	\$635,611	2.76%
6000614	Non-Capital Trial Sapulpa	\$706,094	\$0	\$5,000	\$0	\$711,094	2.81%
6000615	Non-Capital Trial Guymon	\$347,504	\$0	\$0	\$0	\$347,504	2.56%
6000617	Non-Capital Trial Cleveland County	\$704,895	\$0	\$0	\$0	\$704,895	2.73%
6000619	Non-Capital Trial Enid	\$670,629	\$0	\$0	\$0	\$670,629	2.66%
6000620	Non-Capital Trial Lawton	\$873,035	\$0	\$0	\$0	\$873,035	2.72%
6000621	Non-Capital Trial Woodward	\$537,000	\$0	\$0	\$0	\$537,000	#DIV/0!

FY'23 Budget Requests - Public Safety Judiciary

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Dept. #	Department Name	Appropriations	Federal	Revolving	Other ¹	Total	% Change
7000711	Forensic Testing General Appeals	\$0	\$0	\$3,000	\$0	\$3,000	0.00%
7000712	Forensic Testing Homicide Direct Appeals	\$0	\$0	\$23,000	\$0	\$23,000	0.00%
7000713	Forensic Testing Capital Post Conviction	\$1,000	\$0	\$1,000	\$0	\$2,000	0.00%
7000731	Forensic Testing Capital Trial Norman	\$70,000	\$0	\$15,000	\$0	\$85,000	0.00%
7000732	Forensic Testing Capital Trial Tulsa	\$62,000	\$0	\$65,000	\$0	\$127,000	0.00%
7000733	Forensic Testing Capital Trial Conflicts	\$0	\$0	\$30,000	\$0	\$30,000	0.00%
7000741	Forensic Testing Non-Capital Trial	\$80,000	\$0	\$150,000	\$0	\$230,000	-8.00%
8800001	Information Systems	\$397,254	\$0	\$0	\$0	\$397,254	-20.11%
Total		\$20,302,176	\$0	\$2,697,642	\$0	\$22,999,818	1.59%

FY'23 Top Five Operational Appropriation Funding Requests

Request by Priority	Request Description	Request Amount
Request 1:	Salary Parity	\$340,000
Request 2:	New Satellite Office in Woodward	\$0
Top Five Request Subtotal:		\$340,000
Total Increase above FY-21 Budget (including all requests)		\$ 340,000
Difference between Top Five requests and total requests:		\$0

Does the agency have any costs associated with the Pathfinder retirement system and federal employees?

The agency does not have any employees who are also employed by the federal government.

How would the agency be affected by receiving the same appropriation for FY '23 as was received in FY '22? (Flat/ 0% change)

The agency will continue providing services to court appointed clients, and will continue implementing cost-savings practices (e.g. acquiring surplus furniture from other agencies, better utilizing agency's fleet to reduce travel costs, etc.) to mitigate against rising costs-of-doing-business.

How would the agency handle a 2% appropriation reduction in FY '23?

The agency would have to reduce the amount of resources available for conflict counsel or expert service contracts it enters into, impacting the ability to provide a constitutional defense to court-appointed clients.

Is the agency seeking any fee increases for FY '23?

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

Federal Funds

CFDA	Federal Program Name	Agency Dept. #	FY 21	FY 20	FY 19	FY 18
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

FY'22 Budgeted FTE

Division #	Division Name	Supervisors	Classified	Unclassified	\$0 - \$35K	\$35K - \$70K	\$70 K - \$\$\$
1000110	General Appeals	2	0	16	0	11	5
1000120	Homicide Direct Appeals	2	0	11	0	6	5
1000130	Capital Post Conviction	2	0	9.5	0.5	5	3
2000200	Executive General Administration & Legal	2	0	2	0	0	2
2000200	Executive Human Resources Management	1	0	3	1	2	0
8800001	Information Systems	0	0	1	0	1	0
2000200	Executive Accounting and Financing	1	0	5	0	4	1
3000300	Capital Trial Norman	2	0	8	0	3	5
3000301	Capital Trial Tulsa	2	0	9	0	5	4
3000310	Non-Capital Trial Norman	1	0	8	0	6	2
6000611	Non-Capital Clinton Office	1	0	12	0	9	3
6000612	Non-Capital Mangum Office	1	0	7	0	4	3

FY'23 Budget Requests - Public Safety Judiciary

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6000613	Non-Capital Okmulgee Office	1	0	6	0	3	3
Division #	Division Name	Supervisors	Classified	Unclassified	\$0 - \$35K	\$35K - \$70K	\$70 K - \$\$\$
6000614	Non-Capital Sapulpa Office	1	0	7	0	3	4
6000615	Non-Capital Guymon Office	1	0	3	0	1	2
6000617	Non-Capital Cleveland County	1	0	7	0	5	1
6000619	Non-Capital Enid Office	1	0	6	0	5	1
6000620	Non-Capital Lawton Office	1	0	8	0	7	1
6000621	Non-Capital Woodward Office						
Total		23	0	128.5	1.5	80	45
FTE History							
Division #	Division Name	2022 Budgeted	2021	2020	2018	2013	
1000110	General Appeals	16.0	16.0	16.0	16.0	16.0	
1000120	Homicide Direct Appeals	11.0	11.0	11.0	11.0	12.0	
1000130	Capital Post Conviction	9.5	7.5	7.5	7.5	7.5	
2000200	Executive General Administration & Legal	2.0	2.0	2.0	2.0	4.0	
2000200	Executive Human Resources Management	3.0	2.5	3.0	3.0	3.0	
8800001	Information Systems	1.0	1.0	0.0	0.0	0.0	
2000200	Executive Accounting and Financing	5.0	5.0	4.0	5.0	5.0	
3000300	Capital Trial Norman	8.0	8.0	8.0	9.0	6.0	
3000301	Capital Trial Tulsa	9.0	9.0	9.0	10.0	11.5	
3000310	Non-Capital Trial Norman	8.0	8.0	8.0	9.0	7.0	
6000611	Non-Capital Clinton Office	12.0	11.0	11.0	11.0	11.0	
6000612	Non-Capital Mangum Office	7.0	7.0	7.0	7.0	7.0	
6000613	Non-Capital Okmulgee Office	6.0	6.0	6.0	5.0	6.0	
6000614	Non-Capital Sapulpa Office	7.0	7.0	7.0	7.0	6.0	
6000615	Non-Capital Guymon Office	3.0	3.0	3.0	3.0	3.0	
6000617 & 6000618	Non-Capital Cleveland County	7.0	7.0	7.0	7.0	0.0	
6000619	Non-Capital Enid Office	6.0	0.0	0.0	0.0	0.0	
6000620	Non-Capital Lawton Office	8.0	0.0	0.0	0.0	0.0	
6000621	Non-Capital Woodward Office	0.0	0.0	0.0	0.0	0.0	
Total		128.5	111.0	109.5	112.5	105.0	
Performance Measure Review							
		FY 21	FY 20	FY 19	FY 18	FY 17	
Appellate Service		655	599	724	740	702	
General Operations		56,658	58,853	64,897	61,115	60,747	
Trial Services		55,973	58,251	64,170	60,373	60,044	
Non-Capital Contracts		46,198	45,343	50,468	47,820	47,261	
Regional Offices		9,775	12,877	13,585	12,395	12,633	
Forensic Testing		60	108	97	100	64	
Information Systems		56,658	58,853	64,897	61,115	60,747	
Revolving Funds (200 Series Funds)							
		FY'19-21 Avg. Revenues		FY'19-21 Avg. Expenditures		June '21 Balance	
200 - OIDS Revolving Fund							
Revenue sources: collections received from counties for fines and fees							
Fund uses: court costs		\$1,188,637		\$1,033,181		\$651,860	
230 - Contract Retention Fund							
Revenue sources: indigent defense contracts percentage.							
Fund uses: uncompleted contract payments.		\$0, as the fund only receives transfers pursuant to statute		\$471,763		\$619,683	