FISCAL YEAR 2017

TRULY AGREED AND FINALLY PASSED (AFTER VETO)

PUBLIC DEFENDER

HOUSE BILL 2012

Vetoes: None

98th General Assembly Second Regular Session

Prepared by Senate Appropriations Committee Staff

Public Defender Commission - Director's Office/Legal Services - Section 12.400

Page 13

The Director's Office is responsible for centralized administration and coordination of resources, planning functions, fiscal processing, personnel functions, data processing support, conflict case transfers, collection of lien and recoupment monies and other support functions.

Legal Base: Chapter 600 RSMo Funding Source: General Revenue FY 2016 Withhold: None

CORE ADJUSTMENTS:

DEPARTMENT:

No Changes

GOVERNOR:

No Changes

HOUSE:

No Changes

SENATE:

No Changes

CONFERENCE:

Committee Markup Annual				НВ	2012 - OFFICE	OF THE	PUBLIC DEFEN	NDER					Regular Hou	use Bills
Markap Amaa.	FY 2015		FY 2016		FY 2017		GOV AS		HOUSE		SENATE		TRULY AGRE	:ED
	ACTUAL		BUDGET		DEPT REC	2	AMENDED R	REC	RECOMMEN	DED	RECOMMEN	DED	FINALLY PASS	SED
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE
HOUSE BILL SECTION 12.400 DFFICE OF THE DIRECTOR - 15111C								·	·					
CORE														
PERSONAL SERVICES	27,850,097	580.62	28,778,492	585.13	28,778,492	585.13	28,778,492	585.13	28,778,492	585.13	28,778,492	585.13	28,778,492	585.13
GENERAL REVENUE	27,850,097	580.62	28,778,492	585.13	28,778,492	585.13	28,778,492	585.13	28,778,492	585.13	28,778,492	585.13	28,778,492	585.13
EXPENSE & EQUIPMENT	5,196,504	0.00	3,922,447	0.00	3,922,447	0.00	3,922,447	0.00	3,922,447	0.00	3,922,447	0.00	3,922,447	0.00
GENERAL REVENUE	5,196,504	0.00	3,922,447	0.00	3,922,447	0.00	3,922,447	0.00	3,922,447	0.00	3,922,447	0.00	3,922,447	0.00
TOTAL	\$33,046,601	580.62	\$32,700,939	585.13	\$32,700,939	585.13	\$32,700,939	585.13	\$32,700,939	585.13	\$32,700,939	585.13	\$32,700,939	585.13

Pay Plan - 0000012 PERSONAL SERVICES GENERAL REVENUE	0	0.00	0	0.00 0.00	0	0.00 0.00	575,571 575,571	0.00	575,571 575,571	0.00	575,571 575,571	0.00 0.00	575,571 575,571	0.00
TOTAL	\$0	0.00	\$0	0.00	\$0	0.00	\$575,571	0.00	\$575,571	0.00	\$575,571	0.00	\$575,571	0.00
General Structure Adjustment for all state emp	loyees. Governor red	commends 2% fo	r FY2017.						·					

Constitutionally Mandated Repr - 1151001 PERSONAL SERVICES	0	0.00	0	0.00	16,159,056	344.00	0	0.00	0	0.00	542,880	10.00	542,880	10.00
GENERAL REVENUE	0	0.00	0	0.00	16,159,056	344.00	0	0.00	0	0.00	542,880	10.00	542,880	10.00
EXPENSE & EQUIPMENT	0	0.00	0	0.00	6,974,888	0.00	1,000,000	0.00	4,000,000	0.00	3,957,120	0.00	3,957,120	0.00

Committee Markup Annual				НВ	2012 - OFFICE	OF THE I	PUBLIC DEFEN	IDER					Regular Ho	use Bills
Committee markap / milaa.	FY 2015		FY 2016		FY 2017		GOV AS	•	HOUSE		SENATE		TRULY AGRI	EED
	ACTUAL		BUDGET		DEPT REC	2	AMENDED R	EC	RECOMMEN	DED	RECOMMEN	DED	FINALLY PAS	SED
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE
HOUSE BILL SECTION 12.400 OFFICE OF THE DIRECTOR - 15111C														•
Constitutionally Mandated Repr - 1151001 EXPENSE & EQUIPMENT	0	0.00	0	0.00	6,974,888	0.00	1,000,000	0.00	4,000,000	0.00	3,957,120	0.00	3,957,120	0.00
GENERAL REVENUE	0	0.00	0	0.00	6,974,888	0.00	1,000,000	0.00	4,000,000	0.00	3,957,120	0.00	3,957,120	0.00
TOTAL	\$0	0.00	\$0	0.00	\$23,133,944	344.00	\$1,000,000	0.00	\$4,000,000	0.00	\$4,500,000	10.00	\$4,500,000	10.00
Funding will provide caseload relief to the Publi	c Defender System	ı .		·										

Comprehensive Compensation Str - 1151002 PERSONAL SERVICES GENERAL REVENUE	0	0.00 0.00	0	0.00	1,101,929 1,101,929	0.00	0	0.00	0	0.00	0 0	0.00 0.00	0	0.00
TOTAL	\$0	0.00	\$0	0.00	\$1,101,929	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00

Juvenile Advocacy - 1151003	•	0.00	0	0.00	896,832	19.50	0	0.00	0	0.00	0	0.00	0	0.00
PERSONAL SERVICES	U	0.00	Ů	0.00			· ·		•		· ·		•	
GENERAL REVENUE	0	0.00	0	0.00	896,832	19.50	0	0.00	0	0.00	0	0.00	0	0.00

FY 2015 FY 2016 FY 2017 GOV AS HOUSE SENATE ACTUAL BUDGET DEPT REQ AMENDED REC RECOMMENDED DOLLAR FTE HOUSE BILL SECTION 12.400 OFFICE OF THE DIRECTOR - 15111C Juvenile Advocacy - 1151003	TRULY AGREED FINALLY PASSED				HOUSE		24 1/02							Committee Markup Annual
DOLLAR FTE HOUSE BILL SECTION 12.400 OFFICE OF THE DIRECTOR - 15111C Juvenile Advocacy - 1151003		IDED	PECOMMENT				GUV AS		FY 2017		FY 2016		FY 2015	-
HOUSE BILL SECTION 12.400 OFFICE OF THE DIRECTOR - 15111C Juvenile Advocacy - 1151003	DOLLAD CTC		INCOMMENT	DED	RECOMMEN	EC	AMENDED R)	DEPT REC		BUDGET		ACTUAL	
	DOLLAR FTE	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	
EXPENSE & EQUIPMENT 0 0.00 0 0.00 175,305 0.00 0 0.00 5 0.00	0	0.00	0	0.00	0	0.00	0	0.00	173,985	0.00	0	0.00	0	Juvenile Advocacy - 1151003 EXPENSE & EQUIPMENT
GENERAL REVENUE 0 0.00 0 0.00 173,985 0.00 0 0.00 0 0.00 0 0.00	0	0.00	0	0.00	0	0.00	0	0.00	173,985	0.00	0	0.00	0	GENERAL REVENUE
TOTAL \$0 0.00 \$0 0.00 \$1,070,817 19.50 \$0 0.00 \$0 0.00 \$0 0.00 \$0 0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	19.50	\$1,070,817	0.00	\$0	0.00	\$0	TOTAL

Cyber Security, Mobility WAN - 1151004 EXPENSE & EQUIPMENT GENERAL REVENUE	0	0.00	0	0.00	461,260 461,260	0.00 0.00	0	0.00 0.00	0	0.00 0.00	0	0.00 0.00	0	0.00
TOTAL	\$0	0.00	\$0	0.00	\$461,260	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00

TOTAL - OFFICE OF THE DIRECTOR	\$33,046,601	580.62	\$32,700,939	585.13	\$58,468,889	948.63	\$34,276,510	585.13	\$37,276,510	585.13	\$37,776,510	595.13	\$37,776,510	595.13

Public Defender Commission - Grants - Section 12.400

Page 59

This section provides appropriation authority if grants are received from the federal government.

Legal Base: Chapter 600 RSMo **Funding Source:** Federal Funds

FY 2016 Withhold: None

CORE ADJUSTMENTS:

DEPARTMENT:

No Changes

GOVERNOR:

No Changes

HOUSE:

No Changes

SENATE:

No Changes

CONFERENCE:

Committee Markup Annual				НВ	2012 - OFFICE	OF THE	PUBLIC DEFEN	NDER					Regular Ho	use Bills
	FY 2015 ACTUAL		FY 2016 BUDGET		FY 2017 DEPT REC	2	GOV AS AMENDED F		HOUSE RECOMMEN	DED	SENATE RECOMMEN		TRULY AGRE	
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE
HOUSE BILL SECTION 12.400 GRANTS - 15131C														
CORE PROGRAM-SPECIFIC	0	0.00	125,000	0.00	125,000	0.00	125,000	0.00	125,000	0.00	125,000	0.00	125,000	0.00
FEDERAL FUNDS	0	0.00	125,000	0.00	125,000	0.00	125,000	0.00	125,000	0.00	125,000	0.00	125,000	0.00
TOTAL	\$0	0.00	\$125,000	0.00	\$125,000	0.00	\$125,000	0.00	\$125,000	0.00	\$125,000	0.00	\$125,000	0.00

TOTAL - GRANTS	\$0	0.00	\$125,000	0.00	\$125,000	0.00	\$125,000	0.00	\$125,000	0.00	\$125,000	0.00	\$125,000	0.00

Public Defender Commission - Legal Defense and Defender Fund - Section 12.400

Page 65

This section reflects personal services and expense and equipment requested and recommended from the Legal Defense Fund (funds collected from the indigent).

Legal Base: Chapter 600 RSMo

Funding Source: Legal Defense and Defender Fund FY 2016 Withhold: None

CORE ADJUSTMENTS:

DEPARTMENT:

Core Reallocation: (\$35,000) Legal Defense and Defender Fund authority from PSD to E&E

GOVERNOR:

No Changes

HOUSE:

No Changes

SENATE:

No Changes

CONFERENCE:

nmittee Markup Annual				HB	2012 - OFFICE	OF THE I	UBLIC DEFEN	NDER					Regular Ho	use bill
	FY 2015		FY 2016		FY 2017		GOV AS		HOUSE		SENATE		TRULY AGR	
	ACTUAL		BUDGET		DEPT REC		AMENDED F		RECOMMEN		RECOMMEN		FINALLY PAS	
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE
JSE BILL SECTION 12.400 GAL DEFENSE & DEFENDER FUND - 15141C														
CORE														•
PERSONAL SERVICES	131,826	1.94	132,537	2.00	132,537	2.00	132,537	2.00	132,537	2.00	132,537	2.00	132,537	2.0
OTHER FUNDS	131,826	1.94	132,537	2.00	132,537	2.00	132,537	2.00	132,537	2.00	132,537	2.00	132,537	2.0
EXPENSE & EQUIPMENT	1,482,918	0.00	2,765,756	0.00	2,800,756	0.00	2,800,756	0.00	2,800,756	0.00	2,800,756	0.00	2,800,756	0.0
OTHER FUNDS	1,482,918	0.00	2,765,756	0.00	2,800,756	0.00	2,800,756	0.00	2,800,756	0.00	2,800,756	0.00	2,800,756	0.0
PROGRAM-SPECIFIC	18,979	0.00	85,000	0.00	50,000	0.00	50,000	0.00	50,000	0.00	50,000	0.00	50,000	0.0
OTHER FUNDS	18,979	0.00	85,000	0.00	50,000	0.00	50,000	0.00	50,000	0.00	50,000	0.00	50,000	0.00
TOTAL	\$1,633,723	1.94	\$2,983,293	2.00	\$2,983,293	2.00	\$2,983,293	2.00	\$2,983,293	2.00	\$2,983,293	2.00	\$2,983,293	2.0
Core Reallocations-To align appropriations & FTE	with estimated e	xpenditures.							·					
Core Reallocations-To align appropriations & FTE	with estimated e	xpenditures.											·	
Core Reallocations-To align appropriations & FTE	E with estimated e	xpenditures.												
Pay Plan - 0000012				0.00	0	0.00	2,650	0.00	2,650	0.00	2,650	0.00	2,650	0.0
	with estimated e	0.00 0.00	0 0	0.00	0	0.00 0.00	2,650 2,650	0.00	2,650 2,650	0.00 0.00	2,650 2,650	0.00 0.00	2,650 2,650	0.0
Pay Plan - 0000012 PERSONAL SERVICES	0	0.00	0											

\$2,983,293

2.00

\$2,983,293

1.94

\$1,633,723

2.00

\$2,985,943

2.00

2.00

\$2,985,943

2.00

\$2,985,943

2.00

\$2,985,943

TOTAL - LEGAL DEFENSE & DEFENDER FUN

<u>Public Defender Commission – Extraordinary Expenses and Conflict Cases - Section 12.400</u>

Page 71

This section provides funding for three main types of expenses: payments of expenses associated with the defense or violent crimes, litigation expenses exceeding \$500, and expenses of contracting with private counsel in conflict cases.

In FY2015 the Public Defender Commission contracted with private counsel for representation in 3,791 cases.

Legal Base: Chapter 600 RSMo **Funding Source:** General Revenue

FY 2016 Withhold: None

CORE ADJUSTMENTS:

DEPARTMENT:

No Changes

GOVERNOR:

No Changes

HOUSE:

No Changes

SENATE:

No Changes

CONFERENCE:

Committee Markup Annual	HB 2012 - OFFICE OF THE PUBLIC DEFENDER													Regular House Bills		
Committee markap / minas	FY 2015 FY 2016 ACTUAL BUDGE							HOUSE EC RECOMMENDED		SENATE D RECOMMENDE		TRULY AGREED ED FINALLY PASSED				
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE		
HOUSE BILL SECTION 12.400 EXTRAORDINARY EXPENSE/CONFLIC - 15151C																
CORE EXPENSE & EQUIPMENT	3,721,071	0.00	3,721,071	0.00	3,721,071	0.00	3,721,071	0.00	3,721,071	0.00	3,721,071	0.00	3,721,071	0.00		
GENERAL REVENUE	3,721,071	0.00	3,721,071	0.00	3,721,071	0.00	3,721,071	0.00	3,721,071	0.00	3,721,071	0.00	3,721,071	0.00		
TOTAL	\$3,721,071	0.00	\$3,721,071	0.00	\$3,721,071	0.00	\$3,721,071	0.00	\$3,721,071	0.00	\$3,721,071 	0.00	\$3,721,071	0.00		
TOTAL - EXTRAORDINARY EXPENSE/CONFL	\$3,721,071	0.00	\$3,721,071	0.00	\$3,721,071	0.00	\$3,721,071	0.00	\$3,721,071	0.00	\$3,721,071	0.00	\$3,721,071	0.00		

Regular House Bills

Public Defender Commission - Debt Offset Escrow - Section 12.400

Page 77

This section authorizes State Public Defender to intercept Missouri State Income Tax refund checks due to individuals who owe the Missouri State Public Defender System monies for representation.

Legal Base: Chapter 600 RSMo

Funding Source: Escrow Account between the Taxpayer and the Dept of Revenue for Missouri State Public Defender Income Tax Interceptions

FY 2016 Withhold: None

CORE ADJUSTMENTS:

DEPARTMENT:

No Changes

GOVERNOR:

No Changes

HOUSE:

No Changes

SENATE:

No Changes

CONFERENCE:

Committee Markup Annual	HB 2012 - OFFICE OF THE PUBLIC DEFENDER													Regular House Bills	
· · · · · · · · · · · · · · · · · · ·	FY 2015 ACTUAL		FY 2016		FY 2017		GOV AS		HOUSE		SENATE		TRULY AGREED		
			BUDGET	BUDGET		DEPT REQ		AMENDED REC		RECOMMENDED		RECOMMENDED		FINALLY PASSED	
,	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	
HOUSE BILL SECTION 12.400 DEBT OFFSET ESCROW FUND - 15161C															
CORE PROGRAM-SPECIFIC	929,322	0.00	1,200,000	0.00	1,200,000	0.00	1,200,000	0.00	1,200,000	0.00	1,200,000	0.00	1,200,000	0.00	
OTHER FUNDS	929,322	0.00	1,200,000	0.00	1,200,000	0.00	1,200,000	0.00	1,200,000	0.00	1,200,000	0.00	1,200,000	0.00	
TOTAL	\$929,322	0.00	\$1,200,000	0.00	\$1,200,000	0.00	\$1,200,000	0.00	\$1,200,000	0.00	\$1,200,000	0.00	\$1,200,000	0.00	
TOTAL - DEBT OFFSET ESCROW FUND	\$929,322	0.00	\$1,200,000	0.00	\$1,200,000	0.00	\$1,200,000	0.00	\$1,200,000	0.00	\$1,200,000	0.00	\$1,200,000	0.00	

<u>Public Defender Commission - Conflict Cases - Section 12.400 - New Decision Item</u>

Page XX

This section provides funding for the expenses of contracting with private counsel in conflict cases.

Legal Base: Chapter 600 RSMo **Funding Source:** General Revenue

FY 2016 Withhold: N/A

CORE ADJUSTMENTS:

DEPARTMENT:

No Request

GOVERNOR:

No Recommendation

HOUSE:

New Decision Item Request

SENATE:

New Decision Item NOT Recommended

CONFERENCE:

Senate Position

ommittee Markup Annual			E)/ 0040		3 2012 - OFFICE OF THE PUBLIC DEFENDER				HOUSE		SENATE		Regular House Bills TRULY AGREED	
	FY 2015		FY 2016		FY 2017		GOV AS							
	ACTUAL		BUDGET		DEPT REQ		AMENDED REC		RECOMMENDED		RECOMMENDED		FINALLY PASSED	
_	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE
OUSE BILL SECTION 12.400														
ONFLICT CASE MANAGEMENT - 15171C														
Constitutionally Mandated Repr - 1151001														
EXPENSE & EQUIPMENT	0	0.00	0	0.00	0	0.00	0	0.00	500,000	0.00	0	0.00	0	0.00
GENERAL REVENUE	0	0.00	0	0.00	0	0.00	0	0.00	500,000	0.00	0	0.00	0	0.00
TOTAL _	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$500,000	0.00	\$0	0.00	\$0	0.00
Funding will provide caseload relief to the Public	Defender System													

\$0

0.00

\$0

\$0

0.00

0.00

\$0

0.00

\$500,000

0.00

\$0

0.00

\$0

0.00

TOTAL - CONFLICT CASE MANAGEMENT