Office of the Public Defender

FY 2013 Revised
FY 2014 Budget

Staff Presentation
February 28, 2013
Public Defender

- Created in 1941 by Chapter 1007 of the Public Laws
  - Office & its functions defined by RIGL 12-15
  - RIGL 14-1 authorizes referral of juvenile cases to the Office
  - RIGL 40-11 authorizes referral of dependency, neglect and termination of parental rights cases
- Offices located in five Judicial Complexes
  - Providence (2), Kent, Washington, and Newport
Public Defender

- **Statutory mandates**
  - Legal representation to adults and juveniles without financial resources to obtain private counsel
  - Representation services include
    - Indigent adult and juvenile criminal felony and misdemeanor offenses
    - Termination of parental rights and dependency and neglect cases
    - Appellate representation in the Supreme Court
Public Defender

Conflict of Interests

- When interests of a client is adverse to that of another client
- Client(s) can be referred to the Judicial Indigents Defense program
  - The Judiciary assigns private attorneys to provide representation services
  - Each court maintains a list of qualified attorneys
## Expenditures by Source

<table>
<thead>
<tr>
<th>(in Millions)</th>
<th>FY 2013 Enacted</th>
<th>FY 2013 Gov. Rev.</th>
<th>FY 2014 Governor</th>
<th>Change to Enacted</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Revenues</td>
<td>$10.8</td>
<td>$10.8</td>
<td>$11.0</td>
<td>$0.2</td>
</tr>
<tr>
<td>Federal Funds</td>
<td>0.4</td>
<td>0.3</td>
<td>0.3</td>
<td>(0.1)</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$11.2</strong></td>
<td><strong>$11.0</strong></td>
<td><strong>$11.3</strong></td>
<td><strong>$0.1</strong></td>
</tr>
<tr>
<td>FTEs</td>
<td>93.0</td>
<td>93.0</td>
<td>93.0</td>
<td>-</td>
</tr>
</tbody>
</table>
Governor recommends $9.9 million from all funds for 93.0 full-time positions for FY 2014
  - FTEs consistent with enacted and request

Governor includes $9.7 million for FY 2013 Revised
  - As of February 25, the Office has 91.0 filled positions
  - FY 2012 averaged 90.0 filled positions
<table>
<thead>
<tr>
<th>Full-Time Positions</th>
<th>FTEs</th>
<th>Chg. To Enacted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Enacted Authorized</td>
<td>93.0</td>
<td>-</td>
</tr>
<tr>
<td>FY 2013 Rev. Req.</td>
<td>93.0</td>
<td>-</td>
</tr>
<tr>
<td>FY 2014 Request</td>
<td>93.0</td>
<td>-</td>
</tr>
<tr>
<td>FY 2014 Governor</td>
<td>93.0</td>
<td>-</td>
</tr>
<tr>
<td>FY 2012 Average Filled</td>
<td>90.0</td>
<td>(3.0)</td>
</tr>
<tr>
<td>Filled as of February 25</td>
<td>91.0</td>
<td>(2.0)</td>
</tr>
</tbody>
</table>
Salaries and Benefits

➤ Governor includes $9.8 million from general revenues for salaries and benefits for FY 2014
   ❖ $0.2 million more than enacted, $0.1 million less than requested
      ✓ $36,579 from additional turnover savings
      ✓ $61,867 from statewide benefit savings

➤ Governor recommends $9.6 million from general revenues for FY 2013
   ✓ $62,501 less than enacted from statewide benefit savings
Salaries and Benefits

General Revenue Target Reduction

- Office proposed 9.0 fewer positions for FY 2014 to meet the Budget Office target
  - $0.8 million general revenue reduction
    - The Office believes it would hinder ability to absorb additional cases
  - This proposal was not recommended by the Governor
Salaries and Benefits

Federal Funds

➢ Governor includes $0.1 million from federal funds for salaries and benefits for FY 2013 and 2014

❖ $0.1 million less than enacted, consistent with Office’s request

✓ Expiration of federal grants

✓ Community Partnership/Outreach program
Other Operations

- Governor recommends $1.4 million from all funds for all other operating expenses
  - $1.2 million from general revenues, $0.2 million from federal funds
    - Rent and parking expenses
    - Upgrade Office software operating system
    - Court overhead charges for office space and utilities
  - $0.1 million more than enacted from all funds
    - $47,930 for Intake Interviewers
    - $35,000 for Case management services
Office of the Public Defender

FY 2013 Revised
FY 2014 Budget

Staff Presentation
February 28, 2013