

Agency Option Submission

Public Defender Services Commission

Signed (Agency Head) <i>Sylvia O'Stoor</i>	Title <i>Chief Public Defender</i>	Date <i>10/16/15</i>
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Fund	Agency Priority	Adjustment Title	2017 Cost Adjustments	2017 Revenue Adjustments
11000 - General Fund				
	1	Provide Funding for Child Protection Caseload Increase	3,700,000	0
		Reallocate Child Protection Related Expenses Account to Expert Witnesses Account	0	0
	Total		3,700,000	0
Total			3,700,000	0

Public Defender Services Commission

11000 - General Fund

Adjustment Type:

Reallocations Expansion

Agency Title:

Provide Funding for Child Protection Caseload Increase

Agency Description:

The cost for representation in child protection cases has increased because the number of cases being filed at the Superior Court for Juvenile matters has increased. In child protection cases, the Division of Public Defender Services is required to provide counsel for all children, for indigent parents and for any party where the court orders counsel in the interest of justice. As you can see from the chart below, there was a sharp drop in filings starting in 2012. Filings jumped significantly in FY 2015. The increase is projected to continue for FY 2016.

In addition, there appears to be an increase in litigation costs, as more cases are going to trial and incurring costs for hourly billing, experts and transcripts. There have also been a number of highly complex cases that have resulted in unusually high expenses. Finally, we are beginning to see an impact from the Judicial Branch's decision to restrict the work of the interpreters to courtroom translation. Attorneys must now engage a private translator at an expense to DPDS in order to communicate with their clients. In the complex cases, these expenses have been particularly high.

Fiscal Year Child Protection Petitions Added (source: Judicial Branch)[1]

2015 10,307  
2014 8,364  
2013 8,224  
2012 8,187  
2011 9,454

Month CP Petitions Added

January 717  
February 785  
March 942  
April 882  
May 807  
June 966  
July FY 2016 1037  
August  
September 953

Cost was calculated using the projected Child Protection FY 16 caseload of 12,000, which is an increase of 3,700 cases from 2014.

3,700 additional cases multiplied by the \$500 flat rate per case is an additional \$1.85 million annually.

In addition, on average we spend \$500 on hourly billings per case (not every case is billed hourly, but when a case is approved to be billed hourly, some bill less than \$500 and some much more than \$500, so the \$500/case is an average). 3,700 additional cases multiplied by the \$500 hourly per case is an additional \$1.85 million annually.

So in total this increase in CP caseloads will cost an additional \$3.7 million.

Agency Priority:

1

System ID:

4595

SID	Agency 2017
Financials	
12076 - Assigned Counsel - Criminal	3,700,000
Total Financials	3,700,000

Public Defender Services Commission

11000 - General Fund

Adjustment Type:

~~Reductions~~ Reallocation

Agency Title:

Reallocate Child Protection Related Expenses Account to Expert Witnesses Account

Agency Description:

Transfer \$125,000 from the Child Protection Related Expenses Account to Expert Witnesses Account. Funds in the CP Related Expenses account are used for expert services and case related expenses in child protection cases. It makes budgetary sense and creates budgetary consistency to consolidate those funds into the Expert Witnesses account.

Agency Priority:

1

System ID:

4312

SID	Agency 2017
Financials	
12090 - Expert Witnesses	125,000
12418 - Contracted Attorneys Related Expenses	(125,000)
Total Financials	0