

FY 2025 Budget Performance Review
047 - Oklahoma Indigent Defense System

Version Revision 01
Lead Administrator: Charles "Tim" Laughlin, Executive Director

Date submitted 11/6/2023
Lead Financial Officer: Brandy Bahm, Chief Finance Officer

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

Note: Please define any acronyms used in program descriptions.

Appellate Services - 10

This program provides direct appeal representation to agency court-appointed clients, both capital and non-capital. Services are provided through two staffed divisions: the Appellate East and Appellate West Divisions. 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.

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 41 counties through fiscal year contracts with private attorneys at a flat rate, in 34 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.

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 34 Oklahoma counties, through satellite offices operated in Norman, Altus, Clinton, Guyman, Okmulgee, Sapulpa, Enid, Lawton, Woodward, & El Reno. The remainder of the counties are represented by private providers and accounted for in Program 40.

Expert Services - 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 expert 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.

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FY'24 Budgeted Department Funding By Source							
Dept. #	Department Name	Appropriations	Federal	Revolving	Local ¹	Other ²	Total
1000110	General Appeals	\$2,110,435		\$133,167		\$24,000	\$2,267,602
1000120	Homicide Direct Appeals Div	\$2,079,527		\$193,935		\$27,500	\$2,300,962
1000130	Capital-Post Conviction	\$190,809		\$18,815		\$8,800	\$218,424
1000140	Contract Legal Services			\$17,000		\$50,000	\$67,000
1000170	Appellate Operations	\$668,312		\$33,591		\$16,900	\$718,803
2000200	Executive	\$270,065		\$112,155		\$133,910	\$516,130
2000210	Training			\$81,100			\$81,100
3000300	Capital Trial Norman	\$1,133,647		\$158,356		\$13,500	\$1,305,503
3000301	Capital Trial Tulsa	\$1,328,338		\$121,260		\$60,000	\$1,509,598
3000302	Conflict Services			\$70,000			\$70,000
3000310	Non-Capital, Norman	\$1,966,604		\$189,483		\$38,300	\$2,194,387
3000370	Trial Operations	\$1,142,412		\$86,880		\$1,000	\$1,230,292
4000408	Non-Capital County Contracts	\$5,509,409		\$1,500			\$5,510,909
4000409	Non-Capital Conflict Contracts			\$504,000		\$150,000	\$654,000
4000410	Non-Capital Replcmnt Contracts	\$112,500					\$112,500
4000417	Non-Cap Contr-PY Retained Fds			\$189,000			\$189,000
4000429	Non-Cap Conflict Cont-Prior Yr			\$81,000		\$250,000	\$331,000
4000430	Non-Cap Repl Cont-PY Retnd Fds			\$24,000			\$24,000
6000611	Non-Capital Clinton Office	\$1,164,923		\$108,220		\$2,800	\$1,275,943
6000612	Non-Capital Altus Office	\$794,290		\$106,936		\$250	\$901,476
6000613	Non-Capital Okmulgee Office	\$711,917		\$53,207		\$150	\$765,274
6000614	Non-Capital Sapulpa Office	\$813,286		\$47,528		\$375	\$861,189
6000615	Non-Capital Guymon Office	\$519,205		\$43,304		\$2,830	\$565,339
6000617	Non-Capital Cleveland County	\$1,088,155		\$95,027		\$25,550	\$1,208,732
6000619	Non-Capital Enid Office	\$651,237		\$44,145		\$32,800	\$728,182
6000620	Non-Capital Lawton Office	\$871,165		\$66,054		\$700	\$937,919
6000621	Non-Capital Woodward Office	\$578,768		\$63,047		\$300	\$642,115

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6000622	Non-Capital El Reno Office	\$657,037	\$60,422	\$10,720	\$728,179
7000711	General Appeals Expert Service	\$10,200		\$8,600	\$18,800
7000712	Homicide Direct Appeals Expert	\$1,117	\$36,883	\$93,200	\$131,200
7000713	Cap Post Convict Expert Servic		\$5,400		\$5,400
7000731	Cap Trial Norman Expert Servic	\$30,821	\$64,999	\$92,000	\$187,820
7000732	Cap Trial Tulsa Expert Service	\$1,200	\$158,400		\$159,600
7000733	Cap Trial Conflicts Expert Ser		\$11,000		\$11,000
7000741	Non-Cap Trial Expert Services	\$6,000	\$297,600	\$49,800	\$353,400
8800001	Information Systems Department	\$299,412	\$385,304		\$684,716
8800110	IT General Appeals	\$4,488	\$17,433		\$21,921
8800120	IT Homicide Direct Appeals	\$4,644	\$26,475		\$31,119
8800300	IT Capital Trial Norman	\$2,322	\$15,757		\$18,079
8800301	IT Capital Trial Tulsa	\$4,584	\$20,787		\$25,371
8800310	IT Non-Capital Trial Norman	\$4,884	\$23,990		\$28,874
8800611	IT Clinton Office		\$21,579		\$21,579
8800612	IT Altus Office		\$15,465		\$15,465
8800613	IT Okmulgee Office		\$15,279		\$15,279
8800614	IT Sapulpa Office		\$12,660		\$12,660
8800615	IT Guymon Office		\$12,917		\$12,917
8800617	IT Cleveland County Office		\$23,471		\$23,471
8800619	IT Enid Office		\$16,039		\$16,039
8800620	IT Lawton Office		\$18,114		\$18,114
8800621	IT Woodward Office		\$17,400		\$17,400
8800622	IT El Reno Office		\$22,727		\$22,727
Total		\$24,731,713	\$0	\$0	\$29,768,509

1. Please describe source of Local funding not included in other categories:
 2. Please describe source(s) and % of total of "Other" funding if applicable for each department:

FY'23 Carryover by Funding Source							
Class Fund #	Carryover Class Fund Name	Appropriations	Federal	Revolving	Local ¹	Other ²	Total
19121	FY21 General Revenue	\$775,393					\$775,393
19211	FY22 General Revenue	\$2,996,597					\$2,996,597
							\$0

1. Please describe source of Local funding not included in other categories:
 2. Please describe source(s) and % of total of "Other" funding if applicable:

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What changes did the agency make between FY'23 and FY'24?

1.) Are there any services no longer provided because of budget cuts?

No.

2.) What services are provided at a higher cost to the user?

None.

3.) What services are still provided but with a slower response rate?

None.

4.) Did the agency provide any pay raises that were not legislatively/statutorily required?

Yes, to retain staff since the agency is losing attorneys to the Federal and Tribal offices who have higher budgets and lighter case loads.

FY'25 Requested Funding By Department and Source

Dept. #	Department Name	Appropriations	Federal	Revolving	Other ¹	Total	% Change
1000110	Appellate West	\$2,110,435	\$0	\$0	\$157,167	\$2,267,602	0.00%
1000120	Appellate East	\$2,079,527	\$0	\$0	\$221,435	\$2,300,962	0.00%
1000130	Capital-Post Conviction	\$0	\$0	\$0	\$0	\$0	-100.00%
1000140	Contract Legal Services	\$65,500	\$0	\$0	\$1,500	\$67,000	0.00%
1000170	Appellate Operations	\$668,312	\$0	\$0	\$50,491	\$718,803	0.00%
2000200	Executive	\$270,065	\$0	\$0	\$246,065	\$516,130	0.00%
2000210	Training	\$0	\$0	\$0	\$81,100	\$81,100	0.00%
3000300	Capital Trial Norman	\$1,133,647	\$0	\$158,356	\$13,500	\$1,305,503	0.00%
3000301	Capital Trial Tulsa	\$1,328,338	\$0	\$121,260	\$60,000	\$1,509,598	0.00%
3000302	Conflict Services	\$0	\$0	\$0	\$70,000	\$70,000	0.00%
3000310	Non-Capital, Norman	\$1,966,604	\$0	\$189,483	\$38,300	\$2,194,387	0.00%
3000370	Trial Operations	\$1,142,412	\$0	\$0	\$87,880	\$1,230,292	0.00%
4000408	Non-Capital County Contracts	\$5,509,409	\$0	\$1,500	\$0	\$5,510,909	0.00%
4000409	Non-Capital Conflict Contracts	\$0	\$0	\$504,000	\$150,000	\$654,000	0.00%
4000410	Non-Capital Replcmnt Contracts	\$112,500	\$0	\$0	\$0	\$112,500	0.00%
4000417	Non-Cap Contr-PY Retained Fds	\$0	\$0	\$189,000	\$0	\$189,000	0.00%
4000429	Non-Cap Conflict Cont-Prior Yr	\$0	\$0	\$81,000	\$250,000	\$331,000	0.00%
4000430	Non-Cap Repl Cont-PY Retnd Fds	\$0	\$0	\$24,000	\$0	\$24,000	0.00%
6000611	Non-Capital Clinton Office	\$1,164,923	\$0	\$0	\$111,020	\$1,275,943	0.00%
6000612	Non-Capital Altus Office	\$794,290	\$0	\$0	\$107,186	\$901,476	0.00%
6000613	Non-Capital Okmulgee Office	\$711,917	\$0	\$0	\$53,357	\$765,274	0.00%
6000614	Non-Capital Sapulpa Office	\$813,286	\$0	\$0	\$47,903	\$861,189	0.00%
6000615	Non-Capital Guymon Office	\$519,205	\$0	\$0	\$46,134	\$565,339	0.00%
6000617	Non-Capital Cleveland County	\$1,088,155	\$0	\$0	\$120,577	\$1,208,732	0.00%
6000619	Non-Capital Enid Office	\$651,237	\$0	\$0	\$76,945	\$728,182	0.00%
6000620	Non-Capital Lawton Office	\$871,165	\$0	\$0	\$66,754	\$937,919	0.00%
6000621	Non-Capital Woodward Office	\$578,768	\$0	\$0	\$63,347	\$642,115	0.00%

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6000622	Non-Capital El Reno Office	\$657,037	\$0	\$0	\$0	\$71,142	\$728,179	0.00%
7000711	Appellate West Expert Service	\$10,200	\$0	\$0	\$0	\$8,600	\$18,800	0.00%
7000712	Appellate East Expert Service	\$1,117	\$0	\$0	\$0	\$30,083	\$31,200	-76.22%
7000713	Cap Post Convict Expert Servic	\$0	\$0	\$0	\$0	\$0	\$0	-100.00%
7000731	Cap Trial Norman Expert Servic	\$30,821	\$0	\$0	\$0	\$156,999	\$187,820	0.00%
7000732	Cap Trial Tulsa Expert Service	\$1,200	\$0	\$0	\$0	\$158,400	\$159,600	0.00%
7000733	Cap Trial Conflicts Expert Ser	\$11,000	\$0	\$0	\$0	\$0	\$11,000	0.00%
7000741	Non-Cap Trial Expert Services	\$10,158	\$0	\$0	\$0	\$315,567	\$325,725	-7.83%
8800001	Information Systems Department	\$299,412	\$0	\$0	\$0	\$736,804	\$1,036,216	51.34%
8800110	IT Appellate West	\$4,488	\$0	\$0	\$0	\$17,433	\$21,921	0.00%
8800120	IT Appellate East	\$4,644	\$0	\$0	\$0	\$26,475	\$31,119	0.00%
8800300	IT Capital Trial Norman	\$2,322	\$0	\$0	\$0	\$15,757	\$18,079	0.00%
8800301	IT Capital Trial Tulsa	\$4,584	\$0	\$0	\$0	\$20,787	\$25,371	0.00%
8800310	IT Non-Capital Trial Norman	\$4,884	\$0	\$0	\$0	\$23,990	\$28,874	0.00%
8800611	IT Clinton Office	\$0	\$0	\$0	\$0	\$21,579	\$21,579	0.00%
8800612	IT Altus Office	\$0	\$0	\$0	\$0	\$15,465	\$15,465	0.00%
8800613	IT Okmulgee Office	\$0	\$0	\$0	\$0	\$15,279	\$15,279	0.00%
8800614	IT Sapulpa Office	\$0	\$0	\$0	\$0	\$12,660	\$12,660	0.00%
8800615	IT Guymon Office	\$12,400	\$0	\$0	\$0	\$517	\$12,917	0.00%
8800617	IT Cleveland County Office	\$23,471	\$0	\$0	\$0	\$0	\$23,471	0.00%
8800619	IT Enid Office	\$16,039	\$0	\$0	\$0	\$0	\$16,039	0.00%
8800620	IT Lawton Office	\$18,114	\$0	\$0	\$0	\$0	\$18,114	0.00%
8800621	IT Woodward Office	\$17,400	\$0	\$0	\$0	\$0	\$17,400	0.00%
8800622	IT El Reno Office	\$22,727	\$0	\$0	\$0	\$0	\$22,727	0.00%
Total		\$24,731,713	\$0	\$1,268,599	\$3,768,198	\$29,768,510	0.00%	

1. Please describe source(s) and % of total of "Other" funding for each department:
Carryover funds will have to cover expenditures once revolving funds are depleted as revenues drop.

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FY'25 Top Five Operational Appropriation Funding Requests

Request by Priority	Request Description	Appropriation Request Amount (\$)
Request 1: Request 2: Request 3: Request 4: Request 5:		
	Top Five Request Subtotal:	\$0
Total Increase above FY-24 Budget (including all requests)		\$ -
Difference between Top Five requests and total requests:		\$0

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

No

How would the agency be affected by receiving the same appropriation for FY '25 as was received in FY '24? (Flat/ 0% change)

The agency should be able to function at the same level with a flat budget.

How would the agency handle a 2% appropriation reduction in FY '25?

The agency would have to evaluate some cost that have been beneficial to our clients and eliminate expert services that have also benefited our clients. We may have to cut positions as well since OIDS fees will drop in FY24.

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Is the agency seeking any fee increases for FY '25?

	Fee Increase Request (\$)	Statutory change required? (Yes/No)
Increase 1 N/A		
Increase 2		
Increase 3		

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

Description of request in order of priority	Appropriated Amount (\$)	Submitted to LRCP? (Yes/No)
Priority 1		
Priority 2		
Priority 3		

Federal Funds

CFDA	Federal Program Name	Agency Dept. #	FY 24 budgeted	FY 23	FY 22	FY 21	FY 20

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

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FY 2024 Budgeted FTE								
Division #	Division Name	Supervisors	Non-Supervisors	\$0 - \$35 K	\$35 K - \$70 K	\$70 K - \$100K	\$100K+	
10	Appellate Services	4.96	38.96	2.8	15.255	17.405		8.46
20	Executive	0.39	2.015	0.325	1.17	0.52		0.39
30	Trial Services	7.65	44.025	7.875	23.95	8.2		11.65
60	Regional Offices	10	59		24	35		10
Total		23	144	11	64.375	61.125		30.5

FTE History by Fiscal Year							
Division #	Division Name	FY 2024 Budgeted	FY 2024 YTD	FY 2023	FY 2022	FY 2021	FY 2016
10	Appellate Services	43.9	39.3	37.9	39.4	37.2	36.1
20	Executive	2.4	2.0	3.2	3.2	3.1	3.0
30	Trial Services	51.7	41.3	41.0	30.0	29.7	28.4
60	Regional Offices	69.0	62.0	51.0	56.0	41.0	38.0
Total		167.0	144.5	133.0	128.5	111.0	105.5

Performance Measure Review					
	FY 2023	FY 2022	FY 2021	FY 2020	FY 2019
Appellate Services					
General Appeals Cases	482	488	503	465	539
Homicide Direct Appeals Cases	91	97	88	85	96
Capital Post Conviction Cases	49	62	56	51	59
Trial Services					
Capital Trial Norman Cases	20	20	16	16	14
Capital Trial Tulsa Cases	12	9	13	13	14
Non-Capital Contracts					
County Contract Cases	19,890	20,702	25,056	27,589	31,924
Conflict Cases	311	294	601	691	972
Regional Offices					
Altus Office Cases	1,663	1,662	1,917	2,526	2,954
Cleveland County Office Cases	3,771	3,518	2,889	6,225	4,207
Clinton Office Cases	1,828	2,313	2,500	5,413	3,181
Enid Office Cases (opened in FY22)	2,155	1,626	-	-	-
Guymon Office Cases	544	619	518	1,365	1,310
Lawton Office Cases (opened in FY22)	1,998	1,228	-	-	-
Okmulgee Office Cases	1,121	1,082	1,268	3,024	2,127
Sapulpa Office Cases	1,011	966	997	2,424	1,629
Woodward Office Cases (opened in FY22 cases assigned last 3 months April - June 2022)	924	154	-	-	-
Expert Services					
Number of expert contracts put in place to provide our clients the best case support	81	85	60	108	97

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Revolving Funds (200 Series Funds)			
<i>Please provide fund number, fund name, description, and revenue source</i>	FY'21-23 Avg. Revenues	FY'21-23 Avg. Expenditures	June '23 Balance
20000 - Oklahoma Indigent Defense System Revolving Fund	\$1,122,783	\$357,356	\$2,471,332
<i>Authorized by 22 O.S. § 1368, is a revolving fund used for deposit of grants, gifts, and other such funds provided by law. Nearly all funds deposited into this revolving fund are receipts from various county clerks for representation cost assessed and collected as authorized by 22 O.S. § 1355.14. The amount deposited into this fund is unpredictable.</i>			
23000 - Contract Retention Revolving Fund	Originally general appropriations	\$529,519	\$1,184,962
<i>Authorized by 22 O.S. § 1369, is a continuing fund used for deposit of the 10% of annual county non-capital contracts in accordance with 22 O.S. § 1355.8.G.2. These funds are retained in fund 230 until cases have been closed in accordance with these annual contracts.</i>			

FY 2024 Current Employee Telework Summary						
<i>List each agency location, then report the number of employees associated with that location in the teleworking categories indicated. Use "No specified location" to account for remote employees not associated with a site. Use actual current employees (headcount), not budgeted or actual FTE.</i>			Full-time and Part-time Employees (#)			
Agency Location / Address	City	County	Onsite (5 days onsite, rarely remote)	Hybrid (2-4 days onsite weekly)	Remote (1 day or less weekly onsite)	Total Employees
111 N Peters Ave	Norman	Cleveland	62.5	17		79.5
823 Frisco Ave	Clinton	Custer	9			9
123 W Commerce Street	Altus	Jackson	6			6
205 S Grand Ave	Okmulgee	Okmulgee	5			5
614 S Hiawatha St	Sapulpa	Creek	8			8
1001 N Main Street	Guymon	Texas	3			3
205 W Maple Ave	Enid	Garfield	5			5
1318 SW Lee Blvd	Lawton	Comanche	8			8
1101 Hillcrest Dr	Woodward	Woodward	5			5
220 N Admire Ave	El Reno	Canadian	7			7
610 S Hiawatha St	Sapulpa	Creek	9			9
Total Agency Employees						144.5