

ARKANSAS PUBLIC DEFENDER COMMISSION

State Contracts Over \$50,000 Awarded To Minority Owned Businesses Fiscal Year 2020

None

Employment Summary

	Male	Female	Total	%
White Employees	153	144	297	88 %
Black Employees	12	24	36	11 %
Other Racial Minorities	3	2	5	1 %
Total Minorities			41	12 %
Total Employees			338	100 %

Publications

A.C.A. 25-1-201 et seq.

Name	Statutory Authorization	Required for		# of Copies	Reason(s) for Continued Publication and Distribution	Unbound Black & White Copies Produced During the Last Two Years	Cost of Unbound Copies Produced During the Last Two Years
		Governor	General Assembly				
Annual Reports	ACA §16-87-203	Y	Y	40	Required by Law	0	0.00

Department Appropriation Summary

Appropriation	Historical Data						Agency Request and Executive Recommendation							
	2019-2020		2020-2021		2020-2021		2021-2022				2022-2023			
	Actual	Pos	Budget	Pos	Authorized	Pos	Agency	Pos	Executive	Pos	Agency	Pos	Executive	Pos
1VA Ombudsman Program	61,569	1	64,671	1	74,892	1	75,252	1	75,252	1	75,252	1	75,252	1
337 Public Defender-Operations	2,979,870	20	3,047,337	19	2,986,922	19	3,093,239	19	3,093,239	19	3,095,824	19	3,095,824	19
530 Public Defender -Trial Office	22,961,190	249	24,373,856	251	24,257,705	249	24,879,097	251	25,903,108	251	24,901,637	251	25,925,764	251
X66 Commission for Parent Counsel	3,068,183	7	3,168,276	7	3,142,156	7	3,183,156	7	3,183,156	7	3,183,650	7	3,183,650	7
Total	29,070,812	276	30,654,140	278	30,461,675	276	31,230,744	278	32,254,755	278	31,256,363	278	32,280,490	278

Funding Sources		%		%		%		%		%		%	
Fund Balance	4000005	3,767,450	11.6	3,416,479	10.2	2,752,820	8.3	2,752,820	8.1	1,920,669	5.9	1,920,669	5.8
State Central Services	4000035	23,578,053	72.6	24,582,139	73.6	26,910,016	81.2	27,934,027	81.7	26,934,896	83.3	27,958,907	83.8
Bail Bond Fees	4000115	899,269	2.8	1,103,876	3.3	1,000,800	3.0	1,000,800	2.9	1,000,800	3.1	1,000,800	3.0
Transfer from DHS-DYS	4000515	61,569	0.2	64,671	0.2	75,252	0.2	75,252	0.2	75,252	0.2	75,252	0.2
Transfer State Admn of Justice	4000570	3,022,262	9.3	3,108,612	9.3	1,312,525	4.0	1,312,525	3.8	1,312,525	4.1	1,312,525	3.9
User / Attorney Fees	4000725	1,158,688	3.6	1,131,183	3.4	1,100,000	3.3	1,100,000	3.2	1,100,000	3.4	1,100,000	3.3
Total Funds		32,487,291	100.0	33,406,960	100.0	33,151,413	100.0	34,175,424	100.0	32,344,142	100.0	33,368,153	100.0
Excess Appropriation/(Funding)		(3,416,479)		(2,752,820)		(1,920,669)		(1,920,669)		(1,087,779)		(1,087,663)	
Grand Total		29,070,812		30,654,140		31,230,744		32,254,755		31,256,363		32,280,490	

Budget exceeds authorized appropriation in (337) Public Defender - Operations and (X66) Commission for Parent Counsel due to salary and matching rate adjustments during the 2019-2021 Biennium.

Budget exceeds authorized appropriation in (530) Public Defender - Trial Office due to transfers from the Agency Growth Pool during the 2019-2021 Biennium.

Budget Number of Positions may exceed the Authorized Number in (530) Public Defender - Trial Office due to transfers from the Agency Growth Pool during the 2019-2021 Biennium.

Analysis of Budget Request

Appropriation: 1VA - Ombudsman Program

Funding Sources: HSC - State Central Services

The Ombudsman Division of the Arkansas Public Defender Commission was created during the 82nd General Assembly for the purpose of ensuring that children placed within the custody of the Department of Human Services (DHS) - Division of Youth Services are receiving necessary services designed to keep them safe both mentally and physically. One position in the Ombudsman Division of the Arkansas Public Defender Commission is funded from funds transferred by the DHS. This transfer is for the benefit of the Juvenile Ombudsman Program of the Public Defender Commission.

With the exception of Personal Services Matching, continuing level of appropriation is the FY2021 Authorized.

The agency is requesting to continue appropriation in the amount of \$75,252 each year of the 2021-2023 Biennium.

The Executive Recommendation provides for the Agency Request.

Appropriation Summary

Appropriation: 1VA - Ombudsman Program

Funding Sources: HSC - State Central Services

Historical Data

Agency Request and Executive Recommendation

Commitment Item		2019-2020	2020-2021	2020-2021	2021-2022		2022-2023	
		Actual	Budget	Authorized	Agency	Executive	Agency	Executive
Regular Salaries	5010000	45,940	48,413	56,685	56,685	56,685	56,685	56,685
#Positions		1	1	1	1	1	1	1
Personal Services Matching	5010003	15,629	16,258	18,207	18,567	18,567	18,567	18,567
Total		61,569	64,671	74,892	75,252	75,252	75,252	75,252
Funding Sources								
Transfer from DHS-DYS	4000515	61,569	64,671		75,252	75,252	75,252	75,252
Total Funding		61,569	64,671		75,252	75,252	75,252	75,252
Excess Appropriation/(Funding)		0	0		0	0	0	0
Grand Total		61,569	64,671		75,252	75,252	75,252	75,252

Analysis of Budget Request

Appropriation: 337 - Public Defender-Operations

Funding Sources: HSC - State Central Services

The Arkansas Public Defender Commission was established in 1993 to address a variety of problems and concerns related to the representation of indigent criminal defendants in Capital Conflicts and Appeals to the Supreme Court in the State of Arkansas. The State Operations appropriation is funded from the State Central Services Fund.

With the exception of Regular Salaries and Personal Services Matching, continuing level of appropriation is the FY2021 Authorized.

The agency is requesting to continue appropriation in the amount of \$3,093,239 in FY22 and \$3,095,824 in FY23.

The Executive Recommendation provides for the Agency Request and reclassification of five (5) positions.

Appropriation Summary

Appropriation: 337 - Public Defender-Operations

Funding Sources: HSC - State Central Services

Historical Data

Agency Request and Executive Recommendation

Commitment Item		2019-2020	2020-2021	2020-2021	2021-2022		2022-2023	
		Actual	Budget	Authorized	Agency	Executive	Agency	Executive
Regular Salaries	5010000	1,467,199	1,417,794	1,368,075	1,449,507	1,449,507	1,451,607	1,451,607
#Positions		20	19	19	19	19	19	19
Extra Help	5010001	1,061	12,000	12,000	12,000	12,000	12,000	12,000
#Extra Help		1	3	3	3	3	3	3
Personal Services Matching	5010003	434,209	425,205	414,509	439,394	439,394	439,879	439,879
Operating Expenses	5020002	247,649	247,648	247,648	247,648	247,648	247,648	247,648
Conference & Travel Expenses	5050009	12,368	19,690	19,690	19,690	19,690	19,690	19,690
Professional Fees	5060010	817,384	925,000	925,000	925,000	925,000	925,000	925,000
Data Processing	5090012	0	0	0	0	0	0	0
Capital Outlay	5120011	0	0	0	0	0	0	0
Total		2,979,870	3,047,337	2,986,922	3,093,239	3,093,239	3,095,824	3,095,824
Funding Sources								
State Central Services	4000035	2,979,870	3,047,337		3,093,239	3,093,239	3,095,824	3,095,824
Total Funding		2,979,870	3,047,337		3,093,239	3,093,239	3,095,824	3,095,824
Excess Appropriation/(Funding)		0	0		0	0	0	0
Grand Total		2,979,870	3,047,337		3,093,239	3,093,239	3,095,824	3,095,824

FY21 Budget amount in Regular Salaries and Personal Services Matching exceeds the authorized amount due to salary and matching rate adjustments during the 2019-2021 Biennium.

Analysis of Budget Request

Appropriation: 530 - Public Defender -Trial Office

Funding Sources: HSC - State Central Services

The Trial Public Defender Office of the Arkansas Public Defender Commission was created by Act 1341 of 1997 and provides for the establishment of a statewide public defender system in Arkansas. The Trial Public Defender Office operates under the supervision of the Executive Director of the Arkansas Public Defender Commission. Duties of all public defenders are to provide for competent, effective, and uniform representation of indigent criminal defendants throughout the State. The Commission utilizes over sixty-one (61) job share positions.

The Trial Public Defender Office is funded from a share of those funds remitted by the cities and counties from court costs and filing fees for deposit into the State Administration of Justice Fund. A portion of those funds is then allocated for deposit into the State Central Services Fund for the benefit of the Public Defender Commission per Arkansas Code §16-10-310. Arkansas Code §17-19-301(e) allows for a fee to be charged and collected by all bail bond companies on each bond. The additional revenue helps defray the cost of the public defender system, both statewide and in each individual county.

With the exception of Regular Salaries and Personal Services Matching, continuing level of appropriation is the FY2021 Authorized.

The agency is requesting appropriation in the amount of \$24,879,097 in FY22 and \$24,901,637 in FY23.

The Agency Request includes the continuation of two (2) pool positions, one (1) IT06 - D022C Systems Specialist and one (1) GS06 - G122C PD Program Coordinator, with an increase of \$ 93,910 in Regular Salaries appropriation and \$32,559 in Personal Services Matching appropriation each year.

The Executive Recommendation provides for the Agency Request and reclassification of one-hundred twelve (112) positions.

Appropriation Summary

Appropriation: 530 - Public Defender -Trial Office

Funding Sources: HSC - State Central Services

Historical Data

Agency Request and Executive Recommendation

Commitment Item		2019-2020	2020-2021	2020-2021	2021-2022		2022-2023	
		Actual	Budget	Authorized	Agency	Executive	Agency	Executive
Regular Salaries	5010000	16,376,753	16,743,023	16,649,609	17,079,860	17,908,945	17,098,160	17,927,245
#Positions		249	251	249	251	251	251	251
Extra Help	5010001	12,144	15,000	15,000	15,000	15,000	15,000	15,000
#Extra Help		1	3	3	3	3	3	3
Personal Services Matching	5010003	5,013,968	5,145,577	5,122,840	5,313,981	5,508,907	5,318,221	5,513,263
Operating Expenses	5020002	344,977	641,256	641,256	641,256	641,256	641,256	641,256
Conference & Travel Expenses	5050009	25,948	34,000	34,000	34,000	34,000	34,000	34,000
Professional Fees	5060010	519,524	725,000	725,000	725,000	725,000	725,000	725,000
Data Processing	5090012	0	0	0	0	0	0	0
Capital Outlay	5120011	0	0	0	0	0	0	0
Public Defender Comm. Prgms.	5900046	501,370	770,000	770,000	770,000	770,000	770,000	770,000
Bail Bond Co. Public Def. Prgm.	5900047	166,506	300,000	300,000	300,000	300,000	300,000	300,000
Total		22,961,190	24,373,856	24,257,705	24,879,097	25,903,108	24,901,637	25,925,764

Funding Sources								
Fund Balance	4000005	3,767,450	3,416,479		2,752,820	2,752,820	1,920,669	1,920,669
State Central Services	4000035	17,530,000	18,366,526		20,633,621	21,657,632	20,655,422	21,679,433
Bail Bond Fees	4000115	899,269	1,103,876		1,000,800	1,000,800	1,000,800	1,000,800
Transfer State Admn of Justice	4000570	3,022,262	3,108,612		1,312,525	1,312,525	1,312,525	1,312,525
User / Attorney Fees	4000725	1,158,688	1,131,183		1,100,000	1,100,000	1,100,000	1,100,000
Total Funding		26,377,669	27,126,676		26,799,766	27,823,777	25,989,416	27,013,427
Excess Appropriation/(Funding)		(3,416,479)	(2,752,820)		(1,920,669)	(1,920,669)	(1,087,779)	(1,087,663)
Grand Total		22,961,190	24,373,856		24,879,097	25,903,108	24,901,637	25,925,764

FY21 Budget amounts in Regular Salaries and Personal Services Matching may exceed the authorized amounts due to transfers from the Agency Growth Pool during the 2019-2021 Biennium.

Budget Number of Positions may exceed the Authorized Number due to transfers from the Agency Growth Pool during the 2019-2021 Biennium.

Analysis of Budget Request

Appropriation: X66 - Commission for Parent Counsel

Funding Sources: HSC - State Central Services

In the Regular Session of 2019, the Arkansas Commission for Parent Counsel (ACPC) was added to the Public Defender Commission's appropriation act by legislative amendment. Per A.C.A. 9-7-203, the Public Defender Commission shall not have oversight responsibility over ACPC. However, the appropriation and positions for ACPC are authorized within the Public Defender Commission. This appropriation is funded by State Central Services.

With the exception of Regular Salaries and Personal Services Matching, continuing level of appropriation is the FY2021 Authorized.

The agency is requesting appropriation in the amount of \$3,183,156 in FY22 and \$3,183,650 in FY23.

The Agency Request includes the following changes for both years:

- Reallocation of \$320,000 in Extra Help appropriation to more accurately align appropriation with anticipated expenditures - \$290,000 to Refunds/Reimbursements for costs of hiring lawyers to defend parents, and \$30,000 to Operating Expenses for mileage reimbursements for Extra Help attorneys.
- Decrease of (\$25,120) in Matching appropriation tied to the Extra Help reduction.

The Executive Recommendation provides for the Agency Request.

Appropriation Summary

Appropriation: X66 - Commission for Parent Counsel

Funding Sources: HSC - State Central Services

Historical Data

Agency Request and Executive Recommendation

Commitment Item		Historical Data			Agency Request and Executive Recommendation		Agency Request and Executive Recommendation	
		2019-2020 Actual	2020-2021 Budget	2020-2021 Authorized	2021-2022		2022-2023	
					Agency	Executive	Agency	Executive
Regular Salaries	5010000	431,265	457,441	457,441	467,476	467,476	467,876	467,876
#Positions		7	7	7	7	7	7	7
Extra Help	5010001	298,179	310,000	630,000	310,000	310,000	310,000	310,000
#Extra Help		13	14	14	14	14	14	14
Personal Services Matching	5010003	196,199	165,604	139,484	170,449	170,449	170,543	170,543
Operating Expenses	5020002	14,680	50,000	20,000	50,000	50,000	50,000	50,000
Conference & Travel Expenses	5050009	0	0	0	0	0	0	0
Professional Fees	5060010	15,960	25,000	25,000	25,000	25,000	25,000	25,000
Data Processing	5090012	0	0	0	0	0	0	0
Refunds/Reimbursements	5110014	2,111,900	2,160,231	1,870,231	2,160,231	2,160,231	2,160,231	2,160,231
Capital Outlay	5120011	0	0	0	0	0	0	0
Total		3,068,183	3,168,276	3,142,156	3,183,156	3,183,156	3,183,650	3,183,650
Funding Sources								
State Central Services	4000035	3,068,183	3,168,276		3,183,156	3,183,156	3,183,650	3,183,650
Total Funding		3,068,183	3,168,276		3,183,156	3,183,156	3,183,650	3,183,650
Excess Appropriation/(Funding)		0	0		0	0	0	0
Grand Total		3,068,183	3,168,276		3,183,156	3,183,156	3,183,650	3,183,650

FY21 Budget amount in Personal Services Matching exceeds the authorized amount due to matching rate adjustments during the 2019-2021 Biennium.