

## Public Defender Services Commission

### PDS98500

#### Position Summary

Account	Actual FY 14	Governor Estimated FY 15	Governor Recommended		Legislative	
			FY 16	FY 17	FY 16	FY 17
Permanent Full-Time - GF	447	447	460	460	447	447

#### Budget Summary

Account	Actual FY 14	Governor Estimated FY 15	Governor Recommended		Legislative	
			FY 16	FY 17	FY 16	FY 17
Personal Services	39,372,932	41,789,717	44,709,273	45,009,344	43,612,188	43,912,259
Other Expenses	1,491,908	1,491,837	1,926,663	1,970,558	1,491,837	1,491,837
<b>Other Current Expenses</b>						
Assigned Counsel - Criminal	13,351,895	21,797,900	24,848,601	24,848,601	21,891,500	21,891,500
Expert Witnesses	4,022,247	2,982,252	3,022,090	3,022,090	3,022,090	3,022,090
Training And Education	114,923	130,000	165,000	165,000	130,000	130,000
Assigned Counsel - Child Protection	8,695,995	0	0	0	0	0
Contracted Attorneys Related Expenses	74,971	125,000	125,000	125,000	125,000	125,000
Family Contracted Attorneys/ AMC	574,573	0	0	0	0	0
<b>Nonfunctional - Change to Accruals</b>	<b>(973,018)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Agency Total - General Fund</b>	<b>66,726,425</b>	<b>68,316,706</b>	<b>74,796,627</b>	<b>75,140,593</b>	<b>70,272,615</b>	<b>70,572,686</b>

Account	Legislative				Difference from Governor Recommended			
	FY 16		FY 17		FY 16		FY 17	
	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount

#### Current Services

##### Adjust Funding to Reflect the FY 15 Deficiency

Assigned Counsel - Criminal	0	93,600	0	93,600	0	0	0	0
Expert Witnesses	0	39,838	0	39,838	0	0	0	0
<b>Total - General Fund</b>	<b>0</b>	<b>133,438</b>	<b>0</b>	<b>133,438</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

#### Background

Section 52 of PA 15-244, the FY 16 and FY 17 budget, provides General Fund FY 15 deficiency appropriations of \$121.7 million. In Section 53, these deficiency appropriations are offset by appropriation reductions of \$121.7 million; resulting in no net impact to the General Fund. Section 54 provides Transportation Fund FY 15 deficiency appropriations of \$20 million. PA 15-244 includes \$4.6 million in deficiency funding in FY 15 for this agency in the Personal Services account. This funding is required due to an influx of habeas corpus cases.

#### Governor

Provide funding of \$133,438 in FY 16 and FY 17 to reflect the annualization of the agency's FY 15 deficiency.

#### Legislative

Same as Governor

Account	Legislative				Difference from Governor Recommended			
	FY 16		FY 17		FY 16		FY 17	
	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount

### Adjust Funding to Reflect Wage & Compensation Related Costs

Personal Services	0	2,022,471	0	2,322,542	0	0	0	0
<b>Total - General Fund</b>	<b>0</b>	<b>2,022,471</b>	<b>0</b>	<b>2,322,542</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

#### Governor

Provide funding of \$2,022,471 in FY 16 and \$2,322,542 in FY 17 to reflect current services wage-related adjustments such as annual increments, general wage increases, overtime, annualization, turnover, and other compensation-related adjustments.

#### Legislative

Same as Governor

### Apply Inflationary Increases

Other Expenses	0	34,833	0	78,728	0	0	0	0
<b>Total - General Fund</b>	<b>0</b>	<b>34,833</b>	<b>0</b>	<b>78,728</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

#### Background

Applying inflationary factors to current year expenditures provides an estimate of the cost of continuing services into the next year.

#### Governor

Increase funding for Other Expenses by \$34,833 in FY 16 and an additional \$43,895 in FY 17 (for a cumulative total of \$78,728 in the second year) to reflect inflationary increases.

#### Legislative

Same as Governor

### Policy Revisions

#### Reduce Personal Services Based on Trends

Personal Services	0	(200,000)	0	(200,000)	0	(200,000)	0	(200,000)
<b>Total - General Fund</b>	<b>0</b>	<b>(200,000)</b>	<b>0</b>	<b>(200,000)</b>	<b>0</b>	<b>(200,000)</b>	<b>0</b>	<b>(200,000)</b>

#### Legislative

Reduce funding by \$200,000 in FY 16 and FY 17 to reflect the anticipated needs of the agency.

#### Eliminate Inflationary Increases

Other Expenses	0	(34,833)	0	(78,728)	0	(34,833)	0	(78,728)
<b>Total - General Fund</b>	<b>0</b>	<b>(34,833)</b>	<b>0</b>	<b>(78,728)</b>	<b>0</b>	<b>(34,833)</b>	<b>0</b>	<b>(78,728)</b>

#### Legislative

Reduce Other Expenses by \$34,833 in FY 16 and \$78,728 in FY 17 to reflect the elimination of inflationary increases.

#### Provide Funding for Additional Staff

Personal Services	0	0	0	0	(13)	(897,085)	(13)	(897,085)
Other Expenses	0	0	0	0	0	(264,993)	0	(264,993)
Training And Education	0	0	0	0	0	(35,000)	0	(35,000)
<b>Total - General Fund</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>(13)</b>	<b>(1,197,078)</b>	<b>(13)</b>	<b>(1,197,078)</b>

#### Governor

Provide funding of \$1,197,078 in FY 16 and FY 17 for 13 positions. These positions include two assistant public defenders in the juvenile/child protection division, two deputy assistant public defenders for family support matters, two investigators for GA 10 (New London) and GA 22 (Ansonia Milford), two domestic violence social workers, two assistant public defenders in the forensic trial services unit, one social worker from the Fairfield JD, one assistant public defender for the legal services division, and one deputy assistant public defenders who would provide caseload relief in various GAs. Pursuant to CGS 4-85, the governor is prohibited from

Account	Legislative				Difference from Governor Recommended			
	FY 16		FY 17		FY 16		FY 17	
	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount

modifying the requested budget of judicial branch agencies and instead must make changes through a lapse adjustment. The Governor's budget included a targeted lapse of \$1,197,078 in FY 16 and FY 17 to this account.

#### Legislative

Funding of \$1,197,078 in FY 16 and FY 17 for 13 positions is not provided.

#### Provide Funding for Rate Increases

Assigned Counsel - Criminal	0	0	0	0	0	(2,957,101)	0	(2,957,101)
<b>Total - General Fund</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>(2,957,101)</b>	<b>0</b>	<b>(2,957,101)</b>

#### Governor

Provide \$2,957,101 in FY 16 and FY 17 to increase the Assigned Counsel in the GA courts from \$350 to \$500 per case. Pursuant to CGS Sec. 4-85, the governor is prohibited from modifying the requested budget of judicial branch agencies and instead must make changes through a lapse adjustment. The Governor's budget included a targeted lapse of \$2,957,101 in FY 16 and FY 17 to this account.

#### Legislative

Funding of \$2,957,101 in FY 16 and FY 17 for Assigned Counsel rate increases is not provided.

#### Provide Laptop Broadband Cards

Other Expenses	0	0	0	0	0	(135,000)	0	(135,000)
<b>Total - General Fund</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>(135,000)</b>	<b>0</b>	<b>(135,000)</b>

#### Governor

Provide funding of \$135,000 in FY 16 and FY 17 to provide broadband cards for laptops. Each card (250 in total) is leased at \$45 per month. These cards would allow attorneys, investigators, and social workers access to information, including the new case management system, while away from their offices. Pursuant to CGS 4-85, the governor is prohibited from modifying the requested budget of judicial branch agencies and instead must make changes through a lapse adjustment. The Governor's budget included a targeted lapse of \$135,000 in FY 16 and FY 17 to this account.

#### Legislative

Funding of \$135,000 in FY 16 and FY 17 for broadband cards is not provided.

### Totals

Budget Components	Legislative				Difference from Governor Recommended			
	FY 16		FY 17		FY 16		FY 17	
	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount
Governor Estimated - GF	447	68,316,706	447	68,316,706	0	0	0	0
Current Services	0	2,190,742	0	2,534,708	0	0	0	0
Policy Revisions	0	(234,833)	0	(278,728)	(13)	(4,524,012)	(13)	(4,567,907)
<b>Total Recommended - GF</b>	<b>447</b>	<b>70,272,615</b>	<b>447</b>	<b>70,572,686</b>	<b>(13)</b>	<b>(4,524,012)</b>	<b>(13)</b>	<b>(4,567,907)</b>

### Other Significant Legislation

#### PA 15-244, An Act Concerning the State Budget for the Biennium Ending June 30, 2017, and Making Appropriations Therefor, and Other Provisions Related to Revenue, Deficiency Appropriations and Tax Fairness and Economic Development

Sections 10, 11, 12, 38 and 41 contain provisions that allow the Secretary of the Office of Policy and Management (OPM) to allocate specific lapses to state agencies in the three branches of government (these are typically called holdbacks). The agency's FY 16 appropriation levels will be reduced by the amounts shown in the table below to achieve the lapses included in PA 15-244 and PA 15-5 JSS. This includes a General Lapse of \$31,707, a Statewide Hiring Reduction of \$371,915, and a General Employee Lapse of \$190,747. See the FY 16 Holdbacks schedule in Section V of this document for a further description of these statewide savings targets.

**PA 15-5 JSS, An Act Implementing Provisions of the State Budget for the Biennium Ending June 30, 2017, Concerning General Government, Education, Health and Human Services and Bonds of the State**

Section 156 contains provisions that allow the Secretary of the Office of Policy and Management (OPM) to allocate specific lapses to state agencies in the three branches of government (these are typically called holdbacks). The agency's FY 16 appropriation levels will be reduced by the amounts shown in the table below to achieve the lapses included in PA 15-244 and PA 15-5 JSS. This includes a Targeted Savings of \$24,327. See the FY 16 Holdbacks schedule in Section V of this document for a further description of these statewide savings targets.

Account	Appropriation \$	Reduction Amount \$	Net Remaining \$	% Reduction
Personal Services	43,612,188	(562,662)	43,049,526	1.29%
Other Expenses	1,491,837	(54,084)	1,437,753	3.63%
Training And Education	130,000	(1,950)	128,050	1.50%