

PUBLIC DEFENDER BOARD

GOVERNOR'S BUDGET RECOMMENDATIONS

Source of Funds	FY17 Adjusted Base	FY18 Recommended	% Change Over FY17	FY19 Recommended	% Change Over FY18
GPR	84,620,300	85,132,300	0.6	85,263,500	0.2
PR-O	1,196,300	1,208,300	1.0	1,208,600	0.0
PR-S	151,900	169,900	11.8	170,300	0.2
TOTAL	85,968,500	86,510,500	0.6	86,642,400	0.2

FULL-TIME EQUIVALENT POSITION SUMMARY

Source of Funds	FY17 Adjusted Base	FY18 Recommended	FTE Change Over FY17	FY19 Recommended	FTE Change Over FY18
GPR	609.85	609.85	0.00	604.90	-4.95
PR-O	3.00	3.00	0.00	3.00	0.00
PR-S	2.00	2.00	0.00	2.00	0.00
TOTAL	614.85	614.85	0.00	609.90	-4.95

AGENCY DESCRIPTION

The board oversees the Office of the State Public Defender, which provides legal representation for indigent persons who are accused of crimes or are defendants in certain civil matters. Pursuant to Wisconsin Statutes and administrative rules, the office determines financial eligibility based on an analysis of each applicant's income, assets, family size and essential expenses, unless the applicant is a juvenile or is seeking representation for cases involving mental health or protective placement proceedings.

The board 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 indigent clients at the trial level with both in-house and private bar attorneys. The office consists of the Trial, Appellate, Administrative and Assigned Counsel divisions and the Office of Training and Development.

Public Defender Board

MISSION

The mission of the agency is to promote justice throughout Wisconsin by providing high-quality and compassionate legal services, protecting individual rights, 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 services to clients.

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

2015 AND 2016 GOALS AND ACTUALS

Prog. No.	Performance Measure	Goal 2015	Actual 2015	Goal 2016	Actual 2016
1.	Court grants attorney withdrawals at client request as a percentage of total trial cases.	2%	2.7%	2%	2.4%
1.	Number of educational contacts with children and youth.	2,750	2,792	2,750	2,610
1.	Number of qualified attorneys certified to take cases who accept at least 12 cases per year.	800	747	800	719
1.	Number of cases with greatest risk of penalties handled by staff attorneys.	1,200	1,515	1,200	1,547

Note: Based on fiscal year.

Public Defender Board

2017, 2018 AND 2019 GOALS

Prog. No.	Performance Measure	Goal 2017	Goal 2018	Goal 2019
1.	Court grants attorney withdrawals at client request as a percentage of total trial cases.	2%	2%	2%
1.	Number of educational contacts with children and youth.	2,750	2,750	2,750
1.	Number of qualified attorneys certified to take cases who accept at least 12 cases per year.	800	800	800
1.	Number of cases with greatest risk of penalties handled by staff attorneys.	1,300 ¹	1,350	1,400

Note: Based on fiscal year.

¹This goal was revised for 2017.

PUBLIC DEFENDER BOARD

GOVERNOR'S BUDGET RECOMMENDATIONS

RECOMMENDATIONS

1. Public Defender Block Grant
2. Pay Progression
3. Transcripts and Interpreters Cost-to-Continue
4. Private Bar Cost-to-Continue
5. Human Resources Shared Services Program
6. Standard Budget Adjustments

ITEMS NOT APPROVED

7. Case Management System Rebuild
8. Charging and Sentencing Alternatives
9. Income Eligibility Indexing
10. Private Bar Rate Increase
11. Purchase of Laptop Computers
12. Termination of Parental Rights Appointments
13. Tuition Reimbursement Program

Public Defender Board

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

	ACTUAL FY16	ADJUSTED BASE FY17	AGENCY REQUEST FY18	AGENCY REQUEST FY19	GOVERNOR'S RECOMMENDATION FY18	GOVERNOR'S RECOMMENDATION FY19
GENERAL PURPOSE REVENUE	\$89,720.2	\$84,620.3	\$89,265.1	\$96,044.0	\$85,132.3	\$85,263.5
State Operations	89,720.2	84,620.3	89,265.1	96,044.0	85,132.3	85,263.5
PROGRAM REVENUE (2)	\$1,584.5	\$1,348.2	\$1,378.2	\$1,378.9	\$1,378.2	\$1,378.9
State Operations	1,584.5	1,348.2	1,378.2	1,378.9	1,378.2	1,378.9
TOTALS - ANNUAL	\$91,304.7	\$85,968.5	\$90,643.3	\$97,422.9	\$86,510.5	\$86,642.4
State Operations	91,304.7	85,968.5	90,643.3	97,422.9	86,510.5	86,642.4

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

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

	ADJUSTED BASE FY17	AGENCY REQUEST FY18	AGENCY REQUEST FY19	GOVERNOR'S RECOMMENDATION FY18	GOVERNOR'S RECOMMENDATION FY19
GENERAL PURPOSE REVENUE	609.85	609.85	609.85	609.85	604.90
PROGRAM REVENUE (2)	5.00	5.00	5.00	5.00	5.00
TOTALS - ANNUAL	614.85	614.85	614.85	614.85	609.90

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

(4) All positions are State Operations unless otherwise specified

Public Defender Board

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

	ACTUAL FY16	ADJUSTED BASE FY17	AGENCY REQUEST		GOVERNOR'S RECOMMENDATION	
			FY18	FY19	FY18	FY19
1. Legal assistance	\$91,304.7	\$85,968.5	\$90,643.3	\$97,422.9	\$86,510.5	\$86,642.4
TOTALS	\$91,304.7	\$85,968.5	\$90,643.3	\$97,422.9	\$86,510.5	\$86,642.4

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

	ADJUSTED BASE FY17	AGENCY REQUEST		GOVERNOR'S RECOMMENDATION	
		FY18	FY19	FY18	FY19
1. Legal assistance	614.85	614.85	614.85	614.85	609.90
TOTALS	614.85	614.85	614.85	614.85	609.90

(4) All positions are State Operations unless otherwise specified

Public Defender Board

1. Public Defender Block Grant

The Governor recommends consolidating the appropriations for appellate representation; trial representation; private bar and investigator reimbursement; salary adjustments; and transcripts, discovery and interpreters into the appropriation for program administration. The Governor also recommends converting the appropriation for program administration from an annual appropriation to a biennial appropriation and renaming the appropriation as program operations. The Governor further recommends allowing the board to receive increased position authority for GPR positions via 14-day passive review.

2. Pay Progression

Source of Funds	Agency Request				Governor's Recommendations			
	FY18		FY19		FY18		FY19	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
GPR	0	0.00	0	0.00	0	0.00	66,400	0.00
TOTAL	0	0.00	0	0.00	0	0.00	66,400	0.00

The Governor recommends providing funding for pay progression for assistant public defenders to increase retention of experienced counsel.

3. Transcripts and Interpreters Cost-to-Continue

Source of Funds	Agency Request				Governor's Recommendations			
	FY18		FY19		FY18		FY19	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
GPR	1,080,400	0.00	1,080,400	0.00	81,800	0.00	81,800	0.00
TOTAL	1,080,400	0.00	1,080,400	0.00	81,800	0.00	81,800	0.00

The Governor recommends providing funding to cover the board's actual costs related to interpreters. The Governor also recommends eliminating handling costs related to transcripts provided to the board as a reimbursable expense for counties.

Public Defender Board

4. Private Bar Cost-to-Continue

Source of Funds	Agency Request				Governor's Recommendations			
	FY18		FY19		FY18		FY19	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
GPR	6,776,600	0.00	6,776,600	0.00	3,404,100	0.00	3,404,100	0.00
TOTAL	6,776,600	0.00	6,776,600	0.00	3,404,100	0.00	3,404,100	0.00

The Governor recommends providing funding to reflect the board's actual costs to provide reimbursement to private bar attorneys.

5. Human Resources Shared Services Program

Source of Funds	Agency Request				Governor's Recommendations			
	FY18		FY19		FY18		FY19	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
GPR	0	0.00	0	0.00	0	0.00	0	-4.95
TOTAL	0	0.00	0	0.00	0	0.00	0	-4.95

The Governor recommends creating a human resources shared services program within the Division of Personnel Management at the Department of Administration to consolidate human resources, payroll and benefits functions of most executive branch agencies. Agency staff related to these functions will become Department of Administration employees beginning on July 1, 2018. However, vacant positions will be reallocated from select agencies in FY18 to begin the transition toward a shared services model. See Department of Administration, Item #4.

6. Standard Budget Adjustments

Source of Funds	Agency Request				Governor's Recommendations			
	FY18		FY19		FY18		FY19	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
GPR	-2,984,600	0.00	-2,919,800	0.00	-2,973,900	0.00	-2,909,100	0.00
PR-O	12,000	0.00	12,300	0.00	12,000	0.00	12,300	0.00
PR-S	18,000	0.00	18,400	0.00	18,000	0.00	18,400	0.00
TOTAL	-2,954,600	0.00	-2,889,100	0.00	-2,943,900	0.00	-2,878,400	0.00

The Governor recommends adjusting the board's base budget for: (a) full funding of continuing position salaries and fringe benefits (-\$3,200,200 in each year); (b) overtime (\$214,300 in each year); and (c) full funding of lease and directed moves costs (\$42,000 in FY18 and \$107,500 in FY19).

Public Defender Board

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	FY18		FY19	
		Dollars	Positions	Dollars	Positions
7. Case Management System Rebuild	GPR	343,000	0.00	616,000	0.00
8. Charging and Sentencing Alternatives	GPR	-1,146,200	0.00	-2,292,300	0.00
9. Income Eligibility Indexing	GPR	0	0.00	0	0.00
10. Private Bar Rate Increase	GPR	0	0.00	7,575,700	0.00
11. Purchase of Laptop Computers	GPR	325,600	0.00	337,100	0.00
12. Termination of Parental Rights Appointments	GPR	0	0.00	0	0.00
13. Tuition Reimbursement Program	GPR	250,000	0.00	250,000	0.00
TOTAL OF ITEMS NOT APPROVED	GPR	-227,600	0.00	6,486,500	0.00

Public Defender Board