

PUBLIC DEFENDER BOARD

GOVERNOR'S BUDGET RECOMMENDATIONS

Source of Funds	FY01 Adjusted Base	FY02 Recommended	% Change Over FY01	FY03 Recommended	% Change Over FY02
GPR	64,738,600	62,018,000	-4.2	62,050,300	0.1
PR-O	1,158,900	1,159,100	0.0	1,159,100	0.0
PR-S	117,200	127,800	9.0	127,800	0.0
TOTAL	66,014,700	63,304,900	-4.1	63,337,200	0.1

FULL-TIME EQUIVALENT POSITION SUMMARY

Source of Funds	FY01 Adjusted Base	FY02 Recommended	FTE Change From FY01	FY03 Recommended	FTE Change From FY02
GPR	523.55	523.55	0.00	523.55	0.00
PR-O	2.00	2.00	0.00	2.00	0.00
PR-S	2.00	2.00	0.00	2.00	0.00
TOTAL	527.55	527.55	0.00	527.55	0.00

AGENCY DESCRIPTION

The office provides legal representation for indigent persons who are accused of crimes or are defendants in certain specified civil matters. Pursuant to Wisconsin Statutes and administrative rules, the office determines eligibility based on an analysis of the applicant's income, assets, family size and essential expenses.

The office is overseen by the Public Defender Board, which consists of nine members appointed to three-year terms by the Governor with the advice and consent of the Senate. At least five of the nine must be members of the State Bar of Wisconsin. The board appoints a state public defender to oversee the agency.

The office was created by statute in 1965, became an independent agency in 1977 and gradually began to represent indigents at the trial level (still with private attorneys).

The office consists of four divisions (trial, appellate, administrative and assigned counsel) and three offices (legal counsel, training and development, and information technology).

MISSION

The mission of the office is to enhance the quality of justice throughout Wisconsin by providing high quality, compassionate and cost-effective legal representation; protecting the rights of the accused; and advocating as a criminal justice partner for effective defender services and a fair and rational criminal justice system.

PROGRAMS, GOALS, OBJECTIVES AND ACTIVITIES

Program 1: Legal Assistance

Goal: Continuously improve client representation.

Objective/Activity: Fair treatment and representation of clients.

Goal: Strengthen public value to clients, the community, other government agencies, other states and nations, and partners.

Objective/Activity: Reduce crime by reaching and educating young people before they offend.

Goal: Continuously improve administrative management.

Objective/Activity: Maximize resources to serve eligible clients.

PERFORMANCE MEASURES

Prog. No.	Performance Measure	Actual 2000	Goal 2001	Goal 2002	Goal 2003
1.	Number of attorney reappointments requested by clients.	1,481	1,407	1,337	1,270
1.	Number of educational contacts with children and youth.	1,500 (est.)	1,575	1,654	1,736
1.	Number of qualified attorneys certified to take cases.	965	1,065	1,165	1,265
1.	Percentage of serious felony cases handled by staff attorneys.	42.1%	44%	46%	48%

PUBLIC DEFENDER BOARD

GOVERNOR'S BUDGET RECOMMENDATIONS

RECOMMENDATIONS

1. Misdemeanor Offender Diversion Program
2. Consolidate Appropriations for Transcripts, Discovery and Interpreters
3. Early Representation, Jurisdiction
4. Budget Efficiency Measures
5. Standard Budget Adjustments

ITEMS NOT APPROVED

6. Private Bar Rates
7. Case Weights
8. Charging and Sentencing Alternatives
9. Indigency Evaluations, Clients Under Chapter 51 and Chapter 55
10. Sentence Modifications, Jurisdiction
11. Information Technology Hardware and Software Replacement Base
12. Sentencing Specialists
13. LTE Funding
14. Protective Occupational Status for SPD Investigators

Table 1
Department Budget Summary by Funding Source (in thousands of dollars)

	ACTUAL FY00	ADJUSTED BASE FY01	AGENCY REQUEST		GOVERNOR'S RECOMMENDATION	
			FY02	FY03	FY02	FY03
GENERAL PURPOSE REVENUE	\$63,587.4	\$64,738.6	\$64,306.9	\$62,557.3	\$62,018.0	\$62,050.3
State Operations	63,587.4	64,738.6	64,306.9	62,557.3	62,018.0	62,050.3
PROGRAM REVENUE (2)	772.0	1,276.1	1,286.9	1,286.9	1,286.9	1,286.9
State Operations	772.0	1,276.1	1,286.9	1,286.9	1,286.9	1,286.9
TOTALS-ANNUAL	64,359.4	66,014.7	65,593.8	63,844.2	63,304.9	63,337.2
State Operations	64,359.4	66,014.7	65,593.8	63,844.2	63,304.9	63,337.2

(2) Includes Program Revenue-Service and Program Revenue-Other

Table 2
Department Position Summary by Funding Source (in FTE positions) (4)

	ADJUSTED BASE FY01	AGENCY REQUEST		GOVERNOR'S RECOMMENDATION	
		FY02	FY03	FY02	FY03
GENERAL PURPOSE REVENUE	523.55	523.55	523.55	523.55	523.55
PROGRAM REVENUE (2)	4.00	4.00	4.00	4.00	4.00
TOTALS-ANNUAL	527.55	527.55	527.55	527.55	527.55

(2) Includes Program Revenue-Service and Program Revenue-Other

(4) All positions are State Operations unless otherwise specified

Table 3
Department Budget Summary by Program (in thousands of dollars)

	ACTUAL FY00	ADJUSTED BASE FY01	AGENCY REQUEST		GOVERNOR'S RECOMMENDATION	
			FY02	FY03	FY02	FY03
1. Legal assistance	\$64,359.4	\$66,014.7	\$65,593.8	\$63,844.2	\$63,304.9	\$63,337.2
TOTALS	64,359.4	66,014.7	65,593.8	63,844.2	63,304.9	63,337.2

Table 4
Department Position Summary by Program (in FTE positions) (4)

	ADJUSTED BASE FY01	AGENCY REQUEST		GOVERNOR'S RECOMMENDATION	
		FY02	FY03	FY02	FY03
1. Legal assistance	527.55	527.55	527.55	527.55	527.55
TOTALS	527.55	527.55	527.55	527.55	527.55

(4) All positions are State Operations unless otherwise specified

1. Misdemeanor Offender Diversion Program

The Governor recommends directing the board to collaborate with the director of State Courts and the Wisconsin District Attorneys Association to develop and implement a misdemeanor offender diversion program. This program could include recommendations and alternatives in the charging and sentencing of certain nonviolent property crimes. A report describing the proposal is to be submitted to the Department of Administration by July 1, 2002. The Department of Administration will earmark \$2,000,000 in federal grant and penalty assessment funds to be distributed among the abovementioned agencies and organizations to facilitate the start-up costs of the new program. The distribution of these funds will be subject to the Department of Administration's review and approval of the submitted plan.

2. Consolidate Appropriations for Transcripts, Discovery and Interpreters

The Governor recommends consolidating the appropriations relating to reimbursement for providing discovery materials, interpreter services and transcripts into one annual appropriation.

3. Early Representation, Jurisdiction

The Governor recommends allowing the State Public Defender to provide early representation to persons who have not been formally charged with a crime or are not in custody.

4. Budget Efficiency Measures

Source of Funds	Agency Request				Governor's Recommendation			
	FY02		FY03		FY02		FY03	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
GPR	0	0.00	0	0.00	-3,236,900	0.00	-3,236,900	0.00
TOTAL	0	0.00	0	0.00	-3,236,900	0.00	-3,236,900	0.00

The Governor recommends reducing the agency's largest GPR state operations appropriation in the amounts shown to create additional operational efficiencies. If within 90 days of the publication of the budget bill the agency submits a plan to the Department of Administration and the Joint Committee on Finance to reallocate some or all of the reductions to other sum certain state operations appropriations within the agency, the secretary of the Department of Administration will forward any approved reallocation plans to the Joint Committee on Finance for its review and approval.

5. Standard Budget Adjustments

Source of Funds	Agency Request				Governor's Recommendation			
	FY02		FY03		FY02		FY03	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
GPR	516,300	0.00	548,600	0.00	516,300	0.00	548,600	0.00
PR-O	200	0.00	200	0.00	200	0.00	200	0.00
PR-S	10,600	0.00	10,600	0.00	10,600	0.00	10,600	0.00
TOTAL	527,100	0.00	559,400	0.00	527,100	0.00	559,400	0.00

The Governor recommends adjustments to the agency's base budget for: (a) turnover reduction (-\$767,800 in each year); (b) full funding of continuing position salaries and fringe benefits (\$860,100 in each year); (c) reclassifications (\$27,000 in FY02 and \$41,000 in FY03); (d) overtime (\$222,800 in each year); (e) fifth week of vacation as cash (\$172,000 in FY02 and \$190,300 in FY03); and (f) full funding of lease and directed moves costs (\$13,000 in each year).

ITEMS NOT APPROVED

The following requests are not included in the Governor's budget recommendations for the Public Defender Board.

Decision Item	Source of Funds	FY02		FY03	
		Dollars	Positions	Dollars	Positions
6. Private Bar Rates	GPR	0	0.00	3,042,500	0.00
7. Case Weights	GPR	145,000	0.00	870,000	0.00
8. Charging and Sentencing Alternatives	GPR	-2,364,100	0.00	-9,006,300	0.00
9. Indigency Evaluations, Clients Under Chapter 51 and Chapter 55	GPR	0	0.00	755,900	0.00
10. Sentence Modifications, Jurisdiction	GPR	119,900	0.00	236,600	0.00
11. Information Technology Hardware and Software Replacement Base	GPR	502,600	0.00	502,600	0.00
12. Sentencing Specialists	GPR	412,500	0.00	495,000	0.00
13. LTE Funding	GPR	26,900	0.00	26,900	0.00
14. Protective Occupational Status for SPD Investigators	GPR	67,600	0.00	67,600	0.00
TOTAL OF ITEMS NOT APPROVED	GPR	-948,000	0.00	-2,729,900	0.00