Office of the Public Defender

FY 2014 Revised
FY 2015 Budget

Staff Presentation
February 27, 2014

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 Indigent 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 2014 Enacted</th>
<th>FY 2014 Gov. Rev.</th>
<th>FY 2015 Governor</th>
<th>Change to Enacted</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Revenues</td>
<td>$ 11.0</td>
<td>$ 10.9</td>
<td>$ 11.1</td>
<td>$ 0.1</td>
</tr>
<tr>
<td>Federal Funds</td>
<td>0.3</td>
<td>0.3</td>
<td>0.2</td>
<td>$ 0.0</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>$ 11.3</strong></td>
<td><strong>$ 11.1</strong></td>
<td><strong>$ 11.4</strong></td>
<td><strong>$ 0.1</strong></td>
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<tr>
<td>FTEs</td>
<td>93.0</td>
<td>93.0</td>
<td>93.0</td>
<td>-</td>
</tr>
</tbody>
</table>

Budget Office Target

- General revenue target of $10.4 million
  - Current service adjustments of $74,210
  - 7.0% target reduction of $0.7 million
    - Constrained budget submitted by the Office is $1 above the target
- Governor recommended budget exceeds target by $0.8 million
Salaries and Benefits

- Governor includes $10.0 million, nearly all from general revenues for 93.0 FTEs for FY 2015
  - $0.1 million more than enacted, $0.2 million less than requested
    - $127,375 from additional turnover savings
    - $40,351 from statewide medical benefit savings
- Governor recommends $9.8 million from all sources for FY 2014, $9.7 million from general revenues
  - $0.1 million less than enacted or requested
  - Current staffing adjustments & statewide savings

### Salaries and Benefits

**Full-Time Equivalent Positions**

<table>
<thead>
<tr>
<th>Full-Time Positions</th>
<th>FTEs</th>
<th>Chg. To Enacted</th>
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</thead>
<tbody>
<tr>
<td>Enacted Authorized</td>
<td>93.0</td>
<td>-</td>
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<tr>
<td>FY 2014 Rev. Req.</td>
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<td>-</td>
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<tr>
<td>FY 2015 Request</td>
<td>93.0</td>
<td>-</td>
</tr>
<tr>
<td>FY 2015 Governor</td>
<td>93.0</td>
<td>-</td>
</tr>
<tr>
<td>FY 2013 Average Filled</td>
<td>90.2</td>
<td>(2.8)</td>
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<tr>
<td>Filled as of February 22</td>
<td>92.0</td>
<td>(1.0)</td>
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</table>
Salaries and Benefits
General Revenue Target Reduction

- Office proposed 3 different options to meet the Budget Office target
  - Option 1: Eliminate misdemeanor representation in District Courts statewide
  - Option 2: Eliminate juvenile representation in Family Courts statewide
  - Option 3: Close offices in Newport & Washington counties & eliminate representation for felony violations in Providence

- The Governor does not recommend any of these proposals

Other Operations

- Governor recommends $1.4 million from all funds for all other expenses
  - $1.2 million from general revenues, $0.2 million from federal funds
    - Rent and parking expenses
    - Intake interviewers
    - Trial related expenses
  - $24,354 less than requested from all funds
    - Lower court overhead charges for office space and utilities ($22,354)
    - Reduction for legal expert witnesses ($2,000)
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