

PUBLIC DEFENDER COMMISSION



**Missouri State Public Defender System
Budget Request
Fiscal Year 2023**

PUBLIC DEFENDER COMMISSION

Budget Request Fiscal Year 2023

**Mary Fox
State Public Defender, Director
573-777-9977
Extension 201**



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October 1, 2021

Dear Governor Parson:

Enclosed please find the budget request for FY 2023 for Missouri State Public Defender (MSPD). MSPD is grateful for the additional attorney resources provided in the FY 2022 budget. That appropriation, which increased our trial division staff by fifty-three attorneys, will allow MSPD to move forward in fulfilling its constitutional obligation to provide effective representation to the indigent accused. By improving the public defender system, the State is also improving the court process by allowing the Court to resolve cases in a timely manner.

MSPD attorneys can most effectively and efficiently provide legal representation to eligible clients when they are supported by legal assistants and investigators. Currently MSPD has one investigator for every eight attorneys and one support staff member for every three attorneys. As a result, attorneys are often called upon to perform secretarial, administrative and investigative work. Cases are delayed in the court system as the limited support staff work to obtain applications for services, police investigation documents medical and mental health treatment records and perform essential investigation. By increasing support staff MSPD can allow attorneys to perform attorney functions and decrease the delays, which are detrimental not only to the defendant, but also to the State, the counties, the courts and the complaining witnesses.

Working together with other State partners and MSPD supporters, we have made significant progress in decreasing waitlists for public defender services. In FY 2020, almost five thousand cases needed representation. That number is now near 600 and the hope is to provide representation in all of those cases by the end of the 2021 calendar year. Part of that reduction was the result of a generous gift to MSPD. That gift, however, had to be channeled through the local jurisdiction because there was no way for MSPD to accept gifts. MSPD will be requesting a change to the statute to allow MSPD to accept and expend Federal and Other Funds (0112). A decision item is included to increase this spending authority.

MSPD is also requesting to increase the transfer limit for the Debt Offset Fund (0753). The amount of client's income tax refunds intercepted by the Department of Revenue has increased for fees owed to the Public Defender System. The same amount is also requested in the appropriation (7673) which receives the transfer of funds from Debt Offset. MSPD would benefit from having additional funds available to pay necessary expenses.

It is with appreciation for the State's support of the constitutional right to counsel and renewed hope for the continued improvement of our state's public defense system that MSPD submits this FY 2023 budget request.

Sincerely,

Mary Fox
Director

**State Public Defender
2023 Legislative Budget Request
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PROGRAM DESCRIPTION	
Department: <u>Missouri State Public Defender</u>	HB Section(s): <u>HB 12.400</u>
Program Name: <u>Public Defender</u>	
Program is found in the following core budget(s):	This program is found in all MSPD core budgets. MSPD has only one mission and only one program - to provide effective legal representation to indigent persons accused of crime.
1a. What strategic priority does this program address? The single overriding goal of the Office of the Missouri State Public Defender is to provide effective criminal defense representation for its clients fulfilling the State's constitutional mandate to provide legal representation to the poor charged with criminal offenses who are unable to retain counsel on their own. Strategies to accomplish this mission have been identified and implemented with continued refinements to enhance productivity and efficiencies, reducing costs and eliminating waste in the processes and operations that deliver such services.	
1b. What does this program do? The Missouri State Public Defender (MSPD) is a statewide system that provides legal representation to poor persons who are accused or convicted of state crimes. That representation occurs in Missouri's trial, and appellate courts, as well as in the United States Supreme Court. MSPD'S representation of eligible applicants fulfills the state's constitutional mandate to provide counsel pursuant to the Sixth Amendment of the United States Constitution and Article I, Section 18 of the Missouri Constitution.	

PROGRAM DESCRIPTION

Department: Missouri State Public Defender

HB Section(s): HB 12.400

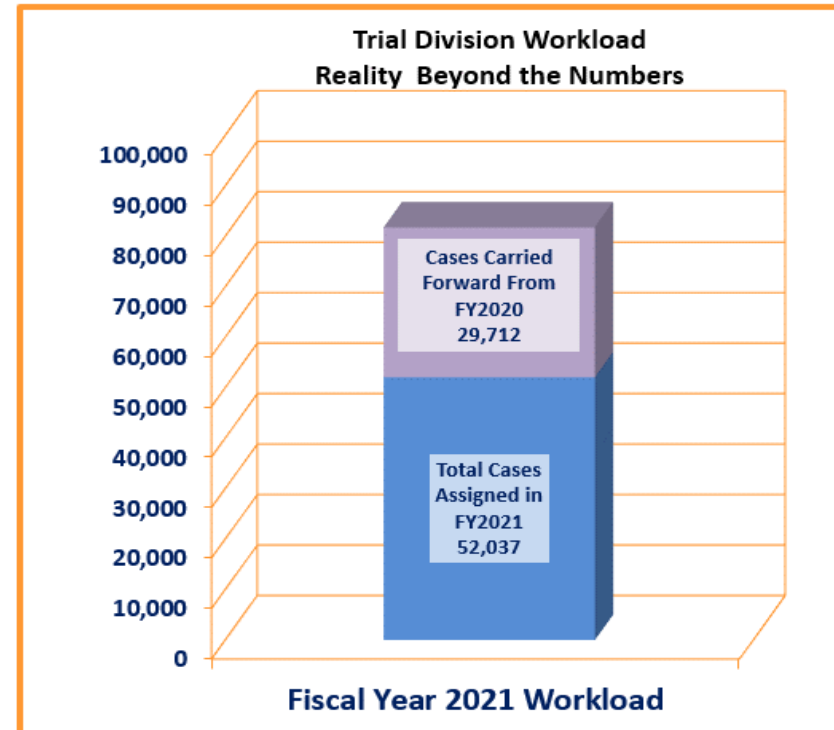
Program Name: Public Defender

Program is found in the following core budget(s):

This program is found in all MSPD core budgets.
MSPD has only one mission and only one program - to provide
effective legal representation to indigent persons accused of crime.

2a. Provide an activity measure(s) for the program.

MSPD tracks both intake of new cases and resolution of disposed cases. MSPD also tracks outcomes of those cases. Many cases take more than a year from assignment to disposition and many more do not fall neatly, start to finish, within a single fiscal year. The chart reflects the reality that no lawyer begins the fiscal year with an empty file drawer. At the start of FY2021, Missouri's Trial Division public defenders had over 29,712 pending cases already on their desks, to which another 52,037 new cases were assigned over the course of the fiscal year.



PROGRAM DESCRIPTION	
Department: <u>Missouri State Public Defender</u>	HB Section(s): <u>HB 12.400</u>
Program Name: <u>Public Defender</u>	
Program is found in the following core budget(s):	This program is found in all MSPD core budgets. MSPD has only one mission and only one program - to provide effective legal representation to indigent persons accused of crime.
2b. Provide a measure(s) of the program's quality. MSPD provides representation to the majority of persons facing criminal charges in Missouri's courts. Each eligible applicant is assigned to an individual Assistant Public Defender who is responsible for the representation of the client. MSPD measures incoming cases by charges filed by the State and jurisdiction in which the charges are pending. MSPD measures disposition of the cases by the final outcome of the case; i.e. trial, guilty plea, dismissal, etc. Any case which results in a conviction is eligible for post conviction review by both circuit and appellate courts. MSPD is generally responsible for providing representation in those cases also. The attorneys of MSPD have a duty to represent the eligible indigent defendants that request legal representation, but those attorneys must balance the rights of those eligible defendants with the obligations of the attorney to provide competent and effective assistance. Because more cases are eligible for legal representation at public expense than the State has provided resources to handle, twelve trial offices currently have court authorized waitlists for services. Eligible applicants on those waitlists must appear in court without counsel until an attorney is available to provide legal representation. As Chief Justice Draper noted in his State of the Judiciary speech in January, 2020 <i>"the system simply does not work without a sufficiently funded and staffed public defender system. To be sure, all attorneys in public service work long, hard hours, and many are underpaid and under-recognized. But if criminal cases cannot be moved efficiently through the system because of overloaded attorneys, we risk leaving those who are guilty on the street, those who are not guilty unable to return to being productive members of society, and victims and their families powerless to find closure and move forward with their lives. Together, we all share the burden of our state constitutional mandate demanding that 'justice shall be administered without sale, denial or delay.'</i>" MSPD's ability to provide quality, timely representation is affected by the amount of resources available in relation to the number of cases in need of representation.	

PROGRAM DESCRIPTION	
Department: <u>Missouri State Public Defender</u>	HB Section(s): <u>HB 12.400</u>
Program Name: <u>Public Defender</u>	
Program is found in the following core budget(s):	This program is found in all MSPD core budgets. MSPD has only one mission and only one program - to provide effective legal representation to indigent persons accused of crime.
2c. Provide a measure(s) of the program's impact.	
As noted above, MSPD is the independent statutory department that provides legal representation at the public expense to any eligible applicant as required by the Sixth Amendment of the United States Constitution and Article I, Section 18 of the Missouri Constitution. Missouri's criminal courts would come to a standstill without MSPD. At any time, MSPD is the defense attorney of record in the majority of criminal cases pending in those courts. Chief Justice Draper explained the danger to Missouri without a funded public defender system is that the guilty will go free, the innocent will be unable to return to their communities and victims will not have closure.	
2d. Provide a measure(s) of the program's efficiency.	
There are three primary measures of effectiveness applicable to the Missouri State Public Defender System: (1) Case Law: Through cases ruled upon by the United States Supreme Court, the Missouri Supreme Court and Courts of Appeal, specific standards of what does or does not constitute effective assistance of counsel in the representation of a criminal defendant have evolved. Where an attorney is found by the court to have failed to meet those standards, any conviction of the defendant must be set aside. (2) Missouri Rules of Professional Responsibility are established by the Missouri Supreme Court and applicable to every attorney licensed to practice law within the State of Missouri. The Rules set out what is expected from a competent, professional attorney and are enforced by the Missouri Supreme Court through its Office of Chief Disciplinary Counsel. Failure to comply with these rules can result in actions being taken against the attorney's license, ranging from a formal reprimand up to and including permanent disbarment from the right to practice law within the state. (3) MSPD Guidelines for Representation adopted by the Missouri State Public Defender Commission, which set out the Commission's expectations of its attorneys in order to meet the above standards for effective representation of clients served by Missouri Public Defenders. Unfortunately, the Missouri State Public Defender System is not currently able to meet many of these standards because it is staffed to handle only a percentage of the total caseload assigned to it this last year. The overload has forced lawyers and investigators alike to cut corners, skip steps, and make on-the-fly triage decisions in order to keep up with cases coming in the door. As a result, effectiveness in many of these cases is compromised.	

PROGRAM DESCRIPTION

Department: Missouri State Public Defender

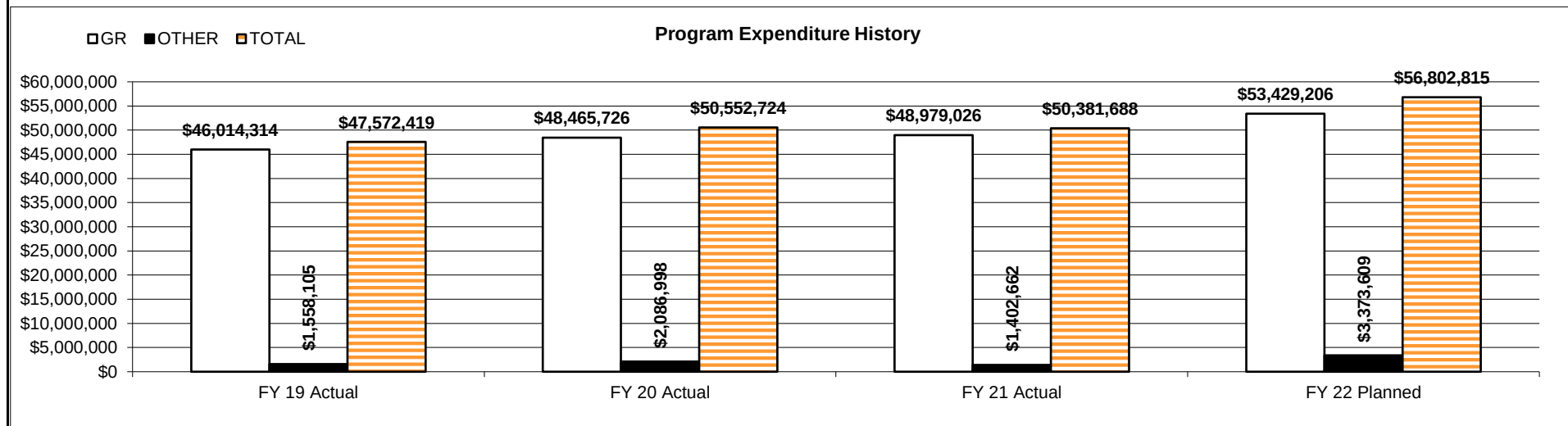
HB Section(s): HB 12.400

Program Name: Public Defender

Program is found in the following core budget(s):

This program is found in all MSPD core budgets.
MSPD has only one mission and only one program - to provide
effective legal representation to indigent persons accused of crime.

3. Provide actual expenditures for the prior three fiscal years and planned expenditures for the current fiscal year. (Note: Amounts do not include fringe benefit costs.)



4. What are the sources of the "Other " funds?

Legal Defense and Defender Fund (0670) - Collections from Client Fees and other.

PROGRAM DESCRIPTION

Department: Missouri State Public Defender

HB Section(s): HB 12.400

Program Name: Public Defender

Program is found in the following core budget(s):

This program is found in all MSPD core budgets.
MSPD has only one mission and only one program - to provide effective legal representation to indigent persons accused of crime.

5. What is the authorization for this program, i.e., federal or state statute, etc.? (Include the federal program number, if applicable.)

Chapter 600 R.S. Mo, which was enacted to comply with the state's obligations under the U.S. Constitution and Missouri Constitutions:
In all criminal prosecutions, the accused shall enjoy the right to . . . have the assistance of counsel for his defence.
Amend VI, U.S. Constitution

In order to assert our rights, acknowledge our duties, and proclaim the principles on which our government is founded, we declare: . . .
That in criminal prosecutions the accused shall have the right to appear and defend in person and by counsel.
Article I, Section 18(a), Missouri Constitution.

6. Are there federal matching requirements? If yes, please explain.

No

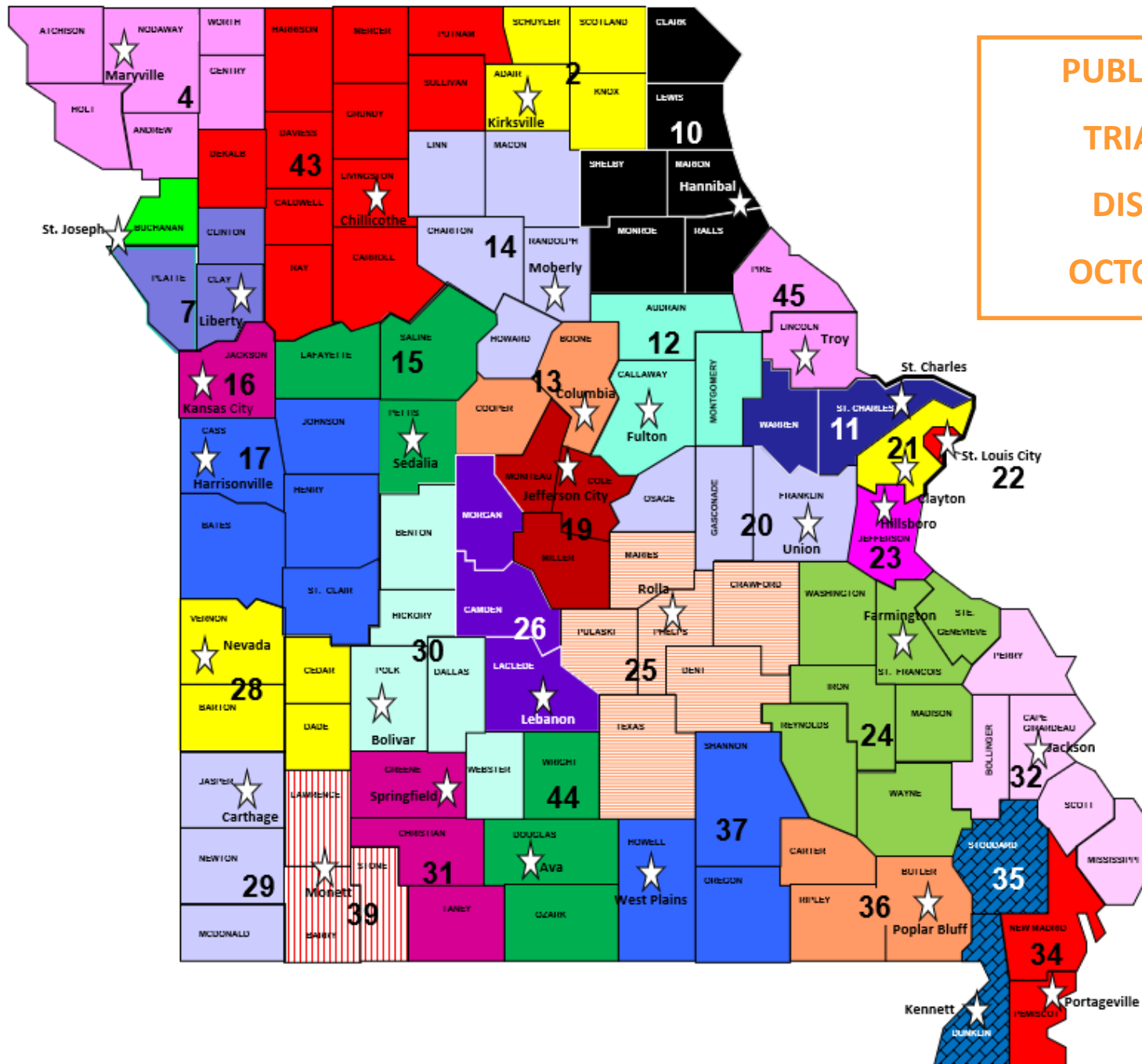
7. Is this a federally mandated program? If yes, please explain.

Yes -

The Provision of counsel to indigent defendants facing prosecution and potential loss of their liberty if federally mandated the United States Constitution.

"In all criminal prosecutions, the accused shall enjoy the right to...have the assistance of counsel for his defence."
Amend VI, U.S. Constitution Bill of Rights.

**PUBLIC DEFENDER
TRIAL DIVISION
DISTRICT MAP
OCTOBER 1, 2021**



State Auditor's Reports and Oversight Evaluation

Program or Division Name	Type of Report	Date Issued	Website
Public Defender Commission	Audit	October 1, 2012	http://www.auditor.mo.gov/Press/2012-129.pdf

MISSOURI PUBLIC DEFENDER

DECISION ITEM RANKING

Budgeting Unit		FY 2023	FY 2023	*****	*****		
Decision Item	Rank	DEPT REQ	DEPT REQ	SECURED	SECURED	CUMULATIVE TOTAL	
Fund		DOLLAR	FTE	COLUMN	COLUMN	DOLLARS	FTE
OFFICE OF THE DIRECTOR							
CORE	001						
GENERAL REVENUE		48,545,280	670.13	0	0.00	0	0.00
TOTAL		48,545,280	670.13	0	0.00		
EXTRAORDINARY EXPENSE/CONFLIC							
CORE	001						
GENERAL REVENUE		4,721,071	0.00	0	0.00	0	0.00
TOTAL		4,721,071	0.00	0	0.00		
LEGAL DEFENSE & DEFENDER FUND							
CORE	001						
LEGAL DEFENSE AND DEFENDER		2,748,609	2.00	0	0.00	0	0.00
TOTAL		2,748,609	2.00	0	0.00		
GRANTS							
CORE	001						
PUBLIC DEFENDER-FEDERAL & OTHR		625,000	0.00	0	0.00	0	0.00
TOTAL		625,000	0.00	0	0.00		
OFFICE OF THE DIRECTOR							
Pay Plan FY22-Cost to Continue - 0000013	002						
GENERAL REVENUE		390,854	0.00	0	0.00	0	0.00
TOTAL		390,854	0.00	0	0.00		
LEGAL DEFENSE & DEFENDER FUND							
Pay Plan FY22-Cost to Continue - 0000013	002						
LEGAL DEFENSE AND DEFENDER		1,410	0.00	0	0.00	0	0.00
TOTAL		1,410	0.00	0	0.00		
OFFICE OF THE DIRECTOR							
Non-Attorney Support Staff - 1151001	003						
GENERAL REVENUE		1,770,858	36.00	0	0.00	0	0.00
TOTAL		1,770,858	36.00	0	0.00		
LEGAL DEFENSE & DEFENDER FUND							
Increased Spending Authority - 1151002	004						
LEGAL DEFENSE AND DEFENDER		750,000	0.00	0	0.00	0	0.00
TOTAL		750,000	0.00	0	0.00		
GRANTS							
Statutory Language Change - 1151003	004						
PUBLIC DEFENDER-FEDERAL & OTHR		500,000	0.00	0	0.00	0	0.00
TOTAL		500,000	0.00	0	0.00		
GRAND TOTAL		\$60,053,082	708.13	\$0	0.00		

MISSOURI PUBLIC DEFENDER

DECISION ITEM SUMMARY

Budget Unit								
Decision Item	FY 2021	FY 2021	FY 2022	FY 2022	FY 2023	FY 2023	*****	*****
Budget Object Summary	ACTUAL	ACTUAL	BUDGET	BUDGET	DEPT REQ	DEPT REQ	SECURED	SECURED
Fund	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	COLUMN	COLUMN
OFFICE OF THE DIRECTOR								
CORE								
PERSONAL SERVICES								
GENERAL REVENUE	35,007,730	610.03	39,476,166	670.13	39,476,166	670.13	0	0.00
TOTAL - PS	35,007,730	610.03	39,476,166	670.13	39,476,166	670.13	0	0.00
EXPENSE & EQUIPMENT								
GENERAL REVENUE	9,250,396	0.00	9,231,969	0.00	9,069,114	0.00	0	0.00
TOTAL - EE	9,250,396	0.00	9,231,969	0.00	9,069,114	0.00	0	0.00
TOTAL	44,258,126	610.03	48,708,135	670.13	48,545,280	670.13	0	0.00
Pay Plan FY22-Cost to Continue - 0000013								
PERSONAL SERVICES								
GENERAL REVENUE	0	0.00	0	0.00	390,854	0.00	0	0.00
TOTAL - PS	0	0.00	0	0.00	390,854	0.00	0	0.00
TOTAL	0	0.00	0	0.00	390,854	0.00	0	0.00
Non-Attorney Support Staff - 1151001								
PERSONAL SERVICES								
GENERAL REVENUE	0	0.00	0	0.00	1,402,920	36.00	0	0.00
TOTAL - PS	0	0.00	0	0.00	1,402,920	36.00	0	0.00
EXPENSE & EQUIPMENT								
GENERAL REVENUE	0	0.00	0	0.00	367,938	0.00	0	0.00
TOTAL - EE	0	0.00	0	0.00	367,938	0.00	0	0.00
TOTAL	0	0.00	0	0.00	1,770,858	36.00	0	0.00
GRAND TOTAL	\$44,258,126	610.03	\$48,708,135	670.13	\$50,706,992	706.13	\$0	0.00

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CORE DECISION ITEM									
Department: Missouri State Public Defender					Budget Unit 15111C				
Division: Public Defender									
Core Legal Services					HB Section HB 12.400				
1. CORE FINANCIAL SUMMARY									
FY 2023 Budget Request					FY 2023 Governor's Recommendation				
	GR	Federal	Other	Total		GR	Federal	Other	Total
PS	39,476,166	0	0	39,476,166	PS	0	0	0	0
EE	9,069,114	0	0	9,069,114	EE	0	0	0	0
PSD	0	0	0	0	PSD	0	0	0	0
TRF	0	0	0	0	TRF	0	0	0	0
Total	48,545,280	0	0	48,545,280	Total	0	0	0	0
FTE	670.13	0.00	0.00	670.13	FTE	0.00	0.00	0.00	0.00
Est. Fringe	23,148,324	0	0	23,148,324	Est. Fringe	0	0	0	0
<i>Note: Fringes budgeted in House Bill 5 except for certain fringes budgeted directly to MoDOT, Highway Patrol, and Conservation.</i>					<i>Note: Fringes budgeted in House Bill 5 except for certain fringes budgeted directly to MoDOT, Highway Patrol, and Conservation.</i>				
Other Funds:					Other Funds:				
2. CORE DESCRIPTION									
The Missouri State Public Defender (MSPD) is a statewide system, providing legal representation to indigent defendants accused of state crimes in the Missouri's trial, appellate, and Supreme Courts. It is an independent department of state government, located within, but not supervised by, the Judicial Branch. It is governed by a seven-member Public Defender Commission, appointed by the Governor. This core decision item includes funding for public defenders and their support staff throughout the state and a central administrative staff. It also includes partial funding for assigning conflict cases to private counsel.									
3. PROGRAM LISTING (list programs included in this core funding)									
The Missouri State Public Defender has only one program: providing constitutionally required criminal defense representation to Missourians facing the loss of liberty in state misdemeanor and felony prosecutions, as well as in appellate and post-conviction representation matters in which the state has created a right to counsel.									

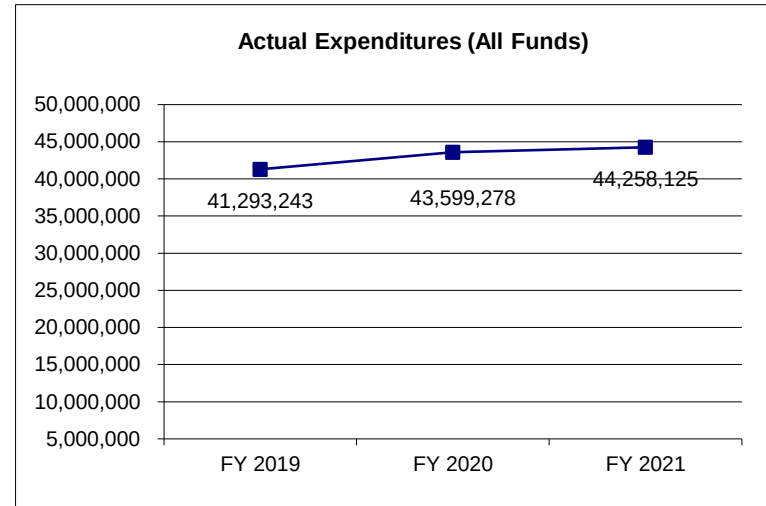
CORE DECISION ITEM

Department: Missouri State Public Defender
Division: Public Defender
Core: Legal Services

Budget Unit: 15111C
HB Section: HB 12.400

4. FINANCIAL HISTORY

	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual	FY 2022 Current Yr.
Appropriation (All Funds)	41,293,244	43,608,451	44,258,356	48,708,135
Less Reverted (All Funds)	0	0	0	0
Less Restricted (All Funds)*	0	0	0	0
Budget Authority (All Funds)	41,293,244	43,608,451	44,258,356	48,708,135
Actual Expenditures (All Funds)	41,293,243	43,599,278	44,258,125	N/A
Unexpended (All Funds)	1	9,173	231	N/A
Unexpended, by Fund:				
General Revenue	0	0	0	N/A
Federal	0	0	0	N/A
Other	0	0	0	N/A



*Current Year restricted amount is \$0.00 as of October 1, 2021.

Reverted includes the statutory three percent reserve amount (when applicable).

Restricted includes any Governor's expenditure restrictions which remained at the end of the fiscal year (when applicable).

NOTES:

MISSOURI PUBLIC DEFENDER

DECISION ITEM DETAIL

Budget Unit	FY 2021	FY 2021	FY 2022	FY 2022	FY 2023	FY 2023	*****	*****
Decision Item	ACTUAL	ACTUAL	BUDGET	BUDGET	DEPT REQ	DEPT REQ	SECURED	SECURED
Budget Object Class	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	COLUMN	COLUMN
OFFICE OF THE DIRECTOR								
CORE								
TEMPORARY EMPLOYEE	21,694	0.55	0	0.00	0	0.00	0	0.00
SECRETARY	4,052,324	126.59	4,060,961	125.00	4,089,174	123.50	0	0.00
COMPUTER INFO. SPECIALIST	500,644	7.85	508,922	7.13	508,841	7.13	0	0.00
INVESTIGATOR	2,398,221	57.44	2,493,864	60.00	2,529,873	60.00	0	0.00
PARALEGAL	187,272	4.50	187,856	4.50	191,442	4.50	0	0.00
MITIGATION SPECIALIST	414,317	9.36	440,853	10.00	451,953	10.00	0	0.00
ASSISTANT PUBLIC DEFENDER	21,932,190	341.18	26,032,066	398.00	25,948,428	399.00	0	0.00
DISTRICT DEFENDER	4,097,281	44.50	4,234,990	46.00	4,334,368	46.00	0	0.00
DIVISION DIRECTOR	345,725	2.83	377,253	3.00	250,098	3.00	0	0.00
PROGRAM TECHNICIAN	210,542	4.30	437,768	9.50	475,438	10.00	0	0.00
PROGRAM MANAGER	697,808	9.93	550,424	6.00	546,839	6.00	0	0.00
DIRECTOR	149,712	1.00	151,209	1.00	149,712	1.00	0	0.00
TOTAL - PS	35,007,730	610.03	39,476,166	670.13	39,476,166	670.13	0	0.00
TRAVEL, IN-STATE	643,478	0.00	1,099,076	0.00	900,000	0.00	0	0.00
TRAVEL, OUT-OF-STATE	6,568	0.00	15,000	0.00	15,000	0.00	0	0.00
FUEL & UTILITIES	47,112	0.00	55,000	0.00	55,000	0.00	0	0.00
SUPPLIES	288,341	0.00	288,875	0.00	290,000	0.00	0	0.00
PROFESSIONAL DEVELOPMENT	151,474	0.00	24,230	0.00	150,000	0.00	0	0.00
COMMUNICATION SERV & SUPP	583,050	0.00	656,630	0.00	595,000	0.00	0	0.00
PROFESSIONAL SERVICES	5,903,359	0.00	5,663,365	0.00	5,591,969	0.00	0	0.00
HOUSEKEEPING & JANITORIAL SERV	107,677	0.00	120,000	0.00	110,000	0.00	0	0.00
M&R SERVICES	284,216	0.00	155,000	0.00	250,000	0.00	0	0.00
COMPUTER EQUIPMENT	94,073	0.00	91,550	0.00	8,450	0.00	0	0.00
MOTORIZED EQUIPMENT	0	0.00	20,000	0.00	20,000	0.00	0	0.00
OFFICE EQUIPMENT	64,938	0.00	91,305	0.00	(16,305)	0.00	0	0.00
OTHER EQUIPMENT	16,367	0.00	1,000	0.00	15,000	0.00	0	0.00
BUILDING LEASE PAYMENTS	997,028	0.00	880,938	0.00	1,020,000	0.00	0	0.00
EQUIPMENT RENTALS & LEASES	23,025	0.00	20,000	0.00	25,000	0.00	0	0.00
MISCELLANEOUS EXPENSES	39,690	0.00	50,000	0.00	40,000	0.00	0	0.00
TOTAL - EE	9,250,396	0.00	9,231,969	0.00	9,069,114	0.00	0	0.00
GRAND TOTAL	\$44,258,126	610.03	\$48,708,135	670.13	\$48,545,280	670.13	\$0	0.00
GENERAL REVENUE	\$44,258,126	610.03	\$48,708,135	670.13	\$48,545,280	670.13		0.00
FEDERAL FUNDS	\$0	0.00	\$0	0.00	\$0	0.00		0.00
OTHER FUNDS	\$0	0.00	\$0	0.00	\$0	0.00		0.00

FLEXIBILITY REQUEST FORM

BUDGET UNIT NUMBER: 15111C BUDGET UNIT NAME: Office of the State Public Defender - Legal Services HOUSE BILL SECTION: 12.400	DEPARTMENT: Missouri State Public Defender DIVISION: Director's Office - Legal Services
1. Provide the amount by fund of personal service flexibility and the amount by fund of expense and equipment flexibility you are requesting in dollar and percentage terms and explain why the flexibility is needed. If flexibility is being requested among divisions, provide the amount by fund of flexibility you are requesting in dollar and percentage terms and explain why the flexibility is needed.	
DEPARTMENT REQUEST	
As in previous years, the Office of the State Public Defender is requesting full flexibility in our legal services appropriations. (Appropriations 0911, 0912 and 8727). Due to the turnover of attorney positions, the number of conflicts and the overload of cases, it is frequently necessary to transfer cases from state employees (Appropriation 0911) to private counsel who can be compensated from appropriation 0912 or 8727. It is also necessary to transfer vacancy savings dollars from the Personal Service Appropriation to the Expense and Equipment Appropriation to cover appropriation shortfalls in case litigation expenses and increasing office expenses such as travel, postage, equipment maintenance and network charges.	
2. Estimate how much flexibility will be used for the budget year. How much flexibility was used in the Prior Year Budget and the Current Year Budget? Please specify the amount.	
PRIOR YEAR ACTUAL AMOUNT OF FLEXIBILITY USED	CURRENT YEAR ESTIMATED AMOUNT OF FLEXIBILITY THAT WILL BE USED
\$550,387.00	\$1,500,000
3. Please explain how flexibility was used in the prior and/or current years.	
PRIOR YEAR EXPLAIN ACTUAL USE	CURRENT YEAR EXPLAIN PLANNED USE
\$550,387 was transferred from Personal Service (0911) to Expense & Equipment (0912). In FY21 most of the transferred money was used to reduce waitlists of public defender eligible defendants.	Flexibility will be utilized to best meet the caseload demands of the State Public Defender System. Dollars from Personal Service vacancy savings could be used to meet the costs of operating the local offices or to contract out cases to private bar as the need arises or to pay for increasing necessary litigation expenses.

NEW DECISION ITEM
RANK: 2 OF 5

Department: Missouri State Public Defender	Budget Unit <u>15111C</u>
Division: Legal Services	
DI Name: Pay Plan - FY 2022 Cost to Continue DI# 0000013	HB Section <u>12.400</u>

1. AMOUNT OF REQUEST

FY 2023 Budget Request					FY 2023 Governor's Recommendation				
	GR	Federal	Other	Total		GR	Federal	Other	Total
PS	390,854	0	0	390,854	PS	0	0	0	0
EE	0	0	0	0	EE	0	0	0	0
PSD	0	0	0	0	PSD	0	0	0	0
TRF	0	0	0	0	TRF	0	0	0	0
Total	390,854	0	0	390,854	Total	0	0	0	0
FTE	0.00	0.00	0.00	0.00	FTE	0.00	0.00	0.00	0.00
Est. Fringe	<u>131,014</u>	<u>0</u>	<u>0</u>	<u>131,014</u>	Est. Fringe	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
<i>Note: Fringes budgeted in House Bill 5 except for certain fringes budgeted directly to MoDOT, Highway Patrol, and Conservation.</i>					<i>Note: Fringes budgeted in House Bill 5 except for certain fringes budgeted directly to MoDOT, Highway Patrol, and Conservation.</i>				
Other Funds:					Other Funds:				
Non-Counts:					Non-Counts:				

2. THIS REQUEST CAN BE CATEGORIZED AS:

☐ New Legislation	☐ New Program	☐ Fund Switch
☐ Federal Mandate	☐ Program Expansion	☒ Cost to Continue
☐ GR Pick-Up	☐ Space Request	☐ Equipment Replacement
☒ Pay Plan	☐ Other: _____	

3. WHY IS THIS FUNDING NEEDED? PROVIDE AN EXPLANATION FOR ITEMS CHECKED IN #2. INCLUDE THE FEDERAL OR STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS PROGRAM.

The FY 2022 budget includes appropriation authority for a 2% pay increase for employees beginning January 1, 2022. The remaining six months were unfunded, but the stated intent of the legislature was to provide the funding for FY 2023.

NEW DECISION ITEM

RANK: 2 OF 5

Department: Missouri State Public Defender	Budget Unit	15111C
Division: Legal Services		
DI Name: Pay Plan - FY 2022 Cost to Continue	DI# 0000013	HB Section 12.400

4. DESCRIBE THE DETAILED ASSUMPTIONS USED TO DERIVE THE SPECIFIC REQUESTED AMOUNT. (How did you determine that the requested number of FTE were appropriate? From what source or standard did you derive the requested levels of funding? Were alternatives such as outsourcing or automation considered? If based on new legislation, does request tie to TAFP fiscal note? If not, explain why. Detail which portions of the request are one-times and how those amounts were calculated.)

The appropriated amount for the Fiscal Year 2022 pay plan was based on a 2% pay increase for employees beginning January 1, 2022. The Fiscal Year 2023 requested amount is equivalent to the remaining six months in order to provide the core funding necessary for a full fiscal year.

5. BREAK DOWN THE REQUEST BY BUDGET OBJECT CLASS, JOB CLASS, AND FUND SOURCE. IDENTIFY ONE-TIME COSTS.

	Dept Req GR	Dept Req GR	Dept Req FED	Dept Req FED	Dept Req OTHER	Dept Req OTHER	Dept Req TOTAL	Dept Req TOTAL	Dept Req One-Time
Budget Object Class/Job Class	DOLLARS	FTE	DOLLARS	FTE	DOLLARS	FTE	DOLLARS	FTE	DOLLARS
Secretary	40,892						40,892		
Computer Info. Specialist	5,088						5,088		
Program Technician	4,754						4,754		
Investigator	25,299						25,299		
Paralegal	1,914						1,914		
Mitigation Specialist	4,520						4,520		
Assistant Public Defender	257,074						257,074		
District Defender	43,344						43,344		
Program Manager	5,468						5,468		
Division Directors & Deputy Director	2,501						2,501		
							0	0.0	
Total PS	390,854	0.0	0	0.0	0	0.0	390,854	0.0	0
Grand Total	390,854	0.0	0	0.0	0	0.0	390,854	0.0	0

MISSOURI PUBLIC DEFENDER

DECISION ITEM DETAIL

Budget Unit	FY 2021	FY 2021	FY 2022	FY 2022	FY 2023	FY 2023	*****	*****
Decision Item	ACTUAL	ACTUAL	BUDGET	BUDGET	DEPT REQ	DEPT REQ	SECURED	SECURED
Budget Object Class	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	COLUMN	COLUMN
OFFICE OF THE DIRECTOR								
Pay Plan FY22-Cost to Continue - 0000013								
SECRETARY	0	0.00	0	0.00	40,892	0.00	0	0.00
COMPUTER INFO. SPECIALIST	0	0.00	0	0.00	5,088	0.00	0	0.00
INVESTIGATOR	0	0.00	0	0.00	25,299	0.00	0	0.00
PARALEGAL	0	0.00	0	0.00	1,914	0.00	0	0.00
MITIGATION SPECIALIST	0	0.00	0	0.00	4,520	0.00	0	0.00
ASSISTANT PUBLIC DEFENDER	0	0.00	0	0.00	257,074	0.00	0	0.00
DISTRICT DEFENDER	0	0.00	0	0.00	43,344	0.00	0	0.00
DIVISION DIRECTOR	0	0.00	0	0.00	2,501	0.00	0	0.00
PROGRAM TECHNICIAN	0	0.00	0	0.00	4,754	0.00	0	0.00
PROGRAM MANAGER	0	0.00	0	0.00	5,468	0.00	0	0.00
TOTAL - PS	0	0.00	0	0.00	390,854	0.00	0	0.00
GRAND TOTAL	\$0	0.00	\$0	0.00	\$390,854	0.00	\$0	0.00
GENERAL REVENUE	\$0	0.00	\$0	0.00	\$390,854	0.00		0.00
FEDERAL FUNDS	\$0	0.00	\$0	0.00	\$0	0.00		0.00
OTHER FUNDS	\$0	0.00	\$0	0.00	\$0	0.00		0.00

Legal Services - General Revenue

Job Class	Number of FTE	FY2022 Core Payroll	FY 2023 Cost to Continue
Secretary	125.00	\$4,089,174.00	\$40,892
Computer Info. Specialist	7.13	\$508,841.00	\$5,088
Program Technician	9.50	\$475,438.00	\$4,754
Investigator	60.00	\$2,529,873.00	\$25,299
Paralegal	4.50	\$191,442.00	\$1,914
Mitigation Specialist	10.00	\$451,953.00	\$4,520
Assistant Public Defender	398.00	\$25,948,428.00	\$257,074
District Defender	46.00	\$4,334,368.00	\$43,344
Program Manager	6.00	\$546,839.00	\$5,468
Division Directors & Deputy Dir.	3.00	\$250,098.00	\$2,501
Director	1.00	\$149,712.00	
(Note: No Pay Plan on Director)	670.13	\$39,476,166.00	\$390,854

NEW DECISION ITEM

RANK: 3 OF 5

Department:	Missouri State Public Defender	Budget Unit	15111C
Division:	Legal Services		
DI Name	Non-Attorney PD Support Staff	DI# 1151001	HB Section 12.400

1. AMOUNT OF REQUEST

FY 2023 Budget Request				
	GR	Federal	Other	Total
PS	1,402,920	0	0	1,402,920
EE	367,938	0	0	367,938
PSD	0	0	0	0
TRF	0	0	0	0
Total	1,770,858	0	0	1,770,858
FTE	36.00	0.00	0.00	36.00

Est. Fringe	1,002,951	0	0	1,002,951
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Note: Fringes budgeted in House Bill 5 except for certain fringes budgeted directly to MoDOT, Highway Patrol, and Conservation.

Other Funds:
Non-Counts:

FY 2023 Governor's Recommendation				
	GR	Federal	Other	Total
PS	0	0	0	0
EE	0	0	0	0
PSD	0	0	0	0
TRF	0	0	0	0
Total	0	0	0	0
FTE	0.00	0.00	0.00	0.00

Est. Fringe	0	0	0	0
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Note: Fringes budgeted in House Bill 5 except for certain fringes budgeted directly to MoDOT, Highway Patrol, and Conservation.

Other Funds:
Non-Counts:

2. THIS REQUEST CAN BE CATEGORIZED AS:

☐ New Legislation	☐ New Program	☐ Fund Switch
☐ Federal Mandate	☒ Program Expansion	☐ Cost to Continue
☐ GR Pick-Up	☐ Space Request	☐ Equipment Replacement
☐ Pay Plan	☐ Other: _____	

NEW DECISION ITEM

RANK: 3 OF 5

Department:	Missouri State Public Defender	Budget Unit	15111C
Division:	Legal Services		
DI Name	Non-Attorney PD Support Staff	DI# 1151001	HB Section 12.400

3. WHY IS THIS FUNDING NEEDED? PROVIDE AN EXPLANATION FOR ITEMS CHECKED IN #2. INCLUDE THE FEDERAL OR STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS PROGRAM.

Missouri is constitutionally mandated to provide legal representation at the public's expense to poor persons who have been charged with a criminal offense who are unable to hire counsel. MSPD is the independent statutory department created to fulfill that obligation. MSPD was established in 1982 and has struggled for much of its existence to obtain the necessary resources to fulfill that constitutional mandate. In Fiscal Year FY2022 MSPD was authorized to hire an additional 53 assistant public defenders to address excessive caseloads. In addition, 4 positions were added to provide representation at parole hearings.

Although the 53 new attorney FTE were greatly needed and appreciated, this addition of attorney staff exacerbated the challenges facing the already overburdened support staff in many of the offices. District Defenders were surveyed to determine the type of assistance that would provide the most benefit to their office. The results of the survey are reflected on the following pages.

NEW DECISION ITEM

RANK: 3 OF 5

Department:	Missouri State Public Defender	Budget Unit	15111C
Division:	Legal Services		
DI Name	Non-Attorney PD Support Staff	DI# 1151001	HB Section
			12.400

4. DESCRIBE THE DETAILED ASSUMPTIONS USED TO DERIVE THE SPECIFIC REQUESTED AMOUNT. (How did you determine that the requested number of FTE were appropriate? From what source or standard did you derive the requested levels of funding? Were alternatives such as outsourcing or automation considered? If based on new legislation, does request tie to TAFP fiscal note? If not, explain why. Detail which portions of the request are one-times and how those amounts were calculated.)

Currently, MSPD has one investigator for every eight attorneys and one support staff member for every three attorneys. As a result, attorneys are often called upon to perform secretarial, administrative and investigative work. Cases are delayed in the court system as the limited support staff obtain applications for services, police investigation documents and medical and mental health treatment records and perform essential investigation. By increasing MSPD support staff we can decrease the delays, which are detrimental not only to the defendant, but also to the State, the courts and the complaining witnesses.

5. BREAK DOWN THE REQUEST BY BUDGET OBJECT CLASS, JOB CLASS, AND FUND SOURCE. IDENTIFY ONE-TIME COSTS.

	Dept Req GR	Dept Req GR	Dept Req FED	Dept Req FED	Dept Req OTHER	Dept Req OTHER	Dept Req TOTAL	Dept Req TOTAL	Dept Req One-Time
Budget Object Class/Job Class	DOLLARS	FTE	DOLLARS	FTE	DOLLARS	FTE	DOLLARS	FTE	DOLLARS
Investigators	792,072	18.0					792,072	18.0	
Secretary (Legal Assistant)	610,848	18.0					610,848	18.0	
Total PS	1,402,920	36.0	0	0.0	0	0.0	1,402,920	36.0	0
Travel, In-State 140	86,400						86,400		
Supplies 190	18,000						18,000		
Communication Service and Supplies 340	43,200						43,200		
Computer Equipment 480	76,860						76,860		
Office Equipment 580	60,228						60,228		
Other Equipment 590	14,850						14,850		
Building Lease Payments 680	68,400						68,400		
Total EE	367,938		0		0		367,938		0
Grand Total	1,770,858	36.0	0	0.0	0	0.0	1,770,858	36.0	0

Legal Assistant	
District #	Office Location
10	Hannibal Trial
11	St Charles Trial
13	Columbia Trial
14	Moberly Trial
20	Union Trial
21	Clayton Trial
23	Hillsboro Trial
24	Farmington Trial
25	Rolla Trial
28	Nevada Trial
32	Jackson Trial
34	Portageville Trial
35	Kennett Trial
39	Monett Trial
44	Ava Trial
58	Kansas City Plex
57	St Louis Plex
56	Columbia Plex
18	Legal Assistants

Investigator	
District #	Office Location
5	St Joseph Trial
7	Liberty Trial
12	Fulton Trial
15	Sedalia Trial
16	Kansas City Trial
17	Harrisonville Trial
19	Jefferson City Trial
22	St Louis City Trial
26	Lebanon Trial
29	Carthage Trial
30	Bolivar Trial
31	Springfield Trial
36	Poplar Bluff Trial
37	West Plains Trial
43	Chillicothe Trial
45	Troy Trial
57	St Louis Plex
56	Columbia Plex
18	Investigators

MISSOURI PUBLIC DEFENDER

DECISION ITEM DETAIL

Budget Unit	FY 2021	FY 2021	FY 2022	FY 2022	FY 2023	FY 2023	*****	*****
Decision Item	ACTUAL	ACTUAL	BUDGET	BUDGET	DEPT REQ	DEPT REQ	SECURED	SECURED
Budget Object Class	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	COLUMN	COLUMN
OFFICE OF THE DIRECTOR								
Non-Attorney Support Staff - 1151001								
SECRETARY	0	0.00	0	0.00	610,848	18.00	0	0.00
INVESTIGATOR	0	0.00	0	0.00	792,072	18.00	0	0.00
TOTAL - PS	0	0.00	0	0.00	1,402,920	36.00	0	0.00
TRAVEL, IN-STATE	0	0.00	0	0.00	86,400	0.00	0	0.00
SUPPLIES	0	0.00	0	0.00	18,000	0.00	0	0.00
COMMUNICATION SERV & SUPP	0	0.00	0	0.00	43,200	0.00	0	0.00
COMPUTER EQUIPMENT	0	0.00	0	0.00	76,860	0.00	0	0.00
OFFICE EQUIPMENT	0	0.00	0	0.00	60,228	0.00	0	0.00
OTHER EQUIPMENT	0	0.00	0	0.00	14,850	0.00	0	0.00
BUILDING LEASE PAYMENTS	0	0.00	0	0.00	68,400	0.00	0	0.00
TOTAL - EE	0	0.00	0	0.00	367,938	0.00	0	0.00
GRAND TOTAL	\$0	0.00	\$0	0.00	\$1,770,858	36.00	\$0	0.00
GENERAL REVENUE	\$0	0.00	\$0	0.00	\$1,770,858	36.00		0.00
FEDERAL FUNDS	\$0	0.00	\$0	0.00	\$0	0.00		0.00
OTHER FUNDS	\$0	0.00	\$0	0.00	\$0	0.00		0.00

Trial Divisions Additional Support Fiscal Year 2023 Request 18 Legal Assistants	
COST BREAKDOWN	TOTAL COSTS
Personal Service	
Legal Assistant III - Range 18F	18.00
\$33,936	<u>\$610,848</u>
Total Personal Service	\$610,848
Expense & Equipment	
One-time Purchases	
Legal Assistant Package	18.00
\$4,083	<u>\$73,494</u>
On-Going Costs	
Legal Assistant	18.00
\$3,600	<u>\$64,800</u>
Total Personnel Related On-Going Costs	<u>\$64,800</u>
Total Expense and Equipment	<u>\$138,294</u>
Total Legal Assistant Request	\$749,142

Trial Divisions Additional Support Fiscal Year 2023 Request 18 Investigators	
COST BREAKDOWN	TOTAL COSTS
Personal Service	
Investigator III - Range 25G	18.00
\$44,004	<u>\$792,072</u>
Total Personal Service	\$792,072
Expense & Equipment	
One-time Purchases	
Investigator Package	18.00
\$4,358	<u>\$78,444</u>
On-Going Costs	
Investigator	18.00
\$8,400	<u>\$151,200</u>
Total Personnel Related On-Going Costs	<u>\$151,200</u>
Total Expense and Equipment	<u>\$229,644</u>
Total Investigator Request	\$1,021,716

Position Cost Detail for New FTE's

One Time Equipment Purchase

Legal Assistant

Desk	\$601
Chair	\$250
Side Chair	\$382
Bookcase	\$215
File Cabinet	\$225
Telephone	\$275
Laptop w/Docking Station	\$1,385
PC Software	<u>\$750</u>
	\$4,083

Investigator

Desk	\$601
Chair	\$250
Side Chair	\$382
Bookcase	\$215
File Cabinet	\$225
Telephone	\$275
Laptop w/Docking Station	\$1,385
Camera	\$275
PC Software	<u>\$750</u>
	\$4,358

Detail for Projections

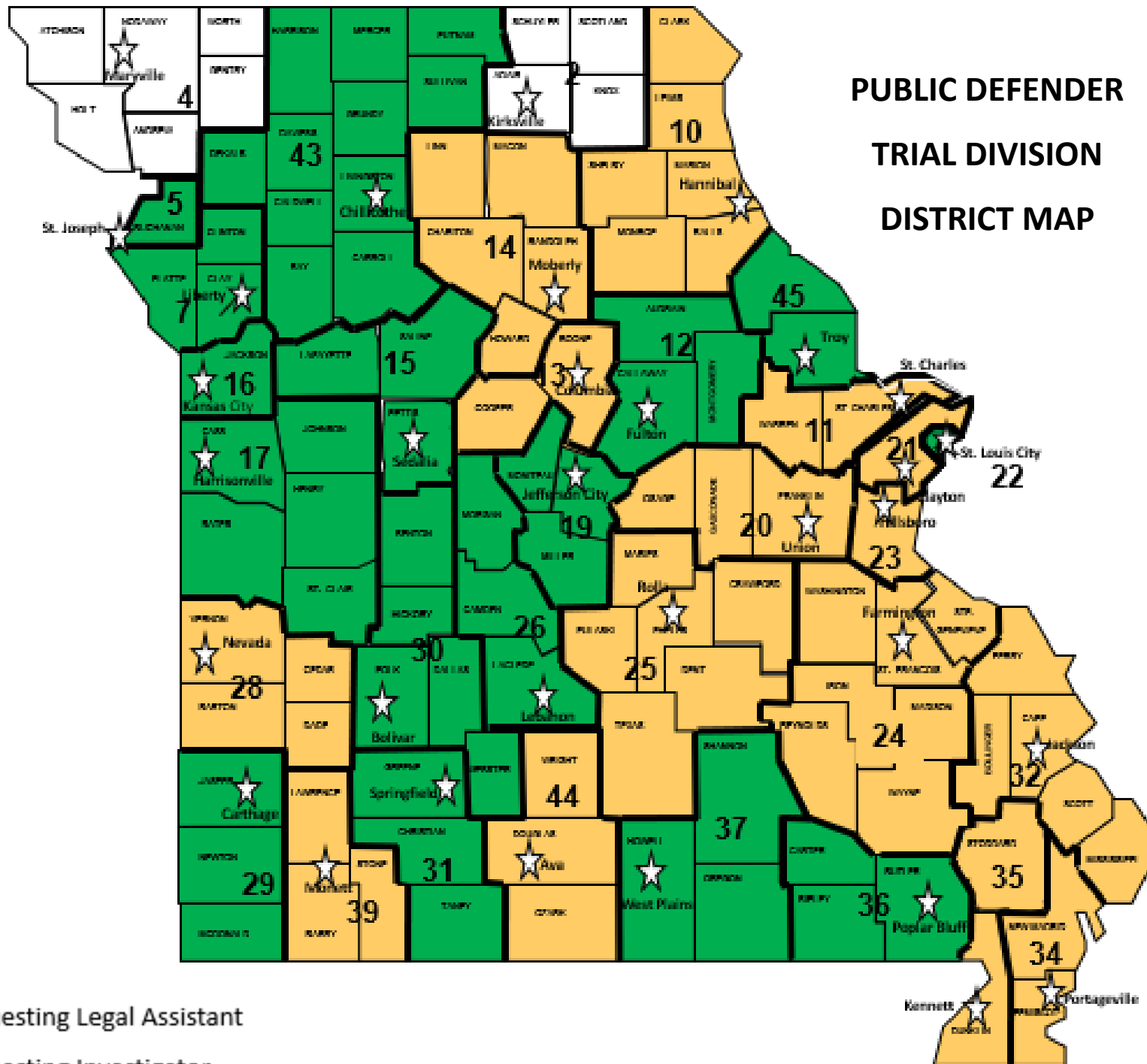
On-Going Costs - Trial Division

Legal Assistant

Office Supplies/Postage	\$500
Rent	\$1,900
Phone & Network Communications	<u>\$1,200</u>
	\$3,600

Investigator

Office Supplies/Postage	\$500
Travel (\$400 * 12)	\$4,800
Rent	\$1,900
Phone & Network Communications	<u>\$1,200</u>
	\$8,400



MISSOURI PUBLIC DEFENDER

DECISION ITEM SUMMARY

Budget Unit								
Decision Item	FY 2021	FY 2021	FY 2022	FY 2022	FY 2023	FY 2023	*****	*****
Budget Object Summary	ACTUAL	ACTUAL	BUDGET	BUDGET	DEPT REQ	DEPT REQ	SECURED	SECURED
Fund	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	COLUMN	COLUMN
EXTRAORDINARY EXPENSE/CONFLIC								
CORE								
EXPENSE & EQUIPMENT								
GENERAL REVENUE	4,720,901	0.00	4,721,071	0.00	4,721,071	0.00	0	0.00
TOTAL - EE	4,720,901	0.00	4,721,071	0.00	4,721,071	0.00	0	0.00
TOTAL	4,720,901	0.00	4,721,071	0.00	4,721,071	0.00	0	0.00
GRAND TOTAL	\$4,720,901	0.00	\$4,721,071	0.00	\$4,721,071	0.00	\$0	0.00

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CORE DECISION ITEM

Department: Missouri State Public Defender	Budget Unit 15151C
Division: Public Defender	
Core Litigation Expenses & Conflict Cases Core Request	HB Section HB 12.400

1. CORE FINANCIAL SUMMARY

FY 2023 Budget Request					FY 2023 Governor's Recommendation				
	GR	Federal	Other	Total		GR	Federal	Other	Total
PS	0	0	0	0	PS	0	0	0	0
EE	4,721,071	0	0	4,721,071	EE	0	0	0	0
PSD	0	0	0	0	PSD	0	0	0	0
TRF	0	0	0	0	TRF	0	0	0	0
Total	4,721,071	0	0	4,721,071	Total	0	0	0	0
FTE					FTE				
	0.00	0.00	0.00	0.00		0.00	0.00	0.00	0.00
Est. Fringe	0	0	0	0	Est. Fringe	0	0	0	0
Note: Fringes budgeted in House Bill 5 except for certain fringes budgeted directly to MoDOT, Highway Patrol, and Conservation.					Note: Fringes budgeted in House Bill 5 except for certain fringes budgeted directly to MoDOT, Highway Patrol, and Conservation.				

Other Funds:

Other Funds:

2. CORE DESCRIPTION

This appropriation was established to cover three main types of expenses.

VIOLENT CRIMES: Payment of expenses associated with the defense of violent crimes, including those charged as sexually violent predators and death penalty cases.

LITIGATION EXPENSES: Litigation expenses are also paid out of the appropriation. These would include, but are not limited to, such things as mental health evaluations by experts, depositions, interpreters, medical records, transcriptions, exhibits, immigration consultations, fingerprint experts, handwriting analysis, etc. There has been no increase in funding for litigation expense since fiscal year 1996.

CONFLICT CASES: A conflict requiring a case to be contracted out to private counsel occurs when there are multiple co-defendants charged in a particular incident. The co-defendants each require conflict free counsel who can investigate and negotiate the case independently, including any negotiation of testimony against another co-defendant.

CORE DECISION ITEM

Department: Missouri State Public Defender	Budget Unit 15151C
Division: Public Defender	
Core Litigation Expenses & Conflict Cases Core Request	HB Section HB 12.400

3. PROGRAM LISTING (list programs included in this core funding)

The Missouri State Public Defender (MSPD) is a statewide system that provides legal representation to poor persons who are accused or convicted of state crimes. That representation occurs in Missouri's trial, and appellate courts, as well as in the United States Supreme Court. MSPD's representation of eligible applicants fulfills the state's constitutional mandate to provide counsel pursuant to the Sixth Amendment of the United States Constitution and Article I, Section 18 of the Missouri Constitution.

4. FINANCIAL HISTORY

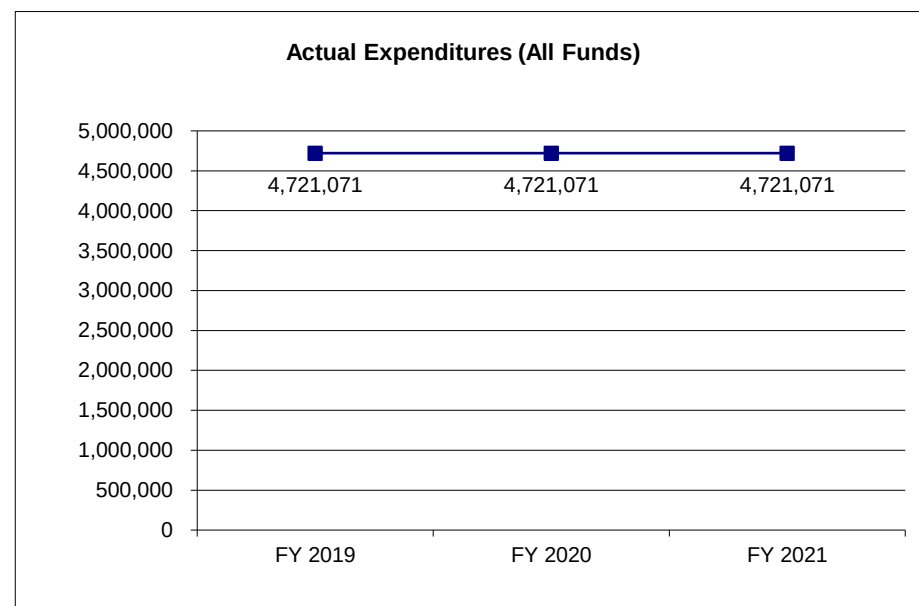
	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual	FY 2022 Current Yr.
Appropriation (All Funds)	4,721,071	4,721,071	4,721,071	4,721,071
Less Reverted (All Funds)	0	0	0	0
Less Restricted (All Funds)*	0	0	0	0
Budget Authority (All Funds)	4,721,071	4,721,071	4,721,071	4,721,071
Actual Expenditures (All Funds)	4,721,071	4,721,071	4,721,071	N/A
Unexpended (All Funds)	0	0	0	N/A
Unexpended, by Fund:				
General Revenue	0	0	0	N/A
Federal	0	0	0	N/A
Other	0	0	0	N/A

*Current Year restricted amount is \$0.00as of October 1, 2021.

Reverted includes the statutory three percent reserve amount (when applicable).

Restricted includes any Governor's expenditure restrictions which remained at the end of the fiscal year (when applicable).

NOTES:



MISSOURI PUBLIC DEFENDER

DECISION ITEM DETAIL

Budget Unit	FY 2021	FY 2021	FY 2022	FY 2022	FY 2023	FY 2023	*****	*****
Decision Item	ACTUAL	ACTUAL	BUDGET	BUDGET	DEPT REQ	DEPT REQ	SECURED	SECURED
Budget Object Class	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	COLUMN	COLUMN
EXTRAORDINARY EXPENSE/CONFLIC								
CORE								
TRAVEL, IN-STATE	97,862	0.00	280,000	0.00	275,000	0.00	0	0.00
TRAVEL, OUT-OF-STATE	24,397	0.00	50,000	0.00	50,000	0.00	0	0.00
FUEL & UTILITIES	5,218	0.00	6,000	0.00	6,000	0.00	0	0.00
SUPPLIES	12,961	0.00	20,000	0.00	15,000	0.00	0	0.00
PROFESSIONAL DEVELOPMENT	0	0.00	1,500	0.00	1,500	0.00	0	0.00
COMMUNICATION SERV & SUPP	21,595	0.00	22,500	0.00	22,500	0.00	0	0.00
PROFESSIONAL SERVICES	4,280,797	0.00	4,080,571	0.00	4,073,571	0.00	0	0.00
HOUSEKEEPING & JANITORIAL SERV	2,419	0.00	2,500	0.00	2,500	0.00	0	0.00
M&R SERVICES	6,043	0.00	7,500	0.00	6,000	0.00	0	0.00
COMPUTER EQUIPMENT	0	0.00	1,500	0.00	1,500	0.00	0	0.00
OFFICE EQUIPMENT	0	0.00	5,000	0.00	5,000	0.00	0	0.00
BUILDING LEASE PAYMENTS	257,778	0.00	235,000	0.00	250,000	0.00	0	0.00
EQUIPMENT RENTALS & LEASES	2,720	0.00	1,500	0.00	2,500	0.00	0	0.00
MISCELLANEOUS EXPENSES	9,111	0.00	7,500	0.00	10,000	0.00	0	0.00
TOTAL - EE	4,720,901	0.00	4,721,071	0.00	4,721,071	0.00	0	0.00
GRAND TOTAL	\$4,720,901	0.00	\$4,721,071	0.00	\$4,721,071	0.00	\$0	0.00
GENERAL REVENUE	\$4,720,901	0.00	\$4,721,071	0.00	\$4,721,071	0.00		0.00
FEDERAL FUNDS	\$0	0.00	\$0	0.00	\$0	0.00		0.00
OTHER FUNDS	\$0	0.00	\$0	0.00	\$0	0.00		0.00

MISSOURI PUBLIC DEFENDER

DECISION ITEM SUMMARY

Budget Unit								
Decision Item	FY 2021	FY 2021	FY 2022	FY 2022	FY 2023	FY 2023	*****	*****
Budget Object Summary	ACTUAL	ACTUAL	BUDGET	BUDGET	DEPT REQ	DEPT REQ	SECURED	SECURED
Fund	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	COLUMN	COLUMN
LEGAL DEFENSE & DEFENDER FUND								
CORE								
PERSONAL SERVICES								
LEGAL DEFENSE AND DEFENDER	140,943	1.99	142,353	2.00	142,353	2.00	0	0.00
TOTAL - PS	140,943	1.99	142,353	2.00	142,353	2.00	0	0.00
EXPENSE & EQUIPMENT								
LEGAL DEFENSE AND DEFENDER	1,104,711	0.00	2,456,256	0.00	2,481,256	0.00	0	0.00
TOTAL - EE	1,104,711	0.00	2,456,256	0.00	2,481,256	0.00	0	0.00
PROGRAM-SPECIFIC								
LEGAL DEFENSE AND DEFENDER	58,009	0.00	150,000	0.00	125,000	0.00	0	0.00
TOTAL - PD	58,009	0.00	150,000	0.00	125,000	0.00	0	0.00
TOTAL	1,303,663	1.99	2,748,609	2.00	2,748,609	2.00	0	0.00
Pay Plan FY22-Cost to Continue - 0000013								
PERSONAL SERVICES								
LEGAL DEFENSE AND DEFENDER	0	0.00	0	0.00	1,410	0.00	0	0.00
TOTAL - PS	0	0.00	0	0.00	1,410	0.00	0	0.00
TOTAL	0	0.00	0	0.00	1,410	0.00	0	0.00
Increased Spending Authority - 1151002								
EXPENSE & EQUIPMENT								
LEGAL DEFENSE AND DEFENDER	0	0.00	0	0.00	712,582	0.00	0	0.00
TOTAL - EE	0	0.00	0	0.00	712,582	0.00	0	0.00
PROGRAM-SPECIFIC								
LEGAL DEFENSE AND DEFENDER	0	0.00	0	0.00	37,418	0.00	0	0.00
TOTAL - PD	0	0.00	0	0.00	37,418	0.00	0	0.00
TOTAL	0	0.00	0	0.00	750,000	0.00	0	0.00
GRAND TOTAL	\$1,303,663	1.99	\$2,748,609	2.00	\$3,500,019	2.00	\$0	0.00

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CORE DECISION ITEM

Department: Missouri State Public Defender	Budget Unit 115141
Division: Public Defender	
Core Legal Defense & Defender Fund - Core Request	HB Section HB 12.400

1. CORE FINANCIAL SUMMARY

	FY 2023 Budget Request			
	GR	Federal	Other	Total
PS	0	0	142,353	142,353
EE	0	0	2,606,256	2,606,256
PSD	0	0	0	0
TRF	0	0	0	0
Total	0	0	2,748,609	2,748,609

FTE	0.00	0.00	2.00	2.00
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Est. Fringe	0	0	77,311	77,311
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Note: Fringes budgeted in House Bill 5 except for certain fringes budgeted directly to MoDOT, Highway Patrol, and Conservation.

Other Funds: Legal Defense and Defender Fund 0670

	FY 2023 Governor's Recommendation			
	GR	Federal	Other	Total
PS	0	0	0	0
EE	0	0	0	0
PSD	0	0	0	0
TRF	0	0	0	0
Total	0	0	0	0

FTE	0.00	0.00	0.00	0.00
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Est. Fringe	0	0	0	0
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Note: Fringes budgeted in House Bill 5 except for certain fringes budgeted directly to MoDOT, Highway Patrol, and Conservation.

Other Funds:

2. CORE DESCRIPTION

As laws continue to change and turnover of Missouri State Public Defender's staff is significant, training of public defenders and their staff becomes even more critical. The funds in this appropriation are collected from the indigent accused and by statute are used at the discretion of the Director of the State Public Defender for the operation of the department, including, but not limited to, training, Missouri Bar Dues, legal research, one-time equipment purchases, office moves and other critical needs.

3. PROGRAM LISTING (list programs included in this core funding)

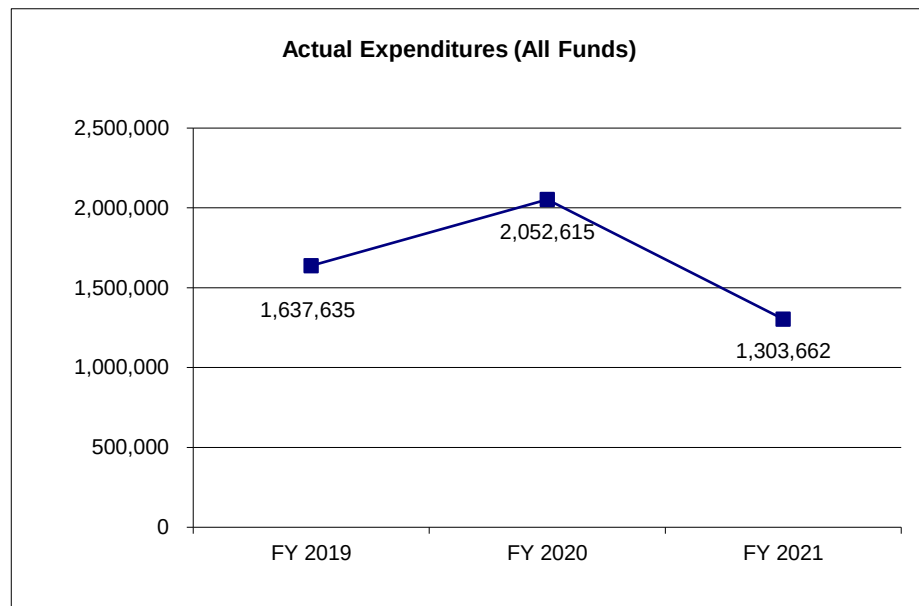
There are no separate programs within this appropriation. Dollars collected from Public Defender Clients are utilized to assist in funding the Missouri State Public Defender.

CORE DECISION ITEM

Department: Missouri State Public Defender	Budget Unit 115141
Division: Public Defender	
Core Legal Defense & Defender Fund - Core Request	HB Section HB 12.400

4. FINANCIAL HISTORY

	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual	FY 2022 Current Yr.
Appropriation (All Funds)	2,986,768	3,000,896	2,735,949	0
Less Reverted (All Funds)	0	0	0	0
Less Restricted (All Funds)*	0	0	0	0
Budget Authority (All Funds)	2,986,768	3,000,896	2,735,949	0
Actual Expenditures (All Funds)	1,637,635	2,052,615	1,303,662	N/A
Unexpended (All Funds)	1,349,133	948,281	1,432,287	N/A
Unexpended, by Fund:				
General Revenue	0	0	0	N/A
Federal	0	0	0	N/A
Other	0	0	0	N/A



*Current Year restricted amount is \$0.00 as of October 1, 2021.

Reverted includes the statutory three percent reserve amount (when applicable).

Restricted includes any Governor's expenditure restrictions which remained at the end of the fiscal year (when applicable).

NOTES:

This appropriation is the spending authority for funds collected from MSPD clients. MSPD can only spend what is transferred from a prior fiscal year and what is collected during the current fiscal year. (Up to the ceiling imposed by appropriation.) The expended amount includes transfers from the Office of Administration for employee fringe benefits and HB 5 reimbursements.

MISSOURI PUBLIC DEFENDER

DECISION ITEM DETAIL

Budget Unit	FY 2021	FY 2021	FY 2022	FY 2022	FY 2023	FY 2023	*****	*****
Decision Item	ACTUAL	ACTUAL	BUDGET	BUDGET	DEPT REQ	DEPT REQ	SECURED	SECURED
Budget Object Class	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	COLUMN	COLUMN
LEGAL DEFENSE & DEFENDER FUND								
CORE								
DIVISION DIRECTOR	61,373	0.54	97,121	1.00	0	1.00	0	0.00
PROGRAM TECHNICIAN	79,570	1.45	45,232	1.00	142,353	1.00	0	0.00
TOTAL - PS	140,943	1.99	142,353	2.00	142,353	2.00	0	0.00
TRAVEL, IN-STATE	10,433	0.00	536,250	0.00	600,000	0.00	0	0.00
TRAVEL, OUT-OF-STATE	745	0.00	75,000	0.00	75,000	0.00	0	0.00
SUPPLIES	137,638	0.00	150,000	0.00	25,000	0.00	0	0.00
PROFESSIONAL DEVELOPMENT	65,143	0.00	200,000	0.00	200,000	0.00	0	0.00
COMMUNICATION SERV & SUPP	3,997	0.00	25,000	0.00	25,000	0.00	0	0.00
PROFESSIONAL SERVICES	129,646	0.00	75,000	0.00	100,000	0.00	0	0.00
M&R SERVICES	247,863	0.00	400,000	0.00	488,756	0.00	0	0.00
COMPUTER EQUIPMENT	400,563	0.00	527,006	0.00	650,000	0.00	0	0.00
MOTORIZED EQUIPMENT	16,052	0.00	25,000	0.00	25,000	0.00	0	0.00
OFFICE EQUIPMENT	40,384	0.00	250,000	0.00	35,000	0.00	0	0.00
OTHER EQUIPMENT	11,571	0.00	7,500	0.00	12,500	0.00	0	0.00
BUILDING LEASE PAYMENTS	34,921	0.00	7,500	0.00	65,000	0.00	0	0.00
EQUIPMENT RENTALS & LEASES	1,896	0.00	45,000	0.00	50,000	0.00	0	0.00
MISCELLANEOUS EXPENSES	3,859	0.00	133,000	0.00	130,000	0.00	0	0.00
TOTAL - EE	1,104,711	0.00	2,456,256	0.00	2,481,256	0.00	0	0.00
REFUNDS	58,009	0.00	150,000	0.00	125,000	0.00	0	0.00
TOTAL - PD	58,009	0.00	150,000	0.00	125,000	0.00	0	0.00
GRAND TOTAL	\$1,303,663	1.99	\$2,748,609	2.00	\$2,748,609	2.00	\$0	0.00
GENERAL REVENUE	\$0	0.00	\$0	0.00	\$0	0.00		0.00
FEDERAL FUNDS	\$0	0.00	\$0	0.00	\$0	0.00		0.00
OTHER FUNDS	\$1,303,663	1.99	\$2,748,609	2.00	\$2,748,609	2.00		0.00

NEW DECISION ITEM

RANK: 2 OF 5

Department: Missouri State Public Defender	Budget Unit	15141C
Division: Legal Defense and Defender Fund		
DI Name: Pay Plan - FY 2022 Cost to Continue DI# 0000013	HB Section	12.400

1. AMOUNT OF REQUEST

	FY 2023 Budget Request			
	GR	Federal	Other	Total
PS	0	0	1,410	1,410
EE	0	0	0	0
PSD	0	0	0	0
TRF	0	0	0	0
Total	0	0	1,410	1,410
FTE	0.00	0.00	0.00	0.00

Est. Fringe	0	0	473	473
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Note: Fringes budgeted in House Bill 5 except for certain fringes budgeted directly to MoDOT, Highway Patrol, and Conservation.

Other Funds: Legal Defense and Defender Fund
Non-Counts:

	FY 2023 Governor's Recommendation			
	GR	Federal	Other	Total
PS	0	0	0	0
EE	0	0	0	0
PSD	0	0	0	0
TRF	0	0	0	0
Total	0	0	0	0
FTE	0.00	0.00	0.00	0.00

Est. Fringe	0	0	0	0
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Note: Fringes budgeted in House Bill 5 except for certain fringes budgeted directly to MoDOT, Highway Patrol, and Conservation.

Other Funds:
Non-Counts:

2. THIS REQUEST CAN BE CATEGORIZED AS:

☐ New Legislation	☐ New Program	☐ Fund Switch
☐ Federal Mandate	☐ Program Expansion	☒ Cost to Continue
☐ GR Pick-Up	☐ Space Request	☐ Equipment Replacement
☒ Pay Plan	☐ Other: _____	

3. WHY IS THIS FUNDING NEEDED? PROVIDE AN EXPLANATION FOR ITEMS CHECKED IN #2. INCLUDE THE FEDERAL OR STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS PROGRAM.

The FY 2022 budget includes appropriation authority for a 2% pay increase for employees beginning January 1, 2022. The remaining six months were unfunded, but the stated intent of the legislature was to provide the funding for FY 2023.

NEW DECISION ITEM

RANK: 2 OF 5

Department: Missouri State Public Defender	Budget Unit	15141C
Division: Legal Defense and Defender Fund		
DI Name: Pay Plan - FY 2022 Cost to Continue	DI# 0000013	HB Section 12.400

4. DESCRIBE THE DETAILED ASSUMPTIONS USED TO DERIVE THE SPECIFIC REQUESTED AMOUNT. (How did you determine that the requested number of FTE were appropriate? From what source or standard did you derive the requested levels of funding? Were alternatives such as outsourcing or automation considered? If based on new legislation, does request tie to TAFP fiscal note? If not, explain why. Detail which portions of the request are one-times and how those amounts were calculated.)

The appropriated amount for the Fiscal Year 2022 pay plan was based on a 2% pay increase for employees beginning January 1, 2022. The Fiscal Year 2023 requested amount is equivalent to the remaining six months in order to provide the core funding necessary for a full fiscal year.

5. BREAK DOWN THE REQUEST BY BUDGET OBJECT CLASS, JOB CLASS, AND FUND SOURCE. IDENTIFY ONE-TIME COSTS.

Budget Object Class/Job Class	Dept Req GR DOLLARS	Dept Req GR FTE	Dept Req FED DOLLARS	Dept Req FED FTE	Dept Req OTHER DOLLARS	Dept Req OTHER FTE	Dept Req TOTAL DOLLARS	Dept Req TOTAL FTE	Dept Req One-Time DOLLARS
Program Technician					1,410		1,410		
							0	0.0	
Total PS	0	0.0	0	0.0	1,410	0.0	1,410	0.0	0
Grand Total	0	0.0	0	0.0	1,410	0.0	1,410	0.0	0

MISSOURI PUBLIC DEFENDER

DECISION ITEM DETAIL

Budget Unit	FY 2021	FY 2021	FY 2022	FY 2022	FY 2023	FY 2023	*****	*****
Decision Item	ACTUAL	ACTUAL	BUDGET	BUDGET	DEPT REQ	DEPT REQ	SECURED	SECURED
Budget Object Class	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	COLUMN	COLUMN
LEGAL DEFENSE & DEFENDER FUND								
Pay Plan FY22-Cost to Continue - 0000013								
PROGRAM TECHNICIAN	0	0.00	0	0.00	1,410	0.00	0	0.00
TOTAL - PS	0	0.00	0	0.00	1,410	0.00	0	0.00
GRAND TOTAL	\$0	0.00	\$0	0.00	\$1,410	0.00	\$0	0.00
GENERAL REVENUE	\$0	0.00	\$0	0.00	\$0	0.00		0.00
FEDERAL FUNDS	\$0	0.00	\$0	0.00	\$0	0.00		0.00
OTHER FUNDS	\$0	0.00	\$0	0.00	\$1,410	0.00		0.00

Training - Legal Defense & Defender Fund

Job Class	Number of FTE	FY2022 Core Payroll	FY 2023 Cost to Continue
Program Technician	2.00	\$142,253.00	\$1,410
	2.00	\$142,253.00	\$1,410

NEW DECISION ITEM

RANK: 3 OF 5

Department: Missouri State Public Defender	Budget Unit <u>15111C</u>
Division: Legal Defense and Defender Fund	
DI Name Increase Spending Authority DI#1151002	HB Section <u>12.400</u>

1. AMOUNT OF REQUEST

FY 2023 Budget Request				
	GR	Federal	Other	Total
PS	0	0	0	0
EE	0	0	750,000	750,000
PSD	0	0	0	0
TRF	0	0	0	0
Total	0	0	750,000	750,000
FTE	0.00	0.00	0.00	0.00

Est. Fringe	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
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Note: Fringes budgeted in House Bill 5 except for certain fringes budgeted directly to MoDOT, Highway Patrol, and Conservation.

Other Funds: Legal Defense and Defender Funds
Non-Counts:

FY 2023 Governor's Recommendation				
	GR	Federal	Other	Total
PS	0	0	0	0
EE	0	0	0	0
PSD	0	0	0	0
TRF	0	0	0	0
Total	0	0	0	0
FTE	0.00	0.00	0.00	0.00

Est. Fringe	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
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Note: Fringes budgeted in House Bill 5 except for certain fringes budgeted directly to MoDOT, Highway Patrol, and Conservation.

Other Funds:
Non-Counts:

2. THIS REQUEST CAN BE CATEGORIZED AS:

☐ New Legislation	☐ New Program	☐ Fund Switch
☐ Federal Mandate	☐ Program Expansion	☐ Cost to Continue
☐ GR Pick-Up	☐ Space Request	☐ Equipment Replacement
☐ Pay Plan	☒ Other: <u>Increase Spending Authority</u>	

3. WHY IS THIS FUNDING NEEDED? PROVIDE AN EXPLANATION FOR ITEMS CHECKED IN #2. INCLUDE THE FEDERAL OR STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS PROGRAM.

Collections from Public Defender clients continue to increase. This includes fees owed that are intercepted by the Department of Revenue's debt offset program. A corresponding increase in the Legal Defense and Defender Fund spending authority appropriation is required.

NEW DECISION ITEM

RANK: 3 OF 5

Department: Missouri State Public Defender	Budget Unit 15111C
Division: Legal Defense and Defender Fund	
DI Name Increase Spending Authority DI#1151002	HB Section 12.400

4. DESCRIBE THE DETAILED ASSUMPTIONS USED TO DERIVE THE SPECIFIC REQUESTED AMOUNT. (How did you determine that the requested number of FTE were appropriate? From what source or standard did you derive the requested levels of funding? Were alternatives such as outsourcing or automation considered? If based on new legislation, does request tie to TAFP fiscal note? If not, explain why. Detail which portions of the request are one-times and how those amounts were calculated.)

It is estimated up to an additional \$750,000 may be collected in FY2023.

5. BREAK DOWN THE REQUEST BY BUDGET OBJECT CLASS, JOB CLASS, AND FUND SOURCE. IDENTIFY ONE-TIME COSTS.

Budget Object Class/Job Class	Dept Req GR DOLLARS	Dept Req GR FTE	Dept Req FED DOLLARS	Dept Req FED FTE	Dept Req OTHER DOLLARS	Dept Req OTHER FTE	Dept Req TOTAL DOLLARS	Dept Req TOTAL FTE	Dept Req One-Time DOLLARS
							0		
							0	0.0	
Total PS	0	0.0	0	0.0	0	0.0	0	0.0	0
Travel, In-State 140					6,730		6,730		
Travel, Out-of-State 160					481		481		
Supplies 190					88,782		88,782		
Professional Development 320					42,020		42,020		
Communication Serv & Supp 340					2,578		2,578		
Professional Services					83,627		83,627		
Maintenance & Repair Services 430					159,881		159,881		
Computer Equipment 480					258,379		258,379		
Motorized Equipment 560					10,354		10,354		
Office Equipment 580					26,049		26,049		
Other Equipment 590					7,464		7,464		
Building Lease Payments					22,525		22,525		
Equipment Rentals & Leases					1,223		1,223		
Miscellaneous Expenses					2,489		2,489		
Refunds					37,418		37,418		
Total EE	0		0		750,000		750,000		0
Grand Total	0	0.0	0	0.0	750,000	0.0	750,000	0.0	0

MISSOURI PUBLIC DEFENDER

DECISION ITEM DETAIL

Budget Unit	FY 2021	FY 2021	FY 2022	FY 2022	FY 2023	FY 2023	*****	*****
Decision Item	ACTUAL	ACTUAL	BUDGET	BUDGET	DEPT REQ	DEPT REQ	SECURED	SECURED
Budget Object Class	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	COLUMN	COLUMN
LEGAL DEFENSE & DEFENDER FUND								
Increased Spending Authority - 1151002								
TRAVEL, IN-STATE	0	0.00	0	0.00	6,730	0.00	0	0.00
TRAVEL, OUT-OF-STATE	0	0.00	0	0.00	481	0.00	0	0.00
SUPPLIES	0	0.00	0	0.00	88,782	0.00	0	0.00
PROFESSIONAL DEVELOPMENT	0	0.00	0	0.00	42,020	0.00	0	0.00
COMMUNICATION SERV & SUPP	0	0.00	0	0.00	2,578	0.00	0	0.00
PROFESSIONAL SERVICES	0	0.00	0	0.00	83,627	0.00	0	0.00
M&R SERVICES	0	0.00	0	0.00	159,881	0.00	0	0.00
COMPUTER EQUIPMENT	0	0.00	0	0.00	258,379	0.00	0	0.00
MOTORIZED EQUIPMENT	0	0.00	0	0.00	10,354	0.00	0	0.00
OFFICE EQUIPMENT	0	0.00	0	0.00	26,049	0.00	0	0.00
OTHER EQUIPMENT	0	0.00	0	0.00	7,464	0.00	0	0.00
BUILDING LEASE PAYMENTS	0	0.00	0	0.00	22,525	0.00	0	0.00
EQUIPMENT RENTALS & LEASES	0	0.00	0	0.00	1,223	0.00	0	0.00
MISCELLANEOUS EXPENSES	0	0.00	0	0.00	2,489	0.00	0	0.00
TOTAL - EE	0	0.00	0	0.00	712,582	0.00	0	0.00
REFUNDS	0	0.00	0	0.00	37,418	0.00	0	0.00
TOTAL - PD	0	0.00	0	0.00	37,418	0.00	0	0.00
GRAND TOTAL	\$0	0.00	\$0	0.00	\$750,000	0.00	\$0	0.00
GENERAL REVENUE	\$0	0.00	\$0	0.00	\$0	0.00		0.00
FEDERAL FUNDS	\$0	0.00	\$0	0.00	\$0	0.00		0.00
OTHER FUNDS	\$0	0.00	\$0	0.00	\$750,000	0.00		0.00

MISSOURI PUBLIC DEFENDER

DECISION ITEM SUMMARY

Budget Unit								
Decision Item	FY 2021	FY 2021	FY 2022	FY 2022	FY 2023	FY 2023	*****	*****
Budget Object Summary	ACTUAL	ACTUAL	BUDGET	BUDGET	DEPT REQ	DEPT REQ	SECURED	SECURED
Fund	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	COLUMN	COLUMN
DEBT OFFSET ESCROW FUND								
CORE								
FUND TRANSFERS								
DEBT OFFSET ESCROW	1,700,000	0.00	1,700,000	0.00	1,700,000	0.00	0	0.00
TOTAL - TRF	1,700,000	0.00	1,700,000	0.00	1,700,000	0.00	0	0.00
TOTAL	1,700,000	0.00	1,700,000	0.00	1,700,000	0.00	0	0.00
Debt Offset Increased Transfer - 1151004								
FUND TRANSFERS								
DEBT OFFSET ESCROW	0	0.00	0	0.00	750,000	0.00	0	0.00
TOTAL - TRF	0	0.00	0	0.00	750,000	0.00	0	0.00
TOTAL	0	0.00	0	0.00	750,000	0.00	0	0.00
GRAND TOTAL	\$1,700,000	0.00	\$1,700,000	0.00	\$2,450,000	0.00	\$0	0.00

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CORE DECISION ITEM

Department: Missouri State Public Defender	Budget Unit 115161
Division: Public Defender	
Core Debt Offset Escrow Fund	HB Section HB 12.400

1. CORE FINANCIAL SUMMARY

FY 2023 Budget Request					FY 2023 Governor's Recommendation				
	GR	Federal	Other	Total		GR	Federal	Other	Total
PS	0	0	0	0	PS	0	0	0	0
EE	0	0	0	0	EE	0	0	0	0
PSD	0	0	0	0	PSD	0	0	0	0
TRF	0	0	1,700,000	1,700,000	TRF	0	0	0	0
Total	0	0	1,700,000	1,700,000	Total	0	0	0	0
FTE	0.00	0.00	0.00	0.00	FTE	0.00	0.00	0.00	0.00
Est. Fringe	0	0	0	0	Est. Fringe	0	0	0	0
Note: Fringes budgeted in House Bill 5 except for certain fringes budgeted directly to MoDOT, Highway Patrol, and Conservation.					Note: Fringes budgeted in House Bill 5 except for certain fringes budgeted directly to MoDOT, Highway Patrol, and Conservation.				

Other Funds: Debt Offset - Funds from DOR's Income Tax Intercept Program

Other Funds:

2. CORE DESCRIPTION

As laws continue to change and turnover of Missouri State Public Defender's staff is significant, training of public defenders and their staff becomes even more critical. The funds in this appropriation are collected from the indigent accused and by statute are used at the discretion of the Director of the State Public Defender System for the operation of the department, including but not limited to training, Missouri Bar Dues, legal research, one-time equipment purchases, office moves and other critical needs.

3. PROGRAM LISTING (list programs included in this core funding)

There are no separate programs within this appropriation. Dollars collected from Public Defender Clients are utilized to assist in funding the Missouri State Public Defender.

CORE DECISION ITEM

Department: Missouri State Public Defender
Division: Public Defender
Core: Debt Offset Escrow Fund

Budget Unit: 115161
HB Section: HB 12.400

4. FINANCIAL HISTORY

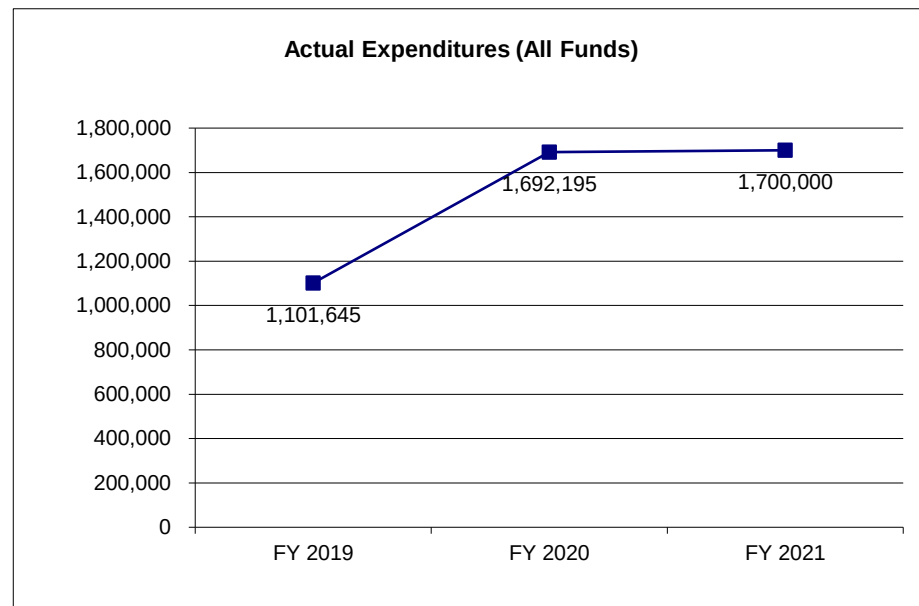
	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual	FY 2022 Current Yr.
Appropriation (All Funds)	1,700,000	1,700,000	1,700,000	1,700,000
Less Reverted (All Funds)	0	0	0	0
Less Restricted (All Funds)*	0	0	0	0
Budget Authority (All Funds)	1,700,000	1,700,000	1,700,000	1,700,000
Actual Expenditures (All Funds)	1,101,645	1,692,195	1,700,000	N/A
Unexpended (All Funds)	598,355	7,805	0	N/A
Unexpended, by Fund:				
General Revenue	0	0	0	N/A
Federal	0	0	0	N/A
Other	0	0	0	N/A

*Current Year restricted amount is \$0.00 as of October 1, 2021.

Reverted includes the statutory three percent reserve amount (when applicable).

Restricted includes any Governor's expenditure restrictions which remained at the end of the fiscal year (when applicable).

NOTES:



MISSOURI PUBLIC DEFENDER

DECISION ITEM DETAIL

Budget Unit	FY 2021	FY 2021	FY 2022	FY 2022	FY 2023	FY 2023	*****	*****
Decision Item	ACTUAL	ACTUAL	BUDGET	BUDGET	DEPT REQ	DEPT REQ	SECURED	SECURED
Budget Object Class	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	COLUMN	COLUMN
DEBT OFFSET ESCROW FUND								
CORE								
TRANSFERS OUT	1,700,000	0.00	1,700,000	0.00	1,700,000	0.00	0	0.00
TOTAL - TRF	1,700,000	0.00	1,700,000	0.00	1,700,000	0.00	0	0.00
GRAND TOTAL	\$1,700,000	0.00	\$1,700,000	0.00	\$1,700,000	0.00	\$0	0.00
GENERAL REVENUE	\$0	0.00	\$0	0.00	\$0	0.00		0.00
FEDERAL FUNDS	\$0	0.00	\$0	0.00	\$0	0.00		0.00
OTHER FUNDS	\$1,700,000	0.00	\$1,700,000	0.00	\$1,700,000	0.00		0.00

NEW DECISION ITEM

RANK: 5 OF 5

Department: Missouri State Public Defender	Budget Unit <u>15161C</u>
Division: Debt Offset Escrow	
DI Name Increased Transfer Authority DI# 1151004	HB Section <u>12.400</u>

1. AMOUNT OF REQUEST

FY 2023 Budget Request					FY 2023 Governor's Recommendation				
	GR	Federal	Other	Total		GR	Federal	Other	Total
PS	0	0	0	0	PS	0	0	0	0
EE	0	0	750,000	750,000	EE	0	0	0	0
PSD	0	0	0	0	PSD	0	0	0	0
TRF	0	0	0	0	TRF	0	0	0	0
Total	0	0	750,000	750,000	Total	0	0	0	0
FTE	0.00	0.00	0.00	0.00	FTE	0.00	0.00	0.00	0.00
Est. Fringe	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	Est. Fringe	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
<i>Note: Fringes budgeted in House Bill 5 except for certain fringes budgeted directly to MoDOT, Highway Patrol, and Conservation.</i>					<i>Note: Fringes budgeted in House Bill 5 except for certain fringes budgeted directly to MoDOT, Highway Patrol, and Conservation.</i>				
Other Funds: Debt Offset Escrow T367					Other Funds:				
Non-Counts:					Non-Counts:				

2. THIS REQUEST CAN BE CATEGORIZED AS:

☐ New Legislation	☐ New Program	☐ Fund Switch
☐ Federal Mandate	☐ Program Expansion	☐ Cost to Continue
☐ GR Pick-Up	☐ Space Request	☐ Equipment Replacement
☐ Pay Plan	☒ Other: <u>Increase Transfer Authority</u>	

NEW DECISION ITEM

RANK: 5 OF 5

Department: Missouri State Public Defender	Budget Unit <u>15161C</u>
Division: Debt Offset Escrow	
DI Name Increased Transfer Authority DI# 1151004	HB Section <u>12.400</u>

3. WHY IS THIS FUNDING NEEDED? PROVIDE AN EXPLANATION FOR ITEMS CHECKED IN #2. INCLUDE THE FEDERAL OR STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS PROGRAM.

When MSPD fees are intercepted from prior client's Missouri State Income Tax refunds, the Department of Revenue places the intercepted dollars in a temporary escrow fund. MSPD's FY2021 appropriation (spending authority) from this fund is currently set at \$1,700,000. As the intercepts exceeded the appropriation limit in FY2021 by approximately \$870,000, that \$870,000 was transferred at the beginning of FY2022. This transfer at the beginning of FY2022, will cause the FY2022 appropriation to be insufficient. If the collection of fees remains constant from FY2021 to FY2022, the insufficiency will be doubled.

The statutory authority for setting off debts owed to the State of Missouri against tax refunds is RSMo.143.786.

4. DESCRIBE THE DETAILED ASSUMPTIONS USED TO DERIVE THE SPECIFIC REQUESTED AMOUNT. (How did you determine that the requested number of FTE were appropriate? From what source or standard did you derive the requested levels of funding? Were alternatives such as outsourcing or automation considered? If based on new legislation, does request tie to TAFP fiscal note? If not, explain why. Detail which portions of the request are one-times and how those amounts were calculated.)

It is estimated up to an additional \$750,000 may be placed in escrow by the Department of Revenue in FY2023.

5. BREAK DOWN THE REQUEST BY BUDGET OBJECT CLASS, JOB CLASS, AND FUND SOURCE. IDENTIFY ONE-TIME COSTS.

Budget Object Class/Job Class	Dept Req GR DOLLARS	Dept Req GR FTE	Dept Req FED DOLLARS	Dept Req FED FTE	Dept Req OTHER DOLLARS	Dept Req OTHER FTE	Dept Req TOTAL DOLLARS	Dept Req TOTAL FTE	Dept Req One-Time DOLLARS
							0		
							0	0.0	
Total PS	<u>0</u>	<u>0.0</u>	<u>0</u>	<u>0.0</u>	<u>0</u>	<u>0.0</u>	<u>0</u>	<u>0.0</u>	<u>0</u>
Transfer from Debt Offset 820					750,000		750,000		
Total EE	<u>0</u>		<u>0</u>		<u>750,000</u>		<u>750,000</u>		<u>0</u>
Grand Total	<u>0</u>	<u>0.0</u>	<u>0</u>	<u>0.0</u>	<u>750,000</u>	<u>0.0</u>	<u>750,000</u>	<u>0.0</u>	<u>0</u>

MISSOURI PUBLIC DEFENDER

DECISION ITEM DETAIL

Budget Unit	FY 2021	FY 2021	FY 2022	FY 2022	FY 2023	FY 2023	*****	*****
Decision Item	ACTUAL	ACTUAL	BUDGET	BUDGET	DEPT REQ	DEPT REQ	SECURED	SECURED
Budget Object Class	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	COLUMN	COLUMN
DEBT OFFSET ESCROW FUND								
Debt Offset Increased Transfer - 1151004								
TRANSFERS OUT	0	0.00	0	0.00	750,000	0.00	0	0.00
TOTAL - TRF	0	0.00	0	0.00	750,000	0.00	0	0.00
GRAND TOTAL	\$0	0.00	\$0	0.00	\$750,000	0.00	\$0	0.00
GENERAL REVENUE	\$0	0.00	\$0	0.00	\$0	0.00		0.00
FEDERAL FUNDS	\$0	0.00	\$0	0.00	\$0	0.00		0.00
OTHER FUNDS	\$0	0.00	\$0	0.00	\$750,000	0.00		0.00

MISSOURI PUBLIC DEFENDER

DECISION ITEM SUMMARY

Budget Unit								
Decision Item	FY 2021	FY 2021	FY 2022	FY 2022	FY 2023	FY 2023	*****	*****
Budget Object Summary	ACTUAL	ACTUAL	BUDGET	BUDGET	DEPT REQ	DEPT REQ	SECURED	SECURED
Fund	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	COLUMN	COLUMN
GRANTS								
CORE								
EXPENSE & EQUIPMENT								
PUBLIC DEFENDER-FEDERAL & OTHR	25,000	0.00	0	0.00	0	0.00	0	0.00
TOTAL - EE	25,000	0.00	0	0.00	0	0.00	0	0.00
PROGRAM-SPECIFIC								
PUBLIC DEFENDER-FEDERAL & OTHR	74,000	0.00	625,000	0.00	625,000	0.00	0	0.00
TOTAL - PD	74,000	0.00	625,000	0.00	625,000	0.00	0	0.00
TOTAL	99,000	0.00	625,000	0.00	625,000	0.00	0	0.00
Statutory Language Change - 1151003								
EXPENSE & EQUIPMENT								
PUBLIC DEFENDER-FEDERAL & OTHR	0	0.00	0	0.00	500,000	0.00	0	0.00
TOTAL - EE	0	0.00	0	0.00	500,000	0.00	0	0.00
TOTAL	0	0.00	0	0.00	500,000	0.00	0	0.00
GRAND TOTAL	\$99,000	0.00	\$625,000	0.00	\$1,125,000	0.00	\$0	0.00

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CORE DECISION ITEM

Department: Missouri State Public Defender	Budget Unit 115131
Division: Public Defender	
Core: Federal & Other Core	HB Section HB 12.400

1. CORE FINANCIAL SUMMARY

	FY 2023 Budget Request			
	GR	Federal	Other	Total
PS	0	0	0	0
EE	0	0	0	0
PSD	0	625,000	0	625,000
TRF	0	0	0	0
Total	0	625,000	0	625,000

FTE 0.00 0.00 0.00 0.00

Est. Fringe	0	0	0	0
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Note: Fringes budgeted in House Bill 5 except for certain fringes budgeted directly to MoDOT, Highway Patrol, and Conservation.

Other Funds: MacArthur Foundation, Counties, Federal, and Other

	FY 2023 Governor's Recommendation			
	GR	Federal	Other	Total
PS	0	0	0	0
EE	0	0	0	0
PSD	0	0	0	0
TRF	0	0	0	0
Total	0	0	0	0

FTE 0.00 0.00 0.00 0.00

Est. Fringe	0	0	0	0
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Note: Fringes budgeted in House Bill 5 except for certain fringes budgeted directly to MoDOT, Highway Patrol, and Conservation.

Other Funds:

2. CORE DESCRIPTION

Appropriation is requested to have spending authority should Federal or Other Funds become available during Fiscal Year 2023 to assist in funding the Missouri State Public Defender

3. PROGRAM LISTING (list programs included in this core funding)

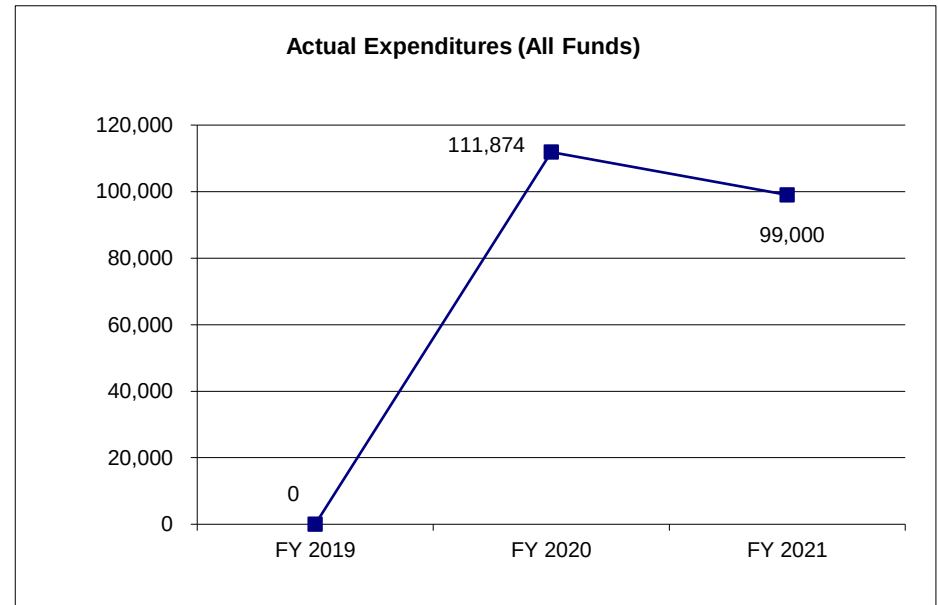
There are no separate programs within this appropriation. Dollars made available to this fund will assist in funding the Missouri State Public Defender.

CORE DECISION ITEM

Department: Missouri State Public Defender	Budget Unit <u>115131</u>
Division: Public Defender	
Core: Federal & Other Core	HB Section <u>HB 12.400</u>

4. FINANCIAL HISTORY

	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual	FY 2022 Current Yr.
Appropriation (All Funds)	125,000	625,000	625,000	625,000
Less Reverted (All Funds)	0	0	0	0
Less Restricted (All Funds)*	0	0	0	0
Budget Authority (All Funds)	125,000	625,000	625,000	625,000
Actual Expenditures (All Funds)	0	111,874	99,000	N/A
Unexpended (All Funds)	125,000	513,126	526,000	N/A
Unexpended, by Fund:				
General Revenue	0	0	0	N/A
Federal	0	0	0	N/A
Other	0	0	0	N/A



*Current Year restricted amount is \$0.00 as of October 1, 2021.

Reverted includes the statutory three percent reserve amount (when applicable).

Restricted includes any Governor's expenditure restrictions which remained at the end of the fiscal year (when applicable).

NOTES:

MISSOURI PUBLIC DEFENDER

DECISION ITEM DETAIL

Budget Unit	FY 2021	FY 2021	FY 2022	FY 2022	FY 2023	FY 2023	*****	*****
Decision Item	ACTUAL	ACTUAL	BUDGET	BUDGET	DEPT REQ	DEPT REQ	SECURED	SECURED
Budget Object Class	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	COLUMN	COLUMN
GRANTS								
CORE								
PROFESSIONAL SERVICES	25,000	0.00	0	0.00	0	0.00	0	0.00
TOTAL - EE	25,000	0.00	0	0.00	0	0.00	0	0.00
PROGRAM DISTRIBUTIONS	0	0.00	625,000	0.00	625,000	0.00	0	0.00
REFUNDS	74,000	0.00	0	0.00	0	0.00	0	0.00
TOTAL - PD	74,000	0.00	625,000	0.00	625,000	0.00	0	0.00
GRAND TOTAL	\$99,000	0.00	\$625,000	0.00	\$625,000	0.00	\$0	0.00
GENERAL REVENUE	\$0	0.00	\$0	0.00	\$0	0.00		0.00
FEDERAL FUNDS	\$99,000	0.00	\$625,000	0.00	\$625,000	0.00		0.00
OTHER FUNDS	\$0	0.00	\$0	0.00	\$0	0.00		0.00

NEW DECISION ITEM

RANK: 4 OF 5

Department: Missouri State Public Defender	Budget Unit	15111C
Division: Federal and Other Fund		
DI Name Statutory Language Change DI# 1151003	HB Section	12.400

1. AMOUNT OF REQUEST

FY 2023 Budget Request				
	GR	Federal	Other	Total
PS	0	0	0	0
EE	0	0	500,000	500,000
PSD	0	0	0	0
TRF	0	0	0	0
Total	0	0	500,000	500,000
FTE	0.00	0.00	0.00	0.00

Est. Fringe	0	0	0	0
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Note: Fringes budgeted in House Bill 5 except for certain fringes budgeted directly to MoDOT, Highway Patrol, and Conservation.

Other Funds: Federal and Other Fund 0112
Non-Counts:

FY 2023 Governor's Recommendation				
	GR	Federal	Other	Total
PS	0	0	0	0
EE	0	0	0	0
PSD	0	0	0	0
TRF	0	0	0	0
Total	0	0	0	0
FTE	0.00	0.00	0.00	0.00

Est. Fringe	0	0	0	0
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Note: Fringes budgeted in House Bill 5 except for certain fringes budgeted directly to MoDOT, Highway Patrol, and Conservation.

Other Funds:
Non-Counts:

2. THIS REQUEST CAN BE CATEGORIZED AS:

☐ New Legislation	☐ New Program	☐ Fund Switch
☐ Federal Mandate	☐ Program Expansion	☐ Cost to Continue
☐ GR Pick-Up	☐ Space Request	☐ Equipment Replacement
☐ Pay Plan	☒ Other: Statutory Language Change/Increase Spending Authority	

3. WHY IS THIS FUNDING NEEDED? PROVIDE AN EXPLANATION FOR ITEMS CHECKED IN #2. INCLUDE THE FEDERAL OR STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS PROGRAM.

MSPD is requesting a \$500,000 to increase spending authority should Federal, gifts, or other funds become available during Fiscal Year 2023. Funds would be used at the discretion of the Director or the State Public Defender Commission for the operation of the department, including, but not limited to, training, legal research, one-time equipment purchases, office moves, private attorney fees or other critical needs.

NEW DECISION ITEM

RANK: 4 OF 5

Department: Missouri State Public Defender	Budget Unit 15111C
Division: Federal and Other Fund	
DI Name Statutory Language Change DI# 1151003	HB Section 12.400

4. DESCRIBE THE DETAILED ASSUMPTIONS USED TO DERIVE THE SPECIFIC REQUESTED AMOUNT. (How did you determine that the requested number of FTE were appropriate? From what source or standard did you derive the requested levels of funding? Were alternatives such as outsourcing or automation considered? If based on new legislation, does request tie to TAFP fiscal note? If not, explain why. Detail which portions of the request are one-times and how those amounts were calculated.)

It is estimated up to an additional \$500,000 may be available in FY2023.

5. BREAK DOWN THE REQUEST BY BUDGET OBJECT CLASS, JOB CLASS, AND FUND SOURCE. IDENTIFY ONE-TIME COSTS.

Budget Object Class/Job Class	Dept Req GR DOLLARS	Dept Req GR FTE	Dept Req FED DOLLARS	Dept Req FED FTE	Dept Req OTHER DOLLARS	Dept Req OTHER FTE	Dept Req TOTAL DOLLARS	Dept Req TOTAL FTE	Dept Req One-Time DOLLARS
							0		
							0	0.0	
Total PS	0	0.0	0	0.0	0	0.0	0	0.0	0
Travel, In-State 140					4,722		4,722		
Travel, Out-of-State 160					337		337		
Supplies 190					62,296		62,296		
Professional Development 320					29,484		29,484		
Communication Serv & Supp 340					1,809		1,809		
Professional Services					58,679		58,679		
Maintenance & Repair Services 430					112,185		112,185		
Computer Equipment 480					181,298		181,298		
Motorized Equipment 560					7,265		7,265		
Office Equipment 580					18,278		18,278		
Other Equipment 590					5,237		5,237		
Building Lease Payments					15,805		15,805		
Equipment Rentals & Leases					858		858		
Miscellaneous Expenses					1,747		1,747		
Refunds					0		0		
Total EE	0		0		500,000		500,000		0
Grand Total	0	0.0	0	0.0	500,000	0.0	500,000	0.0	0

MISSOURI PUBLIC DEFENDER

DECISION ITEM DETAIL

Budget Unit	FY 2021	FY 2021	FY 2022	FY 2022	FY 2023	FY 2023	*****	*****
Decision Item	ACTUAL	ACTUAL	BUDGET	BUDGET	DEPT REQ	DEPT REQ	SECURED	SECURED
Budget Object Class	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	COLUMN	COLUMN
GRANTS								
Statutory Language Change - 1151003								
TRAVEL, IN-STATE	0	0.00	0	0.00	4,722	0.00	0	0.00
TRAVEL, OUT-OF-STATE	0	0.00	0	0.00	337	0.00	0	0.00
SUPPLIES	0	0.00	0	0.00	62,296	0.00	0	0.00
PROFESSIONAL DEVELOPMENT	0	0.00	0	0.00	29,484	0.00	0	0.00
COMMUNICATION SERV & SUPP	0	0.00	0	0.00	1,809	0.00	0	0.00
PROFESSIONAL SERVICES	0	0.00	0	0.00	58,679	0.00	0	0.00
M&R SERVICES	0	0.00	0	0.00	112,185	0.00	0	0.00
COMPUTER EQUIPMENT	0	0.00	0	0.00	181,298	0.00	0	0.00
MOTORIZED EQUIPMENT	0	0.00	0	0.00	7,265	0.00	0	0.00
OFFICE EQUIPMENT	0	0.00	0	0.00	18,278	0.00	0	0.00
OTHER EQUIPMENT	0	0.00	0	0.00	5,237	0.00	0	0.00
BUILDING LEASE PAYMENTS	0	0.00	0	0.00	15,805	0.00	0	0.00
EQUIPMENT RENTALS & LEASES	0	0.00	0	0.00	858	0.00	0	0.00
MISCELLANEOUS EXPENSES	0	0.00	0	0.00	1,747	0.00	0	0.00
TOTAL - EE	0	0.00	0	0.00	500,000	0.00	0	0.00
GRAND TOTAL	\$0	0.00	\$0	0.00	\$500,000	0.00	\$0	0.00
GENERAL REVENUE	\$0	0.00	\$0	0.00	\$0	0.00		0.00
FEDERAL FUNDS	\$0	0.00	\$0	0.00	\$500,000	0.00		0.00
OTHER FUNDS	\$0	0.00	\$0	0.00	\$0	0.00		0.00