State of Wisconsin

Public Defender Board

Agency Budget Request
2027 – 2029 Biennium
September 15, 2026

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WISCONSIN STATE PUBLIC DEFENDERS
Mission driven. Client centered.

Jennifer Bias
State Public Defender

Bridget Krause
Deputy State Public Defender

August 21, 2026

Mr. Brian Pahnke
Budget Director
Wisconsin Department of Administration
101 E. Wilson St., 10th Floor
Madison, WI 53703

Dear Mr. Pahnke:

Attached, please find the 2027-29 biennial budget request for the Office of the State Public Defender (SPD).

This request fulfills a fundamental obligation of the government: ensuring the State of Wisconsin meets its constitutional mandate under the Sixth Amendment to provide effective legal counsel to those who cannot afford it.

While our 2025–2027 budget focused on stabilizing trial and appellate workloads, clearing pandemic-era case backlogs, and transitioning from expiring federal ARPA funding, our 2027–2029 request builds on that groundwork through three targeted priorities:

- **Enhancing Capacity & Representation:** Expanding staff and private bar capacity to manage workloads effectively and ensure high-quality legal defense.
- **Investing in Our Workforce:** Securing the competitive compensation and operational tools required to recruit and retain a skilled, dedicated SPD team.
- **Addressing Systemic Inefficiencies:** Promoting policy reforms that streamline justice, reduce unnecessary pretrial detention, and eliminate structural barriers affecting our clients.

A well-resourced public defense system is essential to a functioning criminal legal system. Delays in representation create a ripple effect—resulting in constitutional violations for the accused, prolonged trauma for victims, and severe financial burdens on county jails and courts.

We look forward to working collaboratively with the State Budget Office and the Governor's administration to ensure a fair, efficient, and constitutional criminal legal system.

Sincerely,

Jennifer Bias, State Public Defender

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AGENCY DESCRIPTION

The Office of the State Public Defender (SPD) is an independent executive branch agency established under Chapter 977 of the Wisconsin Statutes and governed by the Public Defender Board. The agency provides constitutional and statutorily authorized legal representation for persons who are accused of crimes or individuals in certain specified civil matters, as long as they meet statutory financial eligibility criteria or the SPD is statutorily authorized to represent without an indigency determination.

The Public Defender 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 Public Defender Board appoints the State Public Defender, who serves as the executive head of the agency.

The office was created by statute in 1965 and became an independent agency in 1977. The agency gradually expanded to deliver legal services across all 72 Wisconsin counties through a hybrid delivery model utilizing both staff public defenders and private bar assigned counsel. Its scope of service encompasses trial-level representation through post-conviction and post-disposition appeals. The office consists of the Trial, Appellate, Administrative and Assigned Counsel divisions and the Office of Training and Development.

MISSION

The mission of the SPD is to provide the highest quality defense by focusing on each client's goals, inspiring trust, and fearlessly advocating. We listen. We fight. We defend.

PROGRAMS, GOALS, OBJECTIVES AND ACTIVITIES

Program 1: Legal Assistance

1. **Goal: Enhance the agency's capacity to represent clients and ensure the highest quality representation.**

Objective/Activity: Mentor and train attorneys and support professionals.

Objective/Activity: Enhance and expand recruitment efforts to attract diverse and talented professionals for the SPD team.

Objective/Activity: Retain members of the SPD team.

2. **Goal: Secure the resources needed for the SPD team to provide the highest quality defense.**

Objective/Activity: Adjust workloads to ensure the highest quality defense.

Objective/Activity: Increase staffing levels to promote effective and efficient operations.

Objective/Activity: Determine the essential IT equipment, software, security measures, and services required for each position.

Objective/Activity: Advocate for fair pay for the SPD team.

3.Goal: Change the unjust systems that harm our clients.

Objective/Activity: Improve the public perception of the SPD team.

Objective/Activity: Advocate for reform to reduce the demand on the criminal legal system.

Objective/Activity: Fight to eliminate system-wide racial disparities.

Objective/Activity: Assess and propose legislative changes to Chapter 977.

PERFORMANCE MEASURES

2025 AND 2026 GOALS AND ACTUALS

Prog. No.	Performance Measure	Goal 2025	Actual 2025	Goal 2026	Actual 2026
1.	Court grants attorney withdrawals at client request as a percentage of total trial cases.	2%	2.3%	2%	1.5%
1.	Number of qualified attorneys certified to take cases who accept at least 12 cases per year.	700	511	750	520
1.	Number of cases with greatest risk of penalties handled by staff attorneys.	1,400	1,679	1,400	1,427

Note: Based on fiscal year.

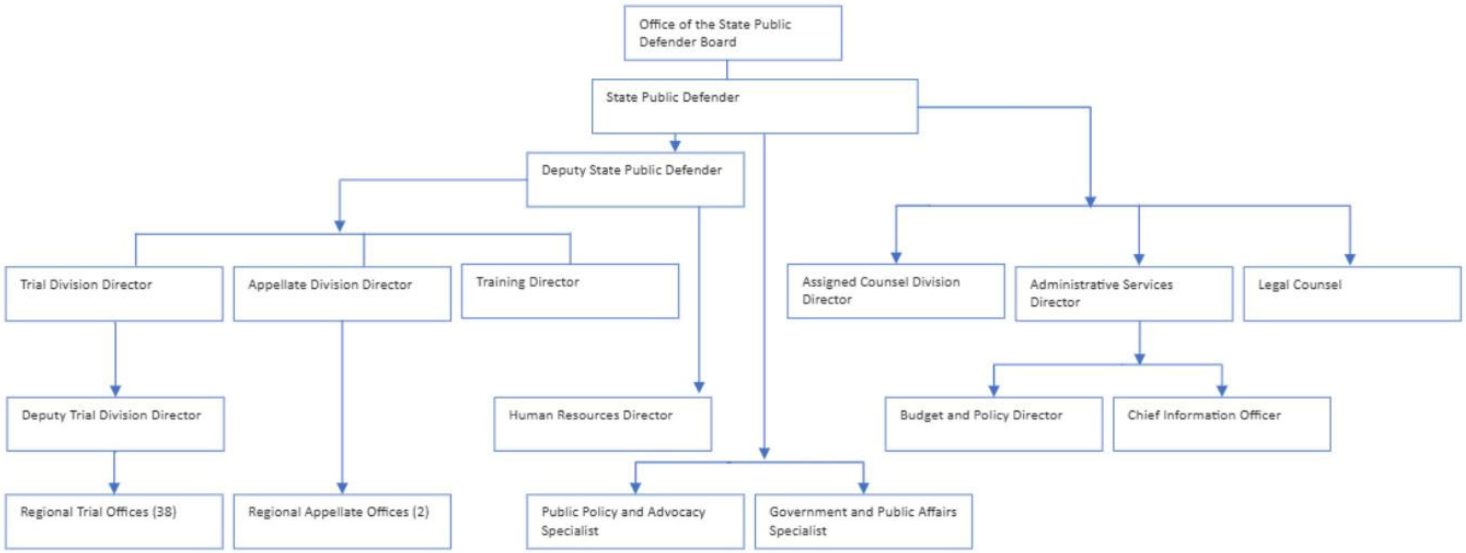
2027, 2028 AND 2029 GOALS

Prog. No.	Performance Measure	Goal 2027	Goal 2028	Goal 2029
1.	Court grants attorney withdrawals at client request as a percentage of total trial cases.	2%	2%	2%
1.	Number of qualified attorneys certified to take cases who accept at least 12 cases per year.	700[1]	750	775
1.	Number of cases with greatest risk of penalties handled by staff attorneys.	1,400	1,400	1,400

Note: Based on fiscal year.

[1] Goal has been revised.

Office of the State Public Defender



Agency Total by Fund Source

		ANNUAL SUMMARY						BIENNIAL SUMMARY			
Source of Funds		Prior Year Total	Adjusted Base	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE	Base Year Doubled (BYD)	Biennial Request	Change From (BYD)	Change From BYD %
GPR	S	$137,132,966	$144,198,100	$168,809,400	$182,964,300	718.85	789.85	$288,396,200	$351,773,700	$63,377,500	22.00%
Total		$137,132,966	$144,198,100	$168,809,400	$182,964,300	718.85	789.85	$288,396,200	$351,773,700	$63,377,500	22.00%
PR	S	$4,532,951	$1,530,100	$1,557,500	$1,557,900	5.00	5.00	$3,060,200	$3,115,400	$55,200	1.80%
Total		$4,532,951	$1,530,100	$1,557,500	$1,557,900	5.00	5.00	$3,060,200	$3,115,400	$55,200	1.80%
PR Federal	S	$359,049	$0	$0	$0	0.00	0.00	$0	$0	$0	0.00%
Total		$359,049	$0	$0	$0	0.00	0.00	$0	$0	$0	0.00%
Grand Total		$142,024,966	$145,728,200	$170,366,900	$184,522,200	723.85	794.85	$291,456,400	$354,889,100	$63,432,700	21.80%

Agency Total by Program

		ANNUAL SUMMARY					BIENNIAL SUMMARY			
Source of Funds	Prior Year Total	Adjusted Base	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE	Base Year Doubled (BYD)	Biennial Request	Change From (BYD)	Change From BYD %
01 Legal assistance										
Non Federal										
GPR	**$137,132,966**	**$144,198,100**	**$168,809,400**	**$182,964,300**	**718.85**	**789.85**	**$288,396,200**	**$351,773,700**	**$63,377,500**	**21.98%**
S	$137,132,966	$144,198,100	$168,809,400	$182,964,300	718.85	789.85	$288,396,200	$351,773,700	$63,377,500	21.98%
PR	**$4,532,951**	**$1,530,100**	**$1,557,500**	**$1,557,900**	**5.00**	**5.00**	**$3,060,200**	**$3,115,400**	**$55,200**	**1.80%**
S	$4,532,951	$1,530,100	$1,557,500	$1,557,900	5.00	5.00	$3,060,200	$3,115,400	$55,200	1.80%
Total - Non Federal	**$141,665,917**	**$145,728,200**	**$170,366,900**	**$184,522,200**	**723.85**	**794.85**	**$291,456,400**	**$354,889,100**	**$63,432,700**	**21.76%**
S	$141,665,917	$145,728,200	$170,366,900	$184,522,200	723.85	794.85	$291,456,400	$354,889,100	$63,432,700	21.76%
Federal										
PR	**$359,049**	**$0**	**$0**	**$0**	**0.00**	**0.00**	**$0**	**$0**	**$0**	**0.00%**
S	$359,049	$0	$0	$0	0.00	0.00	$0	$0	$0	0.00%
Total - Federal	**$359,049**	**$0**	**$0**	**$0**	**0.00**	**0.00**	**$0**	**$0**	**$0**	**0.00%**
S	$359,049	$0	$0	$0	0.00	0.00	$0	$0	$0	0.00%
PGM 01 Total	**$142,024,966**	**$145,728,200**	**$170,366,900**	**$184,522,200**	**723.85**	**794.85**	**$291,456,400**	**$354,889,100**	**$63,432,700**	**21.76%**
GPR	**$137,132,966**	**$144,198,100**	**$168,809,400**	**$182,964,300**	**718.85**	**789.85**	**$288,396,200**	**$351,773,700**	**$63,377,500**	**21.98%**

Agency Total by Program

	S	$137,132,966	$144,198,100	$168,809,400	$182,964,300	718.85	789.85	$288,396,200	$351,773,700	$63,377,500	21.98%
PR		**$4,892,000**	**$1,530,100**	**$1,557,500**	**$1,557,900**	**5.00**	**5.00**	**$3,060,200**	**$3,115,400**	**$55,200**	**1.80%**
	S	$4,892,000	$1,530,100	$1,557,500	$1,557,900	5.00	5.00	$3,060,200	$3,115,400	$55,200	1.80%
TOTAL 01		**$142,024,966**	**$145,728,200**	**$170,366,900**	**$184,522,200**	**723.85**	**794.85**	**$291,456,400**	**$354,889,100**	**$63,432,700**	**21.76%**
	S	$142,024,966	$145,728,200	$170,366,900	$184,522,200	723.85	794.85	$291,456,400	$354,889,100	$63,432,700	21.76%

AGENCY TOTAL	$142,024,966	$145,728,200	$170,366,900	$184,522,200	723.85	794.85	$291,456,400	$354,889,100	$63,432,700	21.76%

Agency Total by Decision Item

Decision Item	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
2000 Adjusted Base Funding Level	$145,728,200	$145,728,200	632.35	632.35
3001 Turnover Reduction	($1,763,800)	($1,763,800)	0.00	0.00
3003 Full Funding of Continuing Position Salaries and Fringe Benefits	$2,068,900	$2,068,900	0.00	0.00
3007 Overtime	$224,900	$224,900	0.00	0.00
3010 Full Funding of Lease and Directed Moves Costs	$3,100	$29,300	0.00	0.00
4001 Private Bar Cost to Continue	$1,377,300	$1,377,300	0.00	0.00
4002 Expert Witness Funding Request	$1,002,900	$1,002,900	0.00	0.00
4003 Transcripts, Interpreters, and Discovery Cost to Continue	$506,800	$506,800	0.00	0.00
4005 Assistant State Public Defender Merit Compensation	$2,379,900	$4,740,100	0.00	0.00
4010 Restore Turnover	$1,763,800	$1,763,800	0.00	0.00
4012 Supplies and Services Cost to Continue	$6,031,500	$6,031,500	0.00	0.00
4502 Charging and Sentencing Alternatives	($3,877,600)	($3,877,600)	0.00	0.00
5001 Private Bar Rate Increase	$1,033,500	$9,300,800	0.00	0.00
5002 Workload Staffing	$5,265,000	$11,765,200	71.50	140.50
5003 Client Appointment Project	$1,041,600	$1,292,800	16.00	16.00
5004 Human Resources Administrative Needs	$79,400	$99,900	1.00	1.00
5010 Case Management System Replacement	$2,800,000	$1,036,600	0.00	0.00
7900 IT Staffing Needs	$265,500	$516,800	3.00	5.00
7901 IT Infrastructure Maintenance & Hardware Lifecycle Refresh for Cybersecurity	$4,436,000	$2,677,800	0.00	0.00
TOTAL	**$170,366,900**	**$184,522,200**	**723.85**	**794.85**

GPR Earned

Program: 01 - Legal assistance

Date: 9/4/2026

Revenue	Prior Year Actuals	Base Year Estimate	1st Year Estimate	2nd Year Estimate
Opening Balance	$18,477	$8,000	$8,000	$8,000
TOTAL	**$18,477**	**$8,000**	**$8,000**	**$8,000**

Program Revenue

Program: 01 - Legal assistance

SubProgram: -

Numeric Appropriation: 31 - Gifts, grants and proceeds

Revenue and Expenditures	Prior Year Actuals	Base Year Estimate	1st Year Estimate	2nd Year Estimate
Opening Balance	**$80,665**	**$82,100**	**$79,500**	**$84,500**
Program Revenue Collected	$5,445	$5,400	$5,000	$5,000
Total Revenue	**$86,110**	**$87,500**	**$84,500**	**$89,500**
Expenditures	**$4,000**	**$8,000**	**$0**	**$0**
Total Expenditures	**$4,000**	**$8,000**	**$0**	**$0**
Closing Balance	**$82,110**	**$79,500**	**$84,500**	**$89,500**

Program Revenue

Program: 01 - Legal assistance

SubProgram: -

Numeric Appropriation: 33 - Tuition payments

Revenue and Expenditures	Prior Year Actuals	Base Year Estimate	1st Year Estimate	2nd Year Estimate
Opening Balance	**$764,753**	**$465,200**	**$116,200**	**$267,200**
Misc Revenue	$1,650	$1,000	$1,000	$1,000
Tuition	$192,237	$150,000	$150,000	$150,000
Total Revenue	**$958,640**	**$616,200**	**$267,200**	**$418,200**
Expenditures	**$493,456**	**$500,000**	**$0**	**$0**
Total Expenditures	**$493,456**	**$500,000**	**$0**	**$0**
Closing Balance	**$465,184**	**$116,200**	**$267,200**	**$418,200**

Program Revenue

Program: 01 - Legal assistance

SubProgram: -

Numeric Appropriation: 35 - Payments from clients; administrative costs

Revenue and Expenditures	Prior Year Actuals	Base Year Estimate	1st Year Estimate	2nd Year Estimate
Opening Balance	**$0**	**$0**	**$0**	**$0**
Client Payments	$323,700	$325,000	$370,300	$377,300
Total Revenue	**$323,700**	**$325,000**	**$370,300**	**$377,300**
Expenditures	**$323,700**	**$325,000**	**$0**	**$0**
2000 Adjusted Base Funding Level	$0	$0	$345,300	$345,300
3003 Full Funding of Continuing Position Salaries and Fringe Benefits	$0	$0	$12,500	$12,500
3007 Overtime	$0	$0	$3,000	$3,000
Health Insurance Reserves	$0	$0	$6,000	$10,000
Compensation Reserve	$0	$0	$3,500	$6,500
Total Expenditures	**$323,700**	**$325,000**	**$370,300**	**$377,300**
Closing Balance	**$0**	**$0**	**$0**	**$0**

Program Revenue

Program: 01 - Legal assistance

SubProgram: -

Numeric Appropriation: 36 - Private bar and inv. reimbursement; payments for legal representation

Revenue and Expenditures	Prior Year Actuals	Base Year Estimate	1st Year Estimate	2nd Year Estimate
Opening Balance	**$5,960,798**	**$2,608,500**	**$1,922,900**	**$1,244,300**
Forfeitures & Penalties	$23,710	$23,800	$23,800	$23,800
Client Payments	$329,064	$330,000	$330,000	$330,000
Reimbursed Legal Fees Juvenile	$190,482	$190,500	$190,500	$190,500
Reimbursed Legal Fees Adult	$4,204	$4,300	$4,300	$4,300
Debt Collections	$15,771	$15,800	$15,800	$15,800
Total Revenue	**$6,524,029**	**$3,172,900**	**$2,487,300**	**$1,808,700**
Expenditures	**$3,915,498**	**$1,250,000**	**$0**	**$0**
2000 Adjusted Base Funding Level	$0	$0	$913,000	$913,000
Transfer to 20.550(1)(I)	$0	$0	$330,000	$330,000
Total Expenditures	**$3,915,498**	**$1,250,000**	**$1,243,000**	**$1,243,000**
Closing Balance	**$2,608,531**	**$1,922,900**	**$1,244,300**	**$565,700**

Program Revenue

Program: 01 - Legal assistance

SubProgram: -

Numeric Appropriation: 37 - Conferences and training

Revenue and Expenditures	Prior Year Actuals	Base Year Estimate	1st Year Estimate	2nd Year Estimate
Opening Balance	**$0**	**($30,800)**	**$0**	**$0**
Penalty Surcharge from DOJ	$263,000	$293,800	$304,400	$304,400
Total Revenue	**$263,000**	**$263,000**	**$304,400**	**$304,400**
Expenditures	**$293,753**	**$263,000**	**$0**	**$0**
2000 Adjusted Base Funding Level	$0	$0	$271,800	$271,800
3003 Full Funding of Continuing Position Salaries and Fringe Benefits	$0	$0	$32,600	$32,600
Total Expenditures	**$293,753**	**$263,000**	**$304,400**	**$304,400**
Closing Balance	**($30,753)**	**$0**	**$0**	**$0**

Program Revenue

Program: 01 - Legal assistance

SubProgram: -

Numeric Appropriation: 41 - Federal aid

Revenue and Expenditures	Prior Year Actuals	Base Year Estimate	1st Year Estimate	2nd Year Estimate
Opening Balance	**$13,437**	**$13,500**	**$0**	**$0**
Federal Revenue	$359,049	$350,000	$350,000	$350,000
Total Revenue	**$372,486**	**$363,500**	**$350,000**	**$350,000**
Expenditures	**$359,049**	**$363,500**	**$0**	**$0**
Estimated Expenses	$0	$0	$350,000	$350,000
Total Expenditures	**$359,049**	**$363,500**	**$350,000**	**$350,000**
Closing Balance	**$13,437**	**$0**	**$0**	**$0**

Decision Item (DIN): 2000 - Adjusted Base Funding Level

NARRATIVE

Adjusted Base Funding Level

Decision Item by Line

Decision Item (DIN): 2000 - Adjusted Base Funding Level

Line Number	Expenditure Items	1st Year Cost	2nd Year Cost
01	Permanent Position Salaries	$62,593,800	$62,593,800
02	Turnover	$0	$0
03	Project Position Salaries	$0	$0
04	LTE/Misc. Salaries	$122,800	$122,800
05	Fringe Benefits	$22,536,100	$22,536,100
06	Supplies and Services	$60,475,500	$60,475,500
07	Permanent Property	$0	$0
08	Unallotted Reserve	$0	$0
09	Aids to Individuals & Organizations	$0	$0
10	Local Assistance	$0	$0
11	One-time Financing	$0	$0
12	Debt service	$0	$0
13		$0	$0
14		$0	$0
15		$0	$0
16		$0	$0
17	**TOTAL**	**$145,728,200**	**$145,728,200**
18	Project Positions Authorized	0.00	0.00
19	Classified Positions Authorized	250.15	250.15
20	Unclassified Positions Authorized	382.20	382.20

Decision Item by Numeric

Program: 01 - Legal assistance

Decision Item (DIN): 2000 - Adjusted Base Funding Level

Numeric	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
01 - Program operation	$3,545,400	$3,545,400	18.40	18.40
02 - Appellate representation	$6,889,000	$6,889,000	46.85	46.85
03 - Trial representation	$77,563,600	$77,563,600	556.85	556.85
04 - Private bar invstgtr reimburse	$49,083,200	$49,083,200	0.00	0.00
05 - Private bar invstgtr pay admin	$973,000	$973,000	5.25	5.25
06 - Transcripts discovery intrprtr	$2,129,700	$2,129,700	0.00	0.00
07 - Salary adjustments	$4,014,200	$4,014,200	0.00	0.00
35 - Payments from clients; administrative costs	$345,300	$345,300	3.00	3.00
36 - Private bar and inv. reimbursement; payments for legal representation	$913,000	$913,000	0.00	0.00
37 - Conferences and training	$271,800	$271,800	2.00	2.00
Program Sub Total	**$145,728,200**	**$145,728,200**	**632.35**	**632.35**

Decision Item by Numeric

DIN 2000 - Adjusted Base Funding Level Total	**$145,728,200**	**$145,728,200**	**632.35**	**632.35**
Agency Total	**$145,728,200**	**$145,728,200**	**632.35**	**632.35**

Decision Item by Fund Source

Decision Item (DIN): 2000 - Adjusted Base Funding Level

Source of Funds	Type	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
PR	S	$1,530,100	$1,530,100	5.00	5.00
GPR	S	$144,198,100	$144,198,100	627.35	627.35
DIN 2000 - Adjusted Base Funding Level Total		**$145,728,200**	**$145,728,200**	**632.35**	**632.35**
Agency Total		**$145,728,200**	**$145,728,200**	**632.35**	**632.35**

Decision Item (DIN): 3001 - Turnover Reduction

NARRATIVE

Standard Budget Adjustment - Turnover Reduction

Decision Item by Line

Decision Item (DIN): 3001 - Turnover Reduction

Line Number	Expenditure Items	1st Year Cost	2nd Year Cost
01	Permanent Position Salaries	$0	$0
02	Turnover	($1,763,800)	($1,763,800)
03	Project Position Salaries	$0	$0
04	LTE/Misc. Salaries	$0	$0
05	Fringe Benefits	$0	$0
06	Supplies and Services	$0	$0
07	Permanent Property	$0	$0
08	Unallotted Reserve	$0	$0
09	Aids to Individuals & Organizations	$0	$0
10	Local Assistance	$0	$0
11	One-time Financing	$0	$0
12	Debt service	$0	$0
13		$0	$0
14		$0	$0
15		$0	$0
16		$0	$0
17	**TOTAL**	**($1,763,800)**	**($1,763,800)**
18	Project Positions Authorized	0.00	0.00
19	Classified Positions Authorized	0.00	0.00
20	Unclassified Positions Authorized	0.00	0.00

Decision Item by Numeric

Program: 01 - Legal assistance

Decision Item (DIN): 3001 - Turnover Reduction

Numeric	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
03 - Trial representation	($1,763,800)	($1,763,800)	0.00	0.00
Program Sub Total	**($1,763,800)**	**($1,763,800)**	**0.00**	**0.00**
DIN 3001 - Turnover Reduction Total	**($1,763,800)**	**($1,763,800)**	**0.00**	**0.00**
Agency Total	**($1,763,800)**	**($1,763,800)**	**0.00**	**0.00**

Decision Item by Fund Source

Decision Item (DIN): 3001 - Turnover Reduction

Source of Funds	Type	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
GPR	S	($1,763,800)	($1,763,800)	0.00	0.00
DIN 3001 - Turnover Reduction Total		**($1,763,800)**	**($1,763,800)**	**0.00**	**0.00**
Agency Total		**($1,763,800)**	**($1,763,800)**	**0.00**	**0.00**

Decision Item (DIN): 3002 - Removal of Noncontinuing Elements from the Base

NARRATIVE

Standard Budget Adjustment - Removal of Noncontinuing Elements from the Base

Decision Item by Line

Decision Item (DIN): 3002 - Removal of Noncontinuing Elements from the Base

Line Number	Expenditure Items	1st Year Cost	2nd Year Cost
01	Permanent Position Salaries	$0	$0
02	Turnover	$0	$0
03	Project Position Salaries	$0	$0
04	LTE/Misc. Salaries	$0	$0
05	Fringe Benefits	$0	$0
06	Supplies and Services	$0	$0
07	Permanent Property	$0	$0
08	Unallotted Reserve	$0	$0
09	Aids to Individuals & Organizations	$0	$0
10	Local Assistance	$0	$0
11	One-time Financing	$0	$0
12	Debt service	$0	$0
13		$0	$0
14		$0	$0
15		$0	$0
16		$0	$0
17	**TOTAL**	**$0**	**$0**
18	Project Positions Authorized	0.00	0.00
19	Classified Positions Authorized	0.00	0.00
20	Unclassified Positions Authorized	0.00	0.00

Decision Item (DIN): 3003 - Full Funding of Continuing Position Salaries and Fringe Benefits

NARRATIVE

Standard Budget Adjustment - Full Funding of Continuing Position Salaries and Fringe Benefits

Decision Item by Line

Decision Item (DIN): 3003 - Full Funding of Continuing Position Salaries and Fringe Benefits

Line Number	Expenditure Items	1st Year Cost	2nd Year Cost
01	Permanent Position Salaries	$655,100	$655,100
02	Turnover	$0	$0
03	Project Position Salaries	$0	$0
04	LTE/Misc. Salaries	$0	$0
05	Fringe Benefits	$1,413,800	$1,413,800
06	Supplies and Services	$0	$0
07	Permanent Property	$0	$0
08	Unallotted Reserve	$0	$0
09	Aids to Individuals & Organizations	$0	$0
10	Local Assistance	$0	$0
11	One-time Financing	$0	$0
12	Debt service	$0	$0
13		$0	$0
14		$0	$0
15		$0	$0
16		$0	$0
17	**TOTAL**	**$2,068,900**	**$2,068,900**
18	Project Positions Authorized	0.00	0.00
19	Classified Positions Authorized	0.00	0.00
20	Unclassified Positions Authorized	0.00	0.00

Decision Item by Numeric

Program: 01 - Legal assistance

Decision Item (DIN): 3003 - Full Funding of Continuing Position Salaries and Fringe Benefits

Numeric	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
01 - Program operation	($62,600)	($62,600)	0.00	0.00
02 - Appellate representation	$314,900	$314,900	0.00	0.00
03 - Trial representation	$1,915,000	$1,915,000	0.00	0.00
05 - Private bar invstgtr pay admin	($143,500)	($143,500)	0.00	0.00
35 - Payments from clients; administrative costs	$12,500	$12,500	0.00	0.00
37 - Conferences and training	$32,600	$32,600	0.00	0.00
Program Sub Total	**$2,068,900**	**$2,068,900**	**0.00**	**0.00**
DIN 3003 - Full Funding of Continuing Position Salaries and Fringe Benefits Total	**$2,068,900**	**$2,068,900**	**0.00**	**0.00**
Agency Total	**$2,068,900**	**$2,068,900**	**0.00**	**0.00**

Decision Item by Fund Source

Decision Item (DIN): 3003 - Full Funding of Continuing Position Salaries and Fringe Benefits

Source of Funds	Type	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
GPR	S	$2,023,800	$2,023,800	0.00	0.00
PR	S	$45,100	$45,100	0.00	0.00
DIN 3003 - Full Funding of Continuing Position Salaries and Fringe Benefits Total		**$2,068,900**	**$2,068,900**	**0.00**	**0.00**
Agency Total		**$2,068,900**	**$2,068,900**	**0.00**	**0.00**

Decision Item (DIN): 3004 - Funding of Ongoing s. 13.10 Supplements

NARRATIVE

Standard Budget Adjustment - Funding of Ongoing s. 13.10 Supplements

Decision Item by Line

Decision Item (DIN): 3004 - Funding of Ongoing s. 13.10 Supplements

Line Number	Expenditure Items	1st Year Cost	2nd Year Cost
01	Permanent Position Salaries	$0	$0
02	Turnover	$0	$0
03	Project Position Salaries	$0	$0
04	LTE/Misc. Salaries	$0	$0
05	Fringe Benefits	$0	$0
06	Supplies and Services	$0	$0
07	Permanent Property	$0	$0
08	Unallotted Reserve	$0	$0
09	Aids to Individuals & Organizations	$0	$0
10	Local Assistance	$0	$0
11	One-time Financing	$0	$0
12	Debt service	$0	$0
13		$0	$0
14		$0	$0
15		$0	$0
16		$0	$0
17	**TOTAL**	**$0**	**$0**
18	Project Positions Authorized	0.00	0.00
19	Classified Positions Authorized	0.00	0.00
20	Unclassified Positions Authorized	0.00	0.00

Decision Item (DIN): 3005 - Reclassifications and Semiautomatic Pay Progression

NARRATIVE

Standard Budget Adjustment - Reclassifications and Semiautomatic Pay Progression

Decision Item by Line

Decision Item (DIN): 3005 - Reclassifications and Semiautomatic Pay Progression

Line Number	Expenditure Items	1st Year Cost	2nd Year Cost
01	Permanent Position Salaries	$0	$0
02	Turnover	$0	$0
03	Project Position Salaries	$0	$0
04	LTE/Misc. Salaries	$0	$0
05	Fringe Benefits	$0	$0
06	Supplies and Services	$0	$0
07	Permanent Property	$0	$0
08	Unallotted Reserve	$0	$0
09	Aids to Individuals & Organizations	$0	$0
10	Local Assistance	$0	$0
11	One-time Financing	$0	$0
12	Debt service	$0	$0
13		$0	$0
14		$0	$0
15		$0	$0
16		$0	$0
17	**TOTAL**	**$0**	**$0**
18	Project Positions Authorized	0.00	0.00
19	Classified Positions Authorized	0.00	0.00
20	Unclassified Positions Authorized	0.00	0.00

Decision Item (DIN): 3007 - Overtime

NARRATIVE

Standard Budget Adjustment - Overtime

Decision Item by Line

Decision Item (DIN): 3007 - Overtime

Line Number	Expenditure Items	1st Year Cost	2nd Year Cost
01	Permanent Position Salaries	$192,700	$192,700
02	Turnover	$0	$0
03	Project Position Salaries	$0	$0
04	LTE/Misc. Salaries	$0	$0
05	Fringe Benefits	$32,200	$32,200
06	Supplies and Services	$0	$0
07	Permanent Property	$0	$0
08	Unallotted Reserve	$0	$0
09	Aids to Individuals & Organizations	$0	$0
10	Local Assistance	$0	$0
11	One-time Financing	$0	$0
12	Debt service	$0	$0
13		$0	$0
14		$0	$0
15		$0	$0
16		$0	$0
17	**TOTAL**	**$224,900**	**$224,900**
18	Project Positions Authorized	0.00	0.00
19	Classified Positions Authorized	0.00	0.00
20	Unclassified Positions Authorized	0.00	0.00

Decision Item by Numeric

Program: 01 - Legal assistance

Decision Item (DIN): 3007 - Overtime

Numeric	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
01 - Program operation	$10,100	$10,100	0.00	0.00
02 - Appellate representation	$26,600	$26,600	0.00	0.00
03 - Trial representation	$174,200	$174,200	0.00	0.00
05 - Private bar invstgtr pay admin	$11,000	$11,000	0.00	0.00
35 - Payments from clients; administrative costs	$3,000	$3,000	0.00	0.00
Program Sub Total	**$224,900**	**$224,900**	**0.00**	**0.00**
DIN 3007 - Overtime Total	**$224,900**	**$224,900**	**0.00**	**0.00**
Agency Total	**$224,900**	**$224,900**	**0.00**	**0.00**

Decision Item by Fund Source

Decision Item (DIN): 3007 - Overtime

Source of Funds	Type	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
GPR	S	$221,900	$221,900	0.00	0.00
PR	S	$3,000	$3,000	0.00	0.00
DIN 3007 - Overtime Total		**$224,900**	**$224,900**	**0.00**	**0.00**
Agency Total		**$224,900**	**$224,900**	**0.00**	**0.00**

Decision Item (DIN): 3008 - Night and Weekend Differential Pay

NARRATIVE

Standard Budget Adjustment - Night and Weekend Differential Pay

Decision Item by Line

Decision Item (DIN): 3008 - Night and Weekend Differential Pay

Line Number	Expenditure Items	1st Year Cost	2nd Year Cost
01	Permanent Position Salaries	$0	$0
02	Turnover	$0	$0
03	Project Position Salaries	$0	$0
04	LTE/Misc. Salaries	$0	$0
05	Fringe Benefits	$0	$0
06	Supplies and Services	$0	$0
07	Permanent Property	$0	$0
08	Unallotted Reserve	$0	$0
09	Aids to Individuals & Organizations	$0	$0
10	Local Assistance	$0	$0
11	One-time Financing	$0	$0
12	Debt service	$0	$0
13		$0	$0
14		$0	$0
15		$0	$0
16		$0	$0
17	**TOTAL**	**$0**	**$0**
18	Project Positions Authorized	0.00	0.00
19	Classified Positions Authorized	0.00	0.00
20	Unclassified Positions Authorized	0.00	0.00

Decision Item (DIN): 3010 - Full Funding of Lease and Directed Moves Costs

NARRATIVE

Standard Budget Adjustment - Full Funding of Lease and Directed Moves Costs

Decision Item by Line

Decision Item (DIN): 3010 - Full Funding of Lease and Directed Moves Costs

Line Number	Expenditure Items	1st Year Cost	2nd Year Cost
01	Permanent Position Salaries	$0	$0
02	Turnover	$0	$0
03	Project Position Salaries	$0	$0
04	LTE/Misc. Salaries	$0	$0
05	Fringe Benefits	$0	$0
06	Supplies and Services	$3,100	$29,300
07	Permanent Property	$0	$0
08	Unallotted Reserve	$0	$0
09	Aids to Individuals & Organizations	$0	$0
10	Local Assistance	$0	$0
11	One-time Financing	$0	$0
12	Debt service	$0	$0
13		$0	$0
14		$0	$0
15		$0	$0
16		$0	$0
17	**TOTAL**	**$3,100**	**$29,300**
18	Project Positions Authorized	0.00	0.00
19	Classified Positions Authorized	0.00	0.00
20	Unclassified Positions Authorized	0.00	0.00

Decision Item by Numeric

Program: 01 - Legal assistance

Decision Item (DIN): 3010 - Full Funding of Lease and Directed Moves Costs

Numeric	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
01 - Program operation	$1,600	$3,200	0.00	0.00
02 - Appellate representation	$2,100	$4,400	0.00	0.00
03 - Trial representation	$19,900	$41,700	0.00	0.00
05 - Private bar invstgtr pay admin	$200	$300	0.00	0.00
35 - Payments from clients; administrative costs	($17,000)	($17,000)	0.00	0.00
37 - Conferences and training	($3,700)	($3,300)	0.00	0.00
Program Sub Total	**$3,100**	**$29,300**	**0.00**	**0.00**
DIN 3010 - Full Funding of Lease and Directed Moves Costs Total	**$3,100**	**$29,300**	**0.00**	**0.00**
Agency Total	**$3,100**	**$29,300**	**0.00**	**0.00**

Decision Item by Fund Source

Decision Item (DIN): 3010 - Full Funding of Lease and Directed Moves Costs

Source of Funds	Type	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
GPR	S	$23,800	$49,600	0.00	0.00
PR	S	($20,700)	($20,300)	0.00	0.00
DIN 3010 - Full Funding of Lease and Directed Moves Costs Total		**$3,100**	**$29,300**	**0.00**	**0.00**
Agency Total		**$3,100**	**$29,300**	**0.00**	**0.00**

Decision Item (DIN): 3011 - Minor Transfers Within the Same Alpha Appropriation

NARRATIVE

Standard Budget Adjustment - Minor Transfers Within the Same Alpha Appropriation

Decision Item by Line

Decision Item (DIN): 3011 - Minor Transfers Within the Same Alpha Appropriation

Line Number	Expenditure Items	1st Year Cost	2nd Year Cost
01	Permanent Position Salaries	$0	$0
02	Turnover	$0	$0
03	Project Position Salaries	$0	$0
04	LTE/Misc. Salaries	$0	$0
05	Fringe Benefits	$0	$0
06	Supplies and Services	$0	$0
07	Permanent Property	$0	$0
08	Unallotted Reserve	$0	$0
09	Aids to Individuals & Organizations	$0	$0
10	Local Assistance	$0	$0
11	One-time Financing	$0	$0
12	Debt service	$0	$0
13		$0	$0
14		$0	$0
15		$0	$0
16		$0	$0
17	**TOTAL**	**$0**	**$0**
18	Project Positions Authorized	0.00	0.00
19	Classified Positions Authorized	0.00	0.00
20	Unclassified Positions Authorized	0.00	0.00

Decision Item (DIN): 4001 - Private Bar Cost to Continue

NARRATIVE

The Public Defender Board requests, for the Office of the State Public Defender (SPD), a cost-to-continue funding adjustment of $1,377,300 in each year of the biennium for the private bar program, representing a net increase of $2,754,600 for the biennium.

Office of the State Public Defender
2027-2029 Biennial Budget
Issue Paper

Topic: DIN 4001 – Private Bar Cost to Continue

Agency Request

The Public Defender Board requests, for the Office of the State Public Defender (SPD), a cost-to-continue funding adjustment of $1,377,300 in each year of the biennium for the private bar program, representing a net increase of $2,754,600 for the biennium.

Background

The SPD is statutorily mandated to guarantee effective legal representation to indigent individuals facing a loss of liberty. When staff counsel cannot be appointed—primarily due to constitutional and Supreme Court Rule conflicts of interest (e.g., co-defendants, key witnesses), —the SPD appoints qualified attorneys from the private bar and is responsible for the costs of that private bar representation. Private bar expenditures encompass attorney fees, travel related costs, investigators, expert witnesses, and discovery processing.

Caseload volume assigned to private counsel remains high and consistent, with 37,947 cases assigned in FY25 and 36,933 cases assigned in FY26. The majority of cases assigned to the private bar involve conflicts of interest as defined by Supreme Court Rules, preventing staff attorney representation. A minority of cases serve as overflow for clients awaiting representation when no qualified staff attorney is available.

On July 1, 2023, the private bar statutory compensation rate increased from $70/hour to $100/hour for both in-court and out-of-court time ($50/hour for travel). Because criminal cases typically span multiple fiscal years, the prior biennium reflected a hybrid billing baseline of legacy $70/hour cases and new $100/hour cases. As legacy cases are wrapping up, it is expected in the FY 28–29 biennium almost all invoices will be billed at the full statutory baseline of $100/hour, establishing an immediate baseline cost differential.

Problem Description

In addition to the increased baseline of $100 per hour, the SPD faces rising costs associated with the increased volume of electronic discovery. The amount and complexity of electronic discovery demand more attorney time for review, and often necessitate, in addition to more attorney time to review, providing the private bar with external hard drives to store the discovery, and funding for the private bar to contract administrative support (at a reduced hourly rate from the attorney rate) to organize and classify unorganized, unlabeled data dumps, and review certain discovery such as law enforcement dash cam and body camera video. This administrative organization allows attorneys to dedicate their time to legal issues and direct client representation, thereby ensuring greater capacity to accept additional appointments.

Costs for administrative support and external hardware have risen as the volume of electronic discovery has increased.

The SPD must also provide funding for experts for the private bar. The failure to use experts in criminal cases is a common cause of ineffective assistance of counsel claims, leading to costly post-conviction litigation, overturned convictions, and expensive retrials at taxpayer expense.[1]

Experts are often highly specialized in their fields, such as biomechanical reconstruction, biomechanical engineers, computer and cell phone forensic analysts, ballistics examiners, forensic pathologists, radiologists, forensic nurses, DNA experts, forensic evaluation for competency and/or mental disease or defect, and presentencing evaluation and/or expertise. The cost of experts for private bar handling SPD cases has risen steadily over the past several years, is expected to continue, and is a factor driving increased cost per case.

Analysis
The private bar appropriation is impacted by factors beyond the control of the SPD, most notably variations in charging practices among counties, the number of cases with multiple defendants facing the same charges, the unavailability of private bar attorneys in specific geographic areas and increased travel costs, increased expert and discovery costs, and turnover in SPD staff attorney positions.

Summary

	FY28		FY29	
	Funding	FTE	Funding	FTE
GPR	$1,377,300	0.00	$1,377,300	0.00
PR	$0	0.00	$0	0.00
TOTAL	$1,377,300	0.00	$1,377,300	0.00

[1] *See, Thomas v. Clements*, 789 F.3d 760, 771 (7th Cir. 2015).

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Decision Item by Line

Decision Item (DIN): 4001 - Private Bar Cost to Continue

Line Number	Expenditure Items	1st Year Cost	2nd Year Cost
01	Permanent Position Salaries	$0	$0
02	Turnover	$0	$0
03	Project Position Salaries	$0	$0
04	LTE/Misc. Salaries	$0	$0
05	Fringe Benefits	$0	$0
06	Supplies and Services	$1,377,300	$1,377,300
07	Permanent Property	$0	$0
08	Unallotted Reserve	$0	$0
09	Aids to Individuals & Organizations	$0	$0
10	Local Assistance	$0	$0
11	One-time Financing	$0	$0
12	Debt service	$0	$0
13		$0	$0
14		$0	$0
15		$0	$0
16		$0	$0
17	**TOTAL**	**$1,377,300**	**$1,377,300**
18	Project Positions Authorized	0.00	0.00
19	Classified Positions Authorized	0.00	0.00
20	Unclassified Positions Authorized	0.00	0.00

Decision Item by Numeric

Program: 01 - Legal assistance

Decision Item (DIN): 4001 - Private Bar Cost to Continue

Numeric	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
04 - Private bar invstgtr reimburse	$1,377,300	$1,377,300	0.00	0.00
Program Sub Total	**$1,377,300**	**$1,377,300**	**0.00**	**0.00**
DIN 4001 - Private Bar Cost to Continue Total	**$1,377,300**	**$1,377,300**	**0.00**	**0.00**
Agency Total	**$1,377,300**	**$1,377,300**	**0.00**	**0.00**

Decision Item by Fund Source

Decision Item (DIN): 4001 - Private Bar Cost to Continue

Source of Funds	Type	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
GPR	S	$1,377,300	$1,377,300	0.00	0.00
DIN 4001 - Private Bar Cost to Continue Total		**$1,377,300**	**$1,377,300**	**0.00**	**0.00**
Agency Total		**$1,377,300**	**$1,377,300**	**0.00**	**0.00**

Decision Item (DIN): 4002 - Expert Witness Funding Request

NARRATIVE

The Public Defender Board requests, for the Office of the State Public Defenders (SPD), a cost-to-continue funding adjustment of $1,002,900 GPR in FY28 and $1,002,900 GPR in FY29, representing a net total of $2,005,800 for the biennium for the SPD to contract expert witnesses to address an ongoing structural deficit and reflect current litigation demands.

Office of the State Public Defender
2027-2029 Biennial Budget
Issue Paper

Topic: DIN 4002 - Expert Witness Services Cost-to-Continue

Agency Request

The Public Defender Board requests, for the Office of the State Public Defenders (SPD), a cost-to-continue funding adjustment of $1,002,900 GPR in FY28 and $1,002,900 GPR in FY29, representing a net total of $2,005,800 for the biennium for the SPD to contract expert witnesses to address an ongoing structural deficit and reflect current litigation demands.

Problem Description

Modern criminal and civil commitment cases are significantly more complex than they were in prior legislative sessions. Litigation now requires defense attorneys to consult and retain experts across specialized, highly technical practices, including:

- Forensics, toxicology, and forensic pathology: DNA analysis, ballistic evidence, cause of death and toxicological evaluations.
- Behaviorist and specialized medical practices: Psychology, psychiatry, witness memory, and legal competency evaluations.
- Digital and Surveillance Evidence: Evaluation of law enforcement surveillance technologies such as FLOCK, Axon, Stingray, and cellular tracking, alongside forensic investigations of computer and mobile data.
- Specialized Medical Disciplines: Biomechanical engineering, traumatic injury mechanics, and complex medical conditions.

Background

The Public Defender Board makes this request because the SPD faces a severe, recurring operational budget deficit averaging $1,002,877 GPR annually over the past three fiscal years due to the mandatory use of expert witness services.

The SPD's base funding for expert witnesses was last adjusted in the 2013 Wisconsin Act 20 (2013-2015 Biennial Budget), which allocated $337,600 annually. That allocation was specifically earmarked to address Chapter 980 sexually violent personal commitment cases.

However, the total actual expenditures for experts across the Trial and Appellate divisions far outpace the base allocation. The costs of experts has increased significantly since FY10, creating an unsustainable gap:

Fiscal Year	Appellate	Trial	TOTAL
FY10	$6,575	$322,505	$329,080
FY11	$14,840	$333,399	$348,239
FY12	$13,069	$400,020	$413,089
FY13	$14,822	$458,770	$473,592
FY14	$24,068	$573,468	$597,536
FY15	$13,787	$706,437	$720,224
FY16	$13,306	$854,299	$867,605
FY17	$23,941	$1,072,491	$1,096,431
FY18	$25,738	$1,039,795	$1,065,533
FY19	$22,361	$1,079,161	$1,101,522
FY20	$21,763	$1,022,116	$1,043,878
FY21	$21,913	$1,002,614	$1,024,527
FY22	$42,180	$948,403	$990,583
FY23	$72,719	$1,2222,312	$1,295,031
FY24	$40,416	$1,341,144	$1,381,560
FY25	$12,597	$1,486,067	$1,498,664
FY26	$17,594	$1,123,614	$1,141,208

The aggregate expert witness disbursements within the Trial division increased between FY23 and FY25, as the office brought a higher volume of backlogged cases to resolution, necessitating increased expert witness cost.

The increased cost of expert witnesses can no longer be absorbed by the agency. The shortfall in funding for expert witnesses in fiscal year 2026 was $803,608, while the 3-year average shortfall is $1,002,877.

The SPD absorbs these mandatory, constitutional costs by taking funds from other essential Trial and Appellate division supplies and services budgets. Previous requests for funding increases were denied, resulting in an unsustainable strain on public defender operations.

Analysis

The Wisconsin Supreme Court Rules (SCR 20:1.1 Competence) governing attorney ethics require competent representation – which includes understanding the complex forensic issues in a case, preparing for cross-examination of government expert witnesses, and presenting qualified expert witnesses for the defense.

Additionally, Federal and Wisconsin case law firmly establish that when scientific, medical or technical evidence is central to the case, a defense attorney provides deficient representation, and can be found ineffective, if they do not consult, retain, or present an independent expert witness.[1]

The SPD provides representation to indigent clients in criminal and civil litigation. In criminal and civil commitment cases, the SPD is the institutional adversary to the State of Wisconsin.

Prosecutors routinely rely on state funded employees - such as the Wisconsin State Laboratory of Hygiene, Department of Justice Division of Forensic Sciences, Wisconsin State Crime Laboratories, court ordered mental health professionals (Wisconsin Forensic Unit) to provide expert analysis and testimony at no direct charge to prosecution budgets.

The SPD cannot utilize state agency experts due to a conflict of interest. While defense counsel may speak to state-funded employees under certain conditions, doing so usually requires notice to and approval from the prosecutor, which forces defense counsel to reveal confidential attorney work product and theory of defense. The SPD must hire independent experts to consult on technical case issues and review state evidence, prepare effective cross-examination strategies, and testify at pretrial motions and trials to ensure the trier of fact understands the evidence and defense theory.

While Wisconsin courts have established that indigent defendants have a constitutional right to an expert when sanity at the time of the offense is a significant factor, they have not addressed payment responsibility.[2] Consequently, approximately 10 of 72 Wisconsin counties refuse to fund these appointments. In such cases, the SPD assumes the costs to ensure defendants' constitutional rights are protected.

When budget shortfalls prevent defense attorneys from retaining necessary experts, clients can be harmed and denied their constitutional rights. Denial of experts could lead to overturned convictions, costly postconviction litigation, and expensive retrials at taxpayer expense.[3]

An annual GPR increase of $1,002,877 reflects the 3-year average deficit between actual expenditures and 2013 base funding levels. Providing this funding stops the diversion of operational funds from core trial and appellate operations, while ensuring SPD counsel can fulfill their ethical and constitutional duties under the Sixth Amendment and Article I, Section 7 of the Wisconsin Constitution.

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[1] *See Thomas v. Clements*, 789 F.3d 760, 771 (7th Cir. 2015).
[2] *See State v. Burdick*, 166 Wis. 2d 785, 480 N.W.2d 528 (Ct. App. 1992); Wis. Stat. § 971.16(2).
[3] *See Clements* at 771 (7th Cir. 2015).

Summary

	FY28		FY29	
	Funding	FTE	Funding	FTE
GPR	$1,002,900	0.00	$1,002,900	0.00
PR	$	0.00	$	0.00
TOTAL	$1,002,900	0.00	$1,002,900	0.00

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Decision Item by Line

Decision Item (DIN): 4002 - Expert Witness Funding Request

Line Number	Expenditure Items	1st Year Cost	2nd Year Cost
01	Permanent Position Salaries	$0	$0
02	Turnover	$0	$0
03	Project Position Salaries	$0	$0
04	LTE/Misc. Salaries	$0	$0
05	Fringe Benefits	$0	$0
06	Supplies and Services	$1,002,900	$1,002,900
07	Permanent Property	$0	$0
08	Unallotted Reserve	$0	$0
09	Aids to Individuals & Organizations	$0	$0
10	Local Assistance	$0	$0
11	One-time Financing	$0	$0
12	Debt service	$0	$0
13		$0	$0
14		$0	$0
15		$0	$0
16		$0	$0
17	**TOTAL**	**$1,002,900**	**$1,002,900**
18	Project Positions Authorized	0.00	0.00
19	Classified Positions Authorized	0.00	0.00
20	Unclassified Positions Authorized	0.00	0.00

Decision Item by Numeric

Program: 01 - Legal assistance

Decision Item (DIN): 4002 - Expert Witness Funding Request

Numeric	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
03 - Trial representation	$1,002,900	$1,002,900	0.00	0.00
Program Sub Total	**$1,002,900**	**$1,002,900**	**0.00**	**0.00**
DIN 4002 - Expert Witness Funding Request Total	**$1,002,900**	**$1,002,900**	**0.00**	**0.00**
Agency Total	**$1,002,900**	**$1,002,900**	**0.00**	**0.00**

Decision Item by Fund Source

Decision Item (DIN): 4002 - Expert Witness Funding Request

Source of Funds	Type	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
GPR	S	$1,002,900	$1,002,900	0.00	0.00
DIN 4002 - Expert Witness Funding Request Total		**$1,002,900**	**$1,002,900**	**0.00**	**0.00**
Agency Total		**$1,002,900**	**$1,002,900**	**0.00**	**0.00**

Decision Item (DIN): 4003 - Transcripts, Interpreters, and Discovery Cost to Continue

NARRATIVE

The Public Defender Board requests, for the Office of the State Public Defender (SPD), increased funding of $506,800 GPR in FY 28 and $506,800 GPR in FY 29, for the payments for transcripts, discovery, and interpreters, to reflect current needs, representing a net total of $1,013,600 for the biennium.

Office of the State Public Defender
2027-2029 Biennial Budget
Issue Paper

Topic: DIN 4003 - Transcripts, Interpreters and Discovery Cost to Continue

Agency Request

The Public Defender Board requests, for the Office of the State Public Defender (SPD), increased funding of $506,800 GPR in FY 28 and $506,800 GPR in FY 29, for the payments for transcripts, discovery, and interpreters, to reflect current needs, representing a net total of $1,013,600 for the biennium.

Problem Description

The State Public Defender (SPD) is responsible for the cost of transcripts of court proceedings that SPD staff and private bar attorneys request from the courts, for copying or electronic storage and delivery costs incurred by counties and other parties to provide SPD attorneys with discovery materials, and for the cost of interpreters needed for attorney-client communication and other case preparation (the courts are responsible for the costs of in-court interpreters).

Total funding and expenditure/commitment levels each year since FY05 are shown below:

Fiscal year	Appropriated	Actual Expenditures	Shortfall
FY05	$1,339,100	$1,966,968	($627,868)
FY06	$1,339,100	$1,761,832	($422,732)
FY07	$1,339,100	$1,644,047	($304,947)
FY08	$1,339,100	$1,775,960	($436,860)
FY09	$1,339,100	$1,844,328	($505,228)
FY10	$1,325,700	$1,963,371	($637,671)
FY11	$1,325,700	$2,084,068	($758,368)
FY12	$1,325,700	$2,098,427	($772,727)
FY13	$1,325,700	$2,130,700	($805,000)
FY14	$1,325,700	$2,279,247	($953,547)
FY15	$1,325,700	$2,429,151	($1,103,451)
FY16	$1,325,700	$2,406,052	($1,080,352)
FY17	$1,325,700	$2,120,700	($795,000)
FY18	$1,407,500	$2,240,545	($833,045)
FY19	$1,407,500	$2,050,248	($642,748)
FY20	$1,485,100	$1,900,048	($414,948)
FY21	$1,506,900	$1,815,895	($308,995)
FY22	$1,506,900	$1,908,523	($401,623)
FY23	$2,129,700	$2,026,473	$103,227
FY24	$2,129,700	$2,477,334	($347,634)

FY25	$2,129,700	$2,509,988	($380,288)
FY26	$2,129,700	$2,636,463	($506,763)

As discussed below, these expenses are largely driven by the volume and complexity of SPD appointments.

While the SPD received a funding increase of $155,200 in the 2019-21 budget, and $43,600 in the 2021-23 budget and had its appropriations realigned to move $622,800 from one part of the SPD budget to the TID appropriation in the 2023-25 budget, those increases have not kept pace with the increase in expenses.

Background

Since Fiscal Year 2002, SPD has not been fully funded for expenses related to transcripts, interpreters, and discovery. Incremental funding increases in the last 20 years have not kept pace with the increased costs associated with these required costs of providing representation.

Transcript Payments

The total expenses for transcripts in FY26 was $1,104,319. The demand for transcripts is a function of the number of cases appointed, their case type and complexity, the number and duration of court appearances and trials, and the number of cases in which defendants seek post-conviction (appellate) representation from SPD. The SPD has attempted to mitigate the effect of the increased expenditures for transcripts by urging staff attorneys to carefully determine when transcripts are needed and when they are not. Transcript expenditures are reviewed on a monthly basis, and higher than average expenditure levels are further reviewed to determine which individual attorneys are incurring high transcript costs and why.

Transcript requests have become more numerous. While a majority of our invoices stem from court transcripts, we are also responsible for transcribing digital evidence—such as body-worn camera, squad, and surveillance footage—along with witness statements and defendant interrogations when needed for litigation. Audio and video files take significant time to transcribe since people sometimes are talking at the same time or the quality of the audio and video increases the difficulty of an accurate transcription. Also, courts increasingly require attorneys to produce transcripts of recordings before the recordings are played in open court.

The SPD has also implemented a system to allow court reporters to electronically submit bills for transcripts to increase efficiency and decrease some of the costs associated with processing paper invoices.

Discovery Payments

Defendants have a constitutional right to discovery; that is, the disclosure of evidence in the prosecutor's possession. Prosecutors comply with this discovery obligation by making available copies of reports, recordings, and other pertinent investigative materials in either electronic or physical formats. Modern discovery includes high-volume digital evidence (body-worn camera video, phone extractions, surveillance), which incurs additional cost.

Discovery payments from this appropriation are driven by the number of cases appointed. In FY26, the SPD incurred costs totaling $1,366,031 for discovery.

Regional Comparative Analysis: Discovery Cost Models

States Eliminating or Shielding Discovery Costs for Indigent Defense

- Minnesota: Under Minnesota Rules of Criminal Procedure (Rule 9.05) and Minn. Stat. §611.271, prosecutors are explicitly prohibited from charging discovery reproduction costs to defendants represented by a public defender.
- Missouri: State practice and defender rules (§600.042, RSMo) dictate that public defender clients are not billed for incoming discovery files, though the public defender's office may occasionally supply physical CDs or thumb drives to prosecutors.
- Michigan: Local trial courts and prosecutor offices provide discovery to public defenders without direct fees to the client, as costs are absorbed into county/state indigent defense compliance budgets managed by the Michigan Indigent Defense Commission (MCR 6.610).
- Illinois: Under Illinois Supreme Court Rule 412, prosecutors have an explicit, mandatory, and continuing duty to disclose police reports, witness statements, and investigative files to defense counsel without seeking reimbursement. These disclosure obligations are treated as routine operational costs of the prosecution.
- Iowa: When a defendant is represented by a public defender (or assigned counsel), prosecutors provide discovery at no charge, often sharing materials electronically via link or secure portals.

States Utilizing Patchwork or Media-Specific Fee Models

- Indiana and Ohio: Routine e-discovery is shared digitally without fees. State court rules do not prohibit offices from charging for physical reproduction, specialized media or extensive third party records unless waived by court order.

<u>Interpreter Payments</u>

In FY26, the SPD incurred costs totaling $166,112 for interpreters. While SPD uses remote language lines as a cost-control measure, virtual services are often technically or logistically unfeasible for in-person consultations in correctional facilities, courthouses, and field witness interviews. Consequently, specialized contracted interpreters remain necessary to safeguard client communication.

Providing effective advocacy requires more than courtroom presence; it necessitates thorough investigative work, including out-of-court witness interviews conducted through qualified interpreters to facilitate complete case development. Although the SPD prioritizes the recruitment of multilingual personnel to mitigate external expenditure, persistent labor market shortages—especially in rural jurisdictions—render the utilization of third-party language service an ongoing operational necessity.

Similar to discovery payments, interpreter costs are directly tied to overall appointment volume, specifically prosecution charging practices. Furthermore, the SPD is facing rate increases from interpreters that mirror the rising costs experienced by the state court system for in-court judicial interpreters.

Analysis

The Public Defender Board requests that additional funding be provided for transcript, discovery and interpreter payments as follows:

Full funding of transcript payments	$ 1,104,319 annually
Full funding of discovery payments	$ 1,366,031 annually
Full funding of interpreter payments	$ 166,112 annually
Total Projected Annual Need in 2027- 28	$ 2,636,462 annually
Appn. 106 Adjusted 2024 Base Funding	$ 2,129,700
Annual increase needed	$ 506,800

Summary

	FY28		FY29	
	Funding	FTE	Funding	FTE
GPR	$506,800	0.00	$506,800	0.00
PR	$0	0.00	$0	0.00
TOTAL	$506,800	0.00	$506,800	0.00

Prepared by:
Bridget J. Krause
Deputy State Public Defender
414-244-9966

Decision Item by Line

Decision Item (DIN): 4003 - Transcripts, Interpreters, and Discovery Cost to Continue

Line Number	Expenditure Items	1st Year Cost	2nd Year Cost
01	Permanent Position Salaries	$0	$0
02	Turnover	$0	$0
03	Project Position Salaries	$0	$0
04	LTE/Misc. Salaries	$0	$0
05	Fringe Benefits	$0	$0
06	Supplies and Services	$506,800	$506,800
07	Permanent Property	$0	$0
08	Unallotted Reserve	$0	$0
09	Aids to Individuals & Organizations	$0	$0
10	Local Assistance	$0	$0
11	One-time Financing	$0	$0
12	Debt service	$0	$0
13		$0	$0
14		$0	$0
15		$0	$0
16		$0	$0
17	**TOTAL**	**$506,800**	**$506,800**
18	Project Positions Authorized	0.00	0.00
19	Classified Positions Authorized	0.00	0.00
20	Unclassified Positions Authorized	0.00	0.00

Decision Item by Numeric

Program: 01 - Legal assistance

Decision Item (DIN): 4003 - Transcripts, Interpreters, and Discovery Cost to Continue

Numeric	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
06 - Transcripts discovery intrprtr	$506,800	$506,800	0.00	0.00
Program Sub Total	**$506,800**	**$506,800**	**0.00**	**0.00**
DIN 4003 - Transcripts, Interpreters, and Discovery Cost to Continue Total	**$506,800**	**$506,800**	**0.00**	**0.00**
Agency Total	**$506,800**	**$506,800**	**0.00**	**0.00**

Decision Item by Fund Source

Decision Item (DIN): 4003 - Transcripts, Interpreters, and Discovery Cost to Continue

Source of Funds	Type	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
GPR	S	$506,800	$506,800	0.00	0.00
DIN 4003 - Transcripts, Interpreters, and Discovery Cost to Continue Total		**$506,800**	**$506,800**	**0.00**	**0.00**
Agency Total		**$506,800**	**$506,800**	**0.00**	**0.00**

Decision Item (DIN): 4005 - Assistant State Public Defender Merit Compensation

NARRATIVE

The Public Defender Board requests, for the Office of the State Public Defender (SPD), $2,379,900 GPR in FY28 and $4,740,100 GPR in FY29 to fund the statutory pay progression plan for assistant state public defender attorneys, representing a net total of $7,120,000 for the biennium. 2013 Wisconsin Act 20 provided statutory authorization and funding to provide pay progression for assistant state public defender attorneys. The SPD requests funding in the 2027-2029 biennial budget to retain attorneys who can provide the most effective and efficient representation.

OFFICE OF THE STATE PUBLIC DEFENDER
2027-2029 Biennial Budget
Issue Paper

Topic: DIN 4005 – Assistant State Public Defender Merit Compensation

Agency Request

The Public Defender Board requests, for the Office of the State Public Defender (SPD), $2,379,900 GPR in FY28 and $4,740,100 GPR in FY29 to fund the statutory pay progression plan for assistant state public defender attorneys, representing a net total of $7,120,000 for the biennium.

Problem Description

2013 Wisconsin Act 20 provided statutory authorization and funding to provide pay progression for assistant state public defender attorneys. The SPD requests funding in the 2027-2029 biennial budget to retain attorneys who can provide the most effective and efficient representation.

Background

The SPD requests funding to retain the staff with the knowledge and expertise to both take on a large volume of complex case types and to mentor new attorneys.

Analysis

Retaining experienced public defender attorneys with an adequate compensation structure benefits the entire criminal justice system.

First, retention saves time and money. When an attorney resigns from the SPD, the SPD must reappoint that attorney's cases–which can be upwards of 100 cases–to other lawyers. In FY26, for example, nearly 3100 had to be reappointed to SPD staff. These reappointments were due in significant part to 39 assistant state public defenders departing the SPD. Reappointments lead to expensive delays and adjournments in court proceedings, as newly appointed lawyers must begin the case anew and become completely familiar with often voluminous amounts of discovery materials.

Second, retaining public defender attorneys places the SPD in the best position to have a sufficient number of staff lawyers to handle the large volume of complex case types the SPD appoints counsel on. Attorneys with 7-17 years of experience, the group for which the retention issue is most acute, are able to ethically and competently handle a significant number of complex cases, such as homicides and other high-level felonies. These experienced attorneys are also able to train and mentor new SPD staff lawyers.

Third, retention preserves fairness in the legal system. Experienced, trained public defender attorneys are better equipped to protect the Constitutional rights of SPD clients.

Importantly, maintaining pay parity between assistant state public defenders and assistant district attorneys prevents imbalance in the legal system. If assistant district attorneys are retained at higher rates due to better pay, district attorney offices throughout the state will be able to charge cases at a volume that greatly exceeds an unequally funded SPD's ability to appoint counsel in those cases. Put differently, an imbalance in pay creates a bottleneck where the state's capacity to charge cases far outweighs its capacity to provide constitutionally mandated defense counsel. Pay parity also prevents the SPD from becoming a training ground for attorneys who gain trial skills and then leave for higher pay scales offered by district attorney offices, county corporation counsel, city attorney offices, or the private sector.

In addition to the traditional merit-based system, the SPD requests non-statutory language in FY28 to be able to target pay equity issues that have resulted from a limited hiring pool that, primarily prior to the 2023-25 biennium, resulted in a need to hire above the minimum in order to attract individuals with experience to accept staff attorney positions.

Cost Estimate

SPD estimates it will have 410.2 FTE positions not at class maximum and eligible for pay progression in the first year. For year one, to increase their base salary by one step, would require $2,379,900 in FY28. In year two, to provide an across the board increase of one step for each eligible attorney would require $4,740,100 in FY29 funding which also includes covering the year one salary amount.

The SPD also requests non-statutory language in FY 28 to allow distribution outside the statutory merit scheme and, to allow flexibility to address pay equity issues, the ability to exceed the 10% per attorney cap on awards.

Summary

	FY28		FY29	
	Funding	FTE	Funding	FTE
GPR	$2,379,900	0.00	$4,740,100	0.00
PR	$0	0.00	$0	0.00
TOTAL	$2,379,900	0.00	$4,740,100	0.00

Prepared by:
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Appellate Division Director
414-227-4891

Appendix A – Statutory Changes

Proposed non statutory language including a "notwithstanding" provision:

Notwithstanding s. 230.12(11)(a), the pay progression plan in fiscal year 2026 may be based on equity criteria.

Notwithstanding s. 230.12(11)(c), a salary adjustment for an assistant state public defender under this subsection may exceed 10 percent of his or her base pay during fiscal year 2026.

Decision Item by Line

Decision Item (DIN): 4005 - Assistant State Public Defender Merit Compensation

Line Number	Expenditure Items	1st Year Cost	2nd Year Cost
01	Permanent Position Salaries	$2,041,000	$4,065,200
02	Turnover	$0	$0
03	Project Position Salaries	$0	$0
04	LTE/Misc. Salaries	$0	$0
05	Fringe Benefits	$338,900	$674,900
06	Supplies and Services	$0	$0
07	Permanent Property	$0	$0
08	Unallotted Reserve	$0	$0
09	Aids to Individuals & Organizations	$0	$0
10	Local Assistance	$0	$0
11	One-time Financing	$0	$0
12	Debt service	$0	$0
13		$0	$0
14		$0	$0
15		$0	$0
16		$0	$0
17	**TOTAL**	**$2,379,900**	**$4,740,100**
18	Project Positions Authorized	0.00	0.00
19	Classified Positions Authorized	0.00	0.00
20	Unclassified Positions Authorized	0.00	0.00

Decision Item by Numeric

Program: 01 - Legal assistance

Decision Item (DIN): 4005 - Assistant State Public Defender Merit Compensation

Numeric	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
07 - Salary adjustments	$2,379,900	$4,740,100	0.00	0.00
Program Sub Total	**$2,379,900**	**$4,740,100**	**0.00**	**0.00**
DIN 4005 - Assistant State Public Defender Merit Compensation Total	**$2,379,900**	**$4,740,100**	**0.00**	**0.00**
Agency Total	**$2,379,900**	**$4,740,100**	**0.00**	**0.00**

Decision Item by Fund Source

Decision Item (DIN): 4005 - Assistant State Public Defender Merit Compensation

Source of Funds	Type	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
GPR	S	$2,379,900	$4,740,100	0.00	0.00
DIN 4005 - Assistant State Public Defender Merit Compensation Total		**$2,379,900**	**$4,740,100**	**0.00**	**0.00**
Agency Total		**$2,379,900**	**$4,740,100**	**0.00**	**0.00**

Decision Item (DIN): 4010 - Restore Turnover

NARRATIVE

The Public Defender Board requests, for the Office of the State Public Defender (SPD), $1,763,800 GPR in both years to restore the turnover reduction in DIN 3001. Historically, SPD has been exempted from taking the turnover due to constitutional requirements. The Constitution and U.S. Supreme Court case law requires that SPD provides representation for all financially eligible individuals accused of a crime. In Wisconsin's system, representation is provided by both staff attorneys by private bar attorneys. As staff attorneys are able to handle a higher volume of cases than private bar attorneys, not filling staff attorney positions will result in higher costs to provide representation. From an overall fiscal standpoint, it is more cost effective to fill all currently authorized staff attorney positions.

Office of the State Public Defender
2027-2029 Biennial Budget
Narrative

Topic: DIN 4010 - Restore Turnover

Narrative

The Public Defender Board requests, for the Office of the State Public Defender (SPD), $1,763,800 GPR in both years to restore the turnover reduction in DIN 3001. Historically, SPD has been exempted from taking the turnover due to constitutional requirements. The Constitution and U.S. Supreme Court case law requires that SPD provides representation for all financially eligible individuals accused of a crime. In Wisconsin's system, representation is provided by both staff attorneys by private bar attorneys. As staff attorneys are able to handle a higher volume of cases than private bar attorneys, not filling staff attorney positions will result in higher costs to provide representation. From an overall fiscal standpoint, it is more cost effective to fill all currently authorized staff attorney positions.

Office of the State Public Defender
2027-2029 Biennial Budget
Narrative

Topic: DIN 4010 - Restore Turnover

Narrative

The Public Defender Board requests, for the Office of the State Public Defender (SPD), $1,787,713 GPR in both years to restore the turnover reduction in DIN 3001. Historically, SPD has been exempted from taking the turnover due to constitutional requirements. The Constitution and U.S. Supreme Court case law requires that SPD provides representation for all financially eligible individuals accused of a crime. In Wisconsin's system, representation is provided by both staff attorneys by private bar attorneys. As staff attorneys are able to handle a higher volume of cases than private bar attorneys, not filling staff attorney positions will result in higher costs to provide representation. From an overall fiscal standpoint, it is more cost effective to fill all currently authorized staff attorney positions.

Decision Item by Line

Decision Item (DIN): 4010 - Restore Turnover

Line Number	Expenditure Items	1st Year Cost	2nd Year Cost
01	Permanent Position Salaries	$0	$0
02	Turnover	$1,763,800	$1,763,800
03	Project Position Salaries	$0	$0
04	LTE/Misc. Salaries	$0	$0
05	Fringe Benefits	$0	$0
06	Supplies and Services	$0	$0
07	Permanent Property	$0	$0
08	Unallotted Reserve	$0	$0
09	Aids to Individuals & Organizations	$0	$0
10	Local Assistance	$0	$0
11	One-time Financing	$0	$0
12	Debt service	$0	$0
13		$0	$0
14		$0	$0
15		$0	$0
16		$0	$0
17	**TOTAL**	**$1,763,800**	**$1,763,800**
18	Project Positions Authorized	0.00	0.00
19	Classified Positions Authorized	0.00	0.00
20	Unclassified Positions Authorized	0.00	0.00

Decision Item by Numeric

Program: 01 - Legal assistance

Decision Item (DIN): 4010 - Restore Turnover

Numeric	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
03 - Trial representation	$1,763,800	$1,763,800	0.00	0.00
Program Sub Total	**$1,763,800**	**$1,763,800**	**0.00**	**0.00**
DIN 4010 - Restore Turnover Total	**$1,763,800**	**$1,763,800**	**0.00**	**0.00**
Agency Total	**$1,763,800**	**$1,763,800**	**0.00**	**0.00**

Decision Item by Fund Source

Decision Item (DIN): 4010 - Restore Turnover

Source of Funds	Type	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
GPR	S	$1,763,800	$1,763,800	0.00	0.00
DIN 4010 - Restore Turnover Total		**$1,763,800**	**$1,763,800**	**0.00**	**0.00**
Agency Total		**$1,763,800**	**$1,763,800**	**0.00**	**0.00**

Decision Item (DIN): 4012 - Supplies and Services Cost to Continue

NARRATIVE

The Public Defender Board requests, for the Office of the State Public Defender (SPD), $6,031,500 GPR in FY28 and $6,031,500 GPR in FY29 for the supplies and services cost to continue in the Trial & Appellate Divisions, representing a net total of $12,063,000 GPR for the biennium to reflect current operational needs for current staff.

Office of the State Public Defender
2027-2029 Biennial Budget
Issue Paper

Topic: DIN 4012 - Supplies & Services Cost to Continue

Agency Request

The Public Defender Board requests, for the Office of the State Public Defender (SPD), $6,031,500 GPR in FY28 and $6,031,500 GPR in FY29 for the supplies and services cost to continue in the Trial & Appellate Divisions, representing a net total of $12,063,000 GPR for the biennium to reflect current operational needs for current staff.

Problem Description

The SPD's current statutory base allocation for supplies and services is $8,000 per FTE. In FY26, the actual cost per FTE across operational trial and appellate positions exceeded $18,000 per FTE. This structural deficit severely limits the agency's ability to provide state public defenders with essential tools, legal research materials, discovery management technology, basic office furnishings, and facility access necessary to deliver constitutionally required representation.

Background

The SPD's Trial and Appellate Divisions—the two largest divisions within the agency—comprise 603.15 full-time equivalent (FTE) staff positions. In FY25, total expenditures for supplies and services across these two divisions reached $15,716,917. In FY26, total expenditures were $10,941,888.

The baseline allocation of $8,000 per FTE was established around historical operational standards that no longer align with modern legal practice requirements, statutory retention mandates, costs of space and leasing, and enterprise technology standards. Absorbing the $10,000 per FTE cost differential creates an ongoing funding shortfall that diverts agency resources away from core defender operations and creates substantial administrative strain.

Analysis

The cost per FTE has expanded significantly due to several fixed, mandatory, and escalating operational expenses required to maintain trial and appellate defense operations across the state:

- **Legal Research, Writing, & Investigation Subscriptions:** Essential digital legal research databases (e.g., Westlaw, Axon) and specialized investigative research tools required by staff attorneys to perform constitutional duty-of-care work and prepare filings.
- **DOA Records Center (Closed Client Files):** Mandatory file storage and retention costs paid to the Department of Administration for archiving completed client files in compliance with statutory retention schedules.
- **Computer Software, Hardware, & Workstations:** Essential attorney and staff desks, modern laptop, monitors, software licenses, software updates, and enterprise security compliance platforms.
- **Leases & Facilities:** Office lease costs, utility adjustments, and building maintenance for the 40 SPD offices across Wisconsin's 72 counties.

- **Travel & Continuing Legal Education (CLE):** Essential travel expenditures for client visits in detention facilities, court appearances across all jurisdictions, and mandatory trial skill and ethics training.

To align the agency's baseline budget with actual operational realities, the Public Defender Board requests an increase from $8,000 per FTE to $18,000 per FTE for the 603.15 FTE staff positions in the Trial and Appellate divisions, representing an increase of $10,000 per FTE annually. The cost per FTE increased significantly, driven by several mandatory operational expenses:

Account Description	**FY24**	**FY25**	**FY26**
Travel Cost	$696,078	$976,197	$579,456
Space & Leasing	$3,594,709	$3,999,028	$4,030,044
Subscriptions	$195,391	$1,076,763*	$22,954
Computer Software	$814	$1,352,786**	$358,424
DOA Records	$168,337	$176,106	$183,903
Other Supplies & Services (such as: mailings, client records, mobile devices, DOA Shared Service charges, IT equipment, IT security, furniture, etc.	$4,859,430	$9,212,800	$5,767,108

* *FY25 includes multi-year subscriptions for research, writing and investigation software for the 40 SPD offices and our private bar partners.*
** *FY26 includes multi-year security software licenses including Bitwarden, Absolute, and zScaler.*

Summary

Fund Source	**FY28**		**FY29**	
	Funding	**FTE**	**Funding**	**FTE**
GPR	$6,031,500	0.00	$6,031,500	0.00
PR	$0	0.00	$0	0.00
TOTAL	**$6,031,500**	**0.00**	**$6,031,500**	**0.00**

Prepared by:
Bridget Krause
Deputy Public Defender
414-244-9966

Decision Item by Line

Decision Item (DIN): 4012 - Supplies and Services Cost to Continue

Line Number	Expenditure Items	1st Year Cost	2nd Year Cost
01	Permanent Position Salaries	$0	$0
02	Turnover	$0	$0
03	Project Position Salaries	$0	$0
04	LTE/Misc. Salaries	$0	$0
05	Fringe Benefits	$0	$0
06	Supplies and Services	$6,031,500	$6,031,500
07	Permanent Property	$0	$0
08	Unallotted Reserve	$0	$0
09	Aids to Individuals & Organizations	$0	$0
10	Local Assistance	$0	$0
11	One-time Financing	$0	$0
12	Debt service	$0	$0
13		$0	$0
14		$0	$0
15		$0	$0
16		$0	$0
17	**TOTAL**	**$6,031,500**	**$6,031,500**
18	Project Positions Authorized	0.00	0.00
19	Classified Positions Authorized	0.00	0.00
20	Unclassified Positions Authorized	0.00	0.00

Decision Item by Numeric

Program: 01 - Legal assistance

Decision Item (DIN): 4012 - Supplies and Services Cost to Continue

Numeric	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
01 - Program operation	$6,031,500	$6,031,500	0.00	0.00
Program Sub Total	**$6,031,500**	**$6,031,500**	**0.00**	**0.00**
DIN 4012 - Supplies and Services Cost to Continue Total	**$6,031,500**	**$6,031,500**	**0.00**	**0.00**
Agency Total	**$6,031,500**	**$6,031,500**	**0.00**	**0.00**

Decision Item by Fund Source

Decision Item (DIN): 4012 - Supplies and Services Cost to Continue

Source of Funds	Type	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
GPR	S	$6,031,500	$6,031,500	0.00	0.00
DIN 4012 - Supplies and Services Cost to Continue Total		**$6,031,500**	**$6,031,500**	**0.00**	**0.00**
Agency Total		**$6,031,500**	**$6,031,500**	**0.00**	**0.00**

Decision Item (DIN): 4502 - Charging and Sentencing Alternatives

NARRATIVE

The Public Defender Board, for the Office of the State Public Defender (SPD), proposes statutory changes to the charging process for certain offenses to reduce the number of cases in which the SPD must appoint an attorney. This request would save at least $3,877,600 GPR in FY28 and $3,877,600 GPR in FY29 in agency-wide savings. There would also be collateral savings for other criminal justice system entities.

Office of the State Public Defender
2027-2029 Biennial Budget
Issue Paper

Topic: DIN 4502 – Charging and Sentencing Alternatives

Agency Request

The Public Defender Board, for the Office of the State Public Defender (SPD), proposes statutory changes to the charging process for certain offenses to reduce the number of cases in which the SPD must appoint an attorney. This request would save at least $3,877,600 GPR in FY28 and $3,877,600 GPR in FY29 in agency-wide savings. There would also be collateral savings for other criminal justice system entities.

Problem Description

Wisconsin's overbroad disorderly conduct (§ 947.01) and bail jumping (§ 946.49) statutes create systemic inefficiencies and unnecessary costs for the state, as well as local governments. Currently, sec. 947.01 functions as a catch-all offense and is routinely used to criminalize individuals who are experiencing mental health crises, substance-related distress, or poverty—situations better addressed by community-based resources and the civil legal system. Simultaneously, sec. 946.49 allows non-criminal bond infractions, such as violating an absolute sobriety bond requirement or missing a scheduling court date, to be charged as standalone criminal offenses, even though no new crime has occurred.

When these low-level issues are treated as crimes, the SPD is statutorily mandated to provide representation. However, because these matters seldom pose a risk to public safety, they are frequently resolved with non-criminal outcomes, including reductions to municipal ordinance violations or pre-trial diversions. Incurring the full cost of providing public defense for cases that do not result in criminal sanctions is an inefficient use of the SPD's limited resources, as well as the time and resources of other actors in the criminal legal system.

Background

The SPD has the statutory responsibility to appoint counsel for financially eligible defendants in criminal and juvenile delinquency cases, sec. 977.05(4)(i), Stats. The SPD does not provide representation to persons whose charges are classified as non-criminal forfeitures (such as city and county ordinance cases). Thus, when more cases are pursued as ordinance violations without the issuance of criminal charges, the SPD will have fewer cases in which it is required to appoint counsel. When defendants do not qualify for SPD representation but cannot afford an attorney, circuit courts must appoint counsel at county expense, a process known as a *Dean* appointment. State v. Dean, 163 Wis. 2d 503, 471 N.W.2d 310 (Ct. App. 1991). As such, county governments can also expect savings from the proposals herein.

Analysis

The right to counsel in a criminal proceeding is contained in both chapter 977 of the Wisconsin statutes and in the United States and Wisconsin Constitutions. Therefore, the SPD cannot unilaterally reduce the number of cases in which the agency appoints counsel. The SPD's caseload and associated costs are largely determined by the number and nature of criminal proceedings filed in state court. This proposal advances a potential strategy for reducing the number of SPD cases by amending specified criminal statutes. The changes requested in this proposal encompass both adult criminal charges and juvenile delinquency allegations. .

Narrow the scope of disorderly conduct statutes

The SPD requests a change to sec. 947.01, Disorderly Conduct, to remove the words "indecent, profane, boisterous, unreasonably loud" as the basis for criminal disorderly conduct. Municipalities would retain the ability to treat this as a non-criminal offense punishable in municipal court by a non-criminal sanction.

Defendants in these cases are currently eligible for representation by the SPD because a conviction for a misdemeanor can result in incarceration. In practice, however, many of these cases do not result in jail time; they are ultimately dismissed (on the prosecutor's motion or following an acquittal at trial), reduced to a conforming ordinance, or addressed with one or more alternatives to incarceration.

In 2024, the State filed a total of 27,894 criminal Disorderly Conduct charges in counties across the State. Of those, 11,851 were dismissed[1]. That number represents nearly 43 percent of all of the Disorderly Conduct charges brought by the State. Another 2,390 were resolved with an amendment and yet another 526 were deferred for prosecution. Only 9,375 of the total 27,894 charges resulted in a criminal conviction for Disorderly Conduct.

This proposal would also provide benefits to other justice agencies, such as district attorneys and courts, because more resources could be focused on prosecution and adjudication of more serious disorderly conduct allegations and other case types. Additionally, this amendment would allow the SPD to make additional case appointments to staff to handle other cases awaiting appointment.

In total, these proposed changes to disorderly conduct statutes would result in upwards of $1,162,000 in savings in each year of the biennium.

Reclassify bail jumping and limit multi-count charging

Under current law, a person who has been released from custody on bail (bond) and intentionally fails to comply with the terms of his or her bond is guilty of bail jumping. If the underlying crime for which the person was released is a misdemeanor, the bail jumping penalty is a Class A misdemeanor. If the underlying crime is a felony, the

[1] Wisconsin Court System. "Charging Data By Statute" [Interactive Dashboard]. Accessed September 2, 2026. https://www.wicourts.gov/publications/statistics/circuit/statutereporting.htm.

bail jumping penalty is a Class H felony. Additionally, under current case law, prosecutors may charge multiple counts of bail jumping for a single act if that act violates conditions in multiple separate pending bonds.

SPD recommends eliminating the felony penalty for bail jumping under sec. 946.49 and allowing for a misdemeanor penalty regardless of the classification of the underlying criminal charge. An SPD staff attorney carrying a misdemeanor caseload can generally handle twice the number of cases as an SPD staff attorney handling felony cases. This is due to the increased workload of handling felony cases with additional procedural steps and increased potential penalties. For every one felony bail jumping case, a staff attorney could handle two misdemeanor bail jumping cases. Between January 1, 2023 and December 31, 2025, the SPD appointed an attorney on 4,491 cases in which the only charge was felony bail jumping. If those appointments were for misdemeanor bail jumping cases, this would have allowed the SPD to make additional case appointments to staff to handle other cases awaiting appointment.

Further, the SPD recommends amending sec. 946.49, Stats., to clarify the statutory language of “terms” to establish that only one count of bail jumping may be charged for each event that leads to a violation of conditions. For example, if a person has three pending cases with identical bond conditions prohibiting alcohol consumption, a single instance of drinking would only allow for one charge of bail jumping and not three separate charges. Prosecutors across the state frequently dismiss bail jumping charges upon a plea to the underlying offense. In 2024, the State filed a total of 25,524 felony bail jumping charges and 22,794 misdemeanor bail jumping charges. Of these, 16,326 counts of felony bail jumping were dismissed and 14,938 counts of misdemeanor bail jumpings were dismissed[2]. This amendment would eliminate artificial charge stacking and reduce redundant state and local expenditures.

In total, these proposed changes to bail jumping statutes would result in upwards of $2,715,600 in savings in each year of the biennium.

Indeterminate time savings to staff

The calculated savings to the agency are based only on cases where bail jumping or disorderly conduct were the sole charge filed. Reductions in these cases would free up staff to take on new cases, thereby reducing the cost of private bar appointments. Between 2023 and 2025, staff handled an average of 3,733 cases annually in which the only charge was disorderly conduct. In the same time frame, staff handled an average of 3,240 cases annually in which the only charge was bail jumping.

The proposed changes are not expected to reduce the number of cases appointed to staff in which bail jumping or disorderly conduct are included alongside other charges. However, reducing the number of charges in these cases will save an

[2] Wisconsin Court System. "Charging Data By Statute" [Interactive Dashboard]. Accessed September 2, 2026. https://www.wicourts.gov/publications/statistics/circuit/statutereporting.htm.

indeterminate amount of time for staff, enabling them to work more efficiently. Between 2023 and 2025, staff handled an average of 13,920 cases annually in which disorderly conduct was one of multiple charges filed. In the same time frame, staff handled an average of 15,332 cases annually in which bail jumping was one of multiple charges filed.

Summary

	FY26		FY27	
	Funding	FTE	Funding	FTE
GPR	$ (3,877,600)	0.00	$ (3,877,600)	0.00
PR	$0	0.00	$0	0.00
TOTAL	$ (3,877,600)	0.00	$ (3,877,600)	0.00

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STATUTORY LANGUAGE

Bail jumping

- Amend Section 946.49, Stats., from “Bail Jumping” to “Violation of Terms of Bond.”
- Amend Section 946.49, Stats., to clarify the statutory language of “terms” to state that only one count of bail jumping may be charged for each event that leads to a violation of conditions.
- Amend Sections 946.49 to remove the felony penalty and make the crime of bail jumping a misdemeanor offense only, regardless of the underlying offense’s classification.

Disorderly Conduct

- Amend Section 947.01(1), Stats., as follows:
  - (1) Whoever, in a public or private place, engages in violent, abusive, ~~indecent, profane, boisterous, unreasonably loud~~ or otherwise disorderly conduct under circumstances in which the conduct tends to cause or provoke a disturbance is guilty of a Class B misdemeanor.

Decision Item by Line

Decision Item (DIN): 4502 - Charging and Sentencing Alternatives

Line Number	Expenditure Items	1st Year Cost	2nd Year Cost
01	Permanent Position Salaries	$0	$0
02	Turnover	$0	$0
03	Project Position Salaries	$0	$0
04	LTE/Misc. Salaries	$0	$0
05	Fringe Benefits	$0	$0
06	Supplies and Services	($3,877,600)	($3,877,600)
07	Permanent Property	$0	$0
08	Unallotted Reserve	$0	$0
09	Aids to Individuals & Organizations	$0	$0
10	Local Assistance	$0	$0
11	One-time Financing	$0	$0
12	Debt service	$0	$0
13		$0	$0
14		$0	$0
15		$0	$0
16		$0	$0
17	**TOTAL**	**($3,877,600)**	**($3,877,600)**
18	Project Positions Authorized	0.00	0.00
19	Classified Positions Authorized	0.00	0.00
20	Unclassified Positions Authorized	0.00	0.00

Decision Item by Numeric

Program: 01 - Legal assistance

Decision Item (DIN): 4502 - Charging and Sentencing Alternatives

Numeric	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
04 - Private bar invstgtr reimburse	($3,877,600)	($3,877,600)	0.00	0.00
Program Sub Total	**($3,877,600)**	**($3,877,600)**	**0.00**	**0.00**
DIN 4502 - Charging and Sentencing Alternatives Total	**($3,877,600)**	**($3,877,600)**	**0.00**	**0.00**
Agency Total	**($3,877,600)**	**($3,877,600)**	**0.00**	**0.00**

Decision Item by Fund Source

Decision Item (DIN): 4502 - Charging and Sentencing Alternatives

Source of Funds	Type	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
GPR	S	($3,877,600)	($3,877,600)	0.00	0.00
DIN 4502 - Charging and Sentencing Alternatives Total		**($3,877,600)**	**($3,877,600)**	**0.00**	**0.00**
Agency Total		**($3,877,600)**	**($3,877,600)**	**0.00**	**0.00**

Decision Item (DIN): 5001 - Private Bar Rate Increase

NARRATIVE

The Public Defender Board requests, for the Office of the State Public Defender (SPD), $1,033,500 GPR in FY26 and $9,300,800 GPR in FY27 to increase the private bar attorney reimbursement rate for the following case types: Class A, B, and C felonies and Termination of Parental Rights (TPR); and to increase the travel reimbursement rate from $50 to $100 per hour for all case types, effective July 1, 2027. Reimbursement for the specified case types would be increased from $100 to $177 per hour effective July 1, 2027 and indexed to the Criminal Justice Act (CJA) Panel Attorney Hourly Non-Capital Rate.

OFFICE OF THE STATE PUBLIC DEFENDER
2025-2027 Biennial Budget
Issue Paper

Topic: DIN 5001 – Private Bar Rate Increase

Agency Request

The Public Defender Board requests, for the Office of the State Public Defender (SPD), $1,033,500 GPR in FY26 and $9,300,800 GPR in FY27 to increase the private bar attorney reimbursement rate for the following case types: Class A, B, and C felonies and Termination of Parental Rights (TPR); and to increase the travel reimbursement rate from $50 to $100 per hour for all case types, effective July 1, 2027. Reimbursement for the specified case types would be increased from $100 to $177 per hour effective July 1, 2027 and indexed to the Criminal Justice Act (CJA) Panel Attorney Hourly Non-Capital Rate.

Problem Description

The ability to consistently and reliably recruit and retain private bar trial level litigation attorneys who accept appointments is vital to providing constitutionally required representation. It also has a direct impact on county expenses through increased jail costs, costs for appointment of counsel at county expense, and costs related to delays in the court process.

Following the increase in the hourly reimbursement and travel rates in the 2023-25 biennial budget, there has been an increase in the number of private attorneys certified to accept SPD appointments and the number of cases accepted by private attorneys.

Challenges remain, however, especially for market-driven reasons, to finding attorneys for specific case types, especially these high end/complex litigation types, and for rural locations.

Background

When the Legislature created the SPD in 1977, it established the hourly rate paid to private bar attorneys at $45 per hour for time spent in-court and $35 for time spent out-of-court. Travel time was reimbursed at $25 per hour. In 1992, the Legislature raised private bar rates to $50 per hour for in-court and $40 per hour for out-of-court work. In 1995, the private bar rate was reduced to $40 per hour for in-court work. In the 2019-21 biennial budget, the rate for both in-court and out-of-court work was increased to $70 per hour effective January 1, 2020.

Finally, in the 2023-25 biennial budget, the rate for both in-court and out-of-court work was increased to $100 per hour, and the travel rate was increased from $25 to $50 per hour, effective July 1, 2023.

Despite the attorney reimbursement rate increasing to $100 in 2023, the SPD rate of reimbursement remains far below the market rate for privately retained criminal defense counsel. Whereas this problem was more widespread prior to the most recent rate increase, there are several focused issues in terms of meeting specific business needs of private sector attorneys, especially in the most serious case appointments.

Analysis

The SPD proposes increasing the hourly reimbursement rate from $100 to $177 per hour for in-court and out-of-court work for trial level A, B, and C felonies and TPRs, and indexing that rate to the Criminal Justice Act (CJA) Panel Attorney Hourly Non-Capital Rate to match the Federal Public Defender[1] reimbursement rate. Further, we propose increasing the travel rate for all cases from $50 to $100 per hour. Both proposals align with Recommendations 1-A and 1-B from the Wisconsin Supreme Court Attorney Recruitment and Retention Committee's November 2025 report.

Private Bar In-and-Out of Court Reimbursement Rate

The SPD appoints cases to the private bar attorneys when SPD staff is unavailable primarily due to conflicts of interest, but also vacancies and workloads. Appointments necessitated by conflicts of interest include cases where multiple SPD clients are co-defendants in the same case or in which a current SPD client is a key witness against another client. In such cases conflict appointments to the private bar are required by the Wisconsin Supreme Court Rules of Professional Conduct.

The current $100 per hour rate has increased the number of attorneys accepting SPD appointments broadly, though challenges remain in recruiting attorneys to accept the most serious case types, and to accept cases in rural areas facing attorney shortages.

With serious felony cases and TPRs, attorneys must have substantial litigation and/or appellate experience. Attorneys with that level of experience often bill at or above the median rate for a criminal law private practitioner. Recently, Clio[2] released the 2025 Legal Trends Report, which listed the average rate per hour for Wisconsin lawyers (all case types) as $278, and $217 as the nationwide[3] average hourly rate for criminal defense lawyers.

In a 2025 ACD survey of private bar lawyers taking SPD cases, a strong majority of responding attorneys identified the low rate of compensation as the reason they would not accept a serious case. This is partly because the more difficult the case, the more work/time is required to effectively represent the client, and attorneys are unable to handle as many private pay cases. According to survey results, increasing the SPD rate to between $150-$200/hour would make attorneys more likely to accept a serious felony

[1] *See*, 18 U.S.C. §3006A(d)(1) and https://www.uscourts.gov/about-federal-courts/defender-services#:~:text=Today%2C%20panel%20attorneys%20are%20paid%20an%20hourly,include%20both%20attorney%20compensation%20and%20office%20overhead.and

[2] Clio is a leading case management software for law firms that captures billing data.

[3] Clio did not break this down by individual state.

appointment, with some attorneys requiring a $200-$250/hour rate. Meeting the federal rate ($177/hour[4]) for serious cases was also listed as an incentive to take SPD cases.

In order to attract more experienced attorneys to accept SPD appointments in more serious case types (Class ABC felonies and TPRs), SPD proposes to raise the rate to $177 per hour and to index that rate to the federal civilian employee pay adjustments to keep in line with the Federal Rate. Indexing to the federal rate also keeps the SPD competitive with federal appointments as attorneys may be inclined to take federal cases if the state rate is lower.

Because serious felony cases take at least 9-12 months to resolve, SPD proposes making this rate effective for cases appointed on or after July 1, 2027 but delaying the funding associated with the increase to July 1, 2028. This would result in a cost increase in FY 29 of an estimated $7,038,100.

Private Bar Travel Reimbursement

Another barrier to the appointment of counsel is the low rate of travel reimbursement, currently $50 per hour.

As attorneys in rural areas are leaving the practice of law, there are fewer, and sometimes no, new lawyers moving in. A 2024 report[5] noted that the crisis is especially dire in northern Wisconsin, where there were several counties with no lawyers. In 2025, recognizing the legal deserts and lack of access to justice in rural areas, the Wisconsin State Bar created an initiative for rural practice development to address attorney shortages.[6]

Because the SPD must appoint counsel in these rural underserved areas, the SPD recruits counsel from populated counties. While there is some opportunity for remote court appearances, attorneys from population centers must still travel to rural areas for certain hearings and jury trials, and to visit clients.[7] Many attorneys are unwilling to travel for $50 per hour.

SPD proposes to increase the travel reimbursement rate to $100 per hour for all cases appointed on or after July 1, 2027. Because many cases appointed on or after July 1, 2027 are expected to conclude during the first year of the biennium, the SPD requests an increase of $1,033,500 in FY 28. The estimated annual cost in FY 29 is $2,067,000.

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[4] https://www.uscourts.gov/administration-policies/judiciary-policies/guidelines-administering-cja-and-related-statutes-6#a230_16

[5] https://isthmus.com/news/news/attorney-shortage-worst-in-wisconsins-northern-counties/

[6] https://www.wisbar.org/NewsPublications/InsideTrack/Pages/Article.aspx?Volume=17&Issue=44&ArticleID=31361https://wausaupilotandreview.com/2025/07/15/state-bar-launches-programs-to-combat-wisconsins-rural-justice-gap/

[7] See, e.g., https://docs.legis.wisconsin.gov/document/statutes/subch.%20III%20of%20ch.%20885

Cost Estimate

The biennial cost estimate for the increased rate for trial and appellate level Class A, B, and C felony and TPR appointments is $7,233,800.

The biennial cost estimate to increase the travel reimbursement rate is $3,100,500.

The total biennial cost estimate for both proposals is $10,334,300.

Proposed Statutory Changes:

977.08(4m)(e) be amended as follows:
(e) Unless otherwise provided by a rule promulgated under s. 977.02 (7r) or by a contract authorized under sub. (3) (f), for cases assigned on or after July 1, 2023, and before July 1, 2027, private local attorneys shall be paid $100 per hour for time spent related to a case, excluding travel. For cases assigned on or after July 1, 2023, and before July 1, 2027, private local attorneys shall be paid $50 per hour for time spent in travel related to a case if any portion of the trip is outside the county in which the attorney's principal office is located or if the trip requires traveling a distance of more than 30 miles, one way, from the attorney's principal office.

977.08(4m)(f) be created to read:

(f) Unless otherwise provided by a rule promulgated under s. 977.02 (7r) or by a contract authorized under sub. (3) (f), for cases assigned on or after July 1, 2027, private local attorneys shall be paid as follows:

1. For travel time spent related to a case, $100 per hour for if any portion of the trip is outside the county in which the attorney's principal office is located or if the trip requires traveling a distance of more than 30 miles, one way, from the attorney's principal office.

2. For time spent related to the case, excluding travel under subd. 1.:

a. For a case in which at least one charge includes a Class A, B, or C felony, as defined in s. 939.50, or an involuntary termination of parental rights proceeding under s. 48.415, $177 per hour, or the adjusted rate established under subd. 2. b., whichever is applicable at the time the case is assigned.

b. Beginning on July 1, 2028, and on each July 1 thereafter, the hourly compensation rate under subd. 2. a. shall be adjusted by an amount equal to the percentage change in the hourly compensation rate approved by the Judicial Conference of the United States for non-capital court-appointed panel attorneys under 18 U.S.C. 3006A (d) (1) for that calendar year.

c. The state public defender shall annually calculate the adjusted rate under subd. 2. b. and publish the rate on the department's internet site no later than June 15 preceding the effective date of the adjustment.

d. For any case not specified under subd. 2. a., $100 per hour. Rates under this subd. 2. d. are not subject to the annual adjustment under subd. 2. b.

Summary

	FY 26		FY 27	
	Funding	FTE	Funding	FTE
GPR	$1,033,500	0.00	$9,300,800	0.00
PR	$0	0.00	$0	0.00
TOTAL	$1,033,500	0.00	$9,300,800	0.00

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STATUTORY LANGUAGE

977.08(4m)(e) be amended as follows:
(e) Unless otherwise provided by a rule promulgated under s. 977.02 (7r) or by a contract authorized under sub. (3) (f), for cases assigned on or after July 1, 2023, and before July 1, 2027, private local attorneys shall be paid $100 per hour for time spent related to a case, excluding travel. For cases assigned on or after July 1, 2023, and before July 1, 2027, private local attorneys shall be paid $50 per hour for time spent in travel related to a case if any portion of the trip is outside the county in which the attorney's principal office is located or if the trip requires traveling a distance of more than 30 miles, one way, from the attorney's principal office.
977.08(4m)(f) be created to read:

(f) Unless otherwise provided by a rule promulgated under s. 977.02 (7r) or by a contract authorized under sub. (3) (f), for cases assigned on or after July 1, 2027, private local attorneys shall be paid as follows:

1. For travel time spent related to a case, $100 per hour for if any portion of the trip is outside the county in which the attorney's principal office is located or if the trip requires traveling a distance of more than 30 miles, one way, from the attorney's principal office.

2. For time spent related to the case, excluding travel under subd. 1.:

a. For a case in which at least one charge includes a Class A, B, or C felony, as defined in s. 939.50, or an involuntary termination of parental rights proceeding under s. 48.415, $177 per hour, or the adjusted rate established under subd. 2. b., whichever is applicable at the time the case is assigned.

b. Beginning on July 1, 2028, and on each July 1 thereafter, the hourly compensation rate under subd. 2. a. shall be adjusted by an amount equal to the percentage change in the hourly compensation rate approved by the Judicial Conference of the United States for non-capital court-appointed panel attorneys under 18 U.S.C. 3006A (d) (1) for that calendar year.

c. The state public defender shall annually calculate the adjusted rate under subd. 2. b. and publish the rate on the department's internet site no later than June 15 preceding the effective date of the adjustment.

d. For any case not specified under subd. 2. a., $100 per hour. Rates under this subd. 2. d. are not subject to the annual adjustment under subd. 2. b.

Decision Item by Line

Decision Item (DIN): 5001 - Private Bar Rate Increase

Line Number	Expenditure Items	1st Year Cost	2nd Year Cost
01	Permanent Position Salaries	$0	$0
02	Turnover	$0	$0
03	Project Position Salaries	$0	$0
04	LTE/Misc. Salaries	$0	$0
05	Fringe Benefits	$0	$0
06	Supplies and Services	$1,033,500	$9,300,800
07	Permanent Property	$0	$0
08	Unallotted Reserve	$0	$0
09	Aids to Individuals & Organizations	$0	$0
10	Local Assistance	$0	$0
11	One-time Financing	$0	$0
12	Debt service	$0	$0
13		$0	$0
14		$0	$0
15		$0	$0
16		$0	$0
17	**TOTAL**	**$1,033,500**	**$9,300,800**
18	Project Positions Authorized	0.00	0.00
19	Classified Positions Authorized	0.00	0.00
20	Unclassified Positions Authorized	0.00	0.00

Decision Item by Numeric

Program: 01 - Legal assistance

Decision Item (DIN): 5001 - Private Bar Rate Increase

Numeric	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
04 - Private bar invstgtr reimburse	$1,033,500	$9,300,800	0.00	0.00
Program Sub Total	**$1,033,500**	**$9,300,800**	**0.00**	**0.00**
DIN 5001 - Private Bar Rate Increase Total	**$1,033,500**	**$9,300,800**	**0.00**	**0.00**
Agency Total	**$1,033,500**	**$9,300,800**	**0.00**	**0.00**

Decision Item by Fund Source

Decision Item (DIN): 5001 - Private Bar Rate Increase

Source of Funds	Type	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
GPR	S	$1,033,500	$9,300,800	0.00	0.00
DIN 5001 - Private Bar Rate Increase Total		**$1,033,500**	**$9,300,800**	**0.00**	**0.00**
Agency Total		**$1,033,500**	**$9,300,800**	**0.00**	**0.00**

Decision Item (DIN): 5002 - Workload Staffing

NARRATIVE

The Public Defender Board requests, for the Office of the State Public Defender (SPD), $5,265,000 GPR and 71.5 FTE in FY28 and $11,765,200 GPR and 140.5 FTE in FY29, representing a net total of $17,030,200 for the biennium to address workload shortages that contribute to delays in the provision of constitutionally required representation.

OFFICE OF THE STATE PUBLIC DEFENDER
2027-2029 Biennial Budget
Issue Paper

Topic: DIN 5002 – Workload Staffing for Trial and Appellate Divisions

Agency Request

The Public Defender Board requests, for the Office of the State Public Defender (SPD), $5,265,000 GPR and 71.5 FTE in FY28 and $11,765,200 GPR and 140.5 FTE in FY29, representing a net total of $17,030,200 for the biennium to address workload shortages that contribute to delays in the provision of constitutionally required representation.

Problem Description

The SPD is severely understaffed and underresourced. Due to lawyers operating at capacity and exceeding ethical caseload limits, there are waitlists of both non-conflict and conflict cases (that must be appointed to the private bar). Cases on those waitlists are regularly adjourned until an attorney can be appointed, causing greater backlogs in courts across the state. Staff attorneys are asked to handle a volume of cases that far exceeds national standards. They attempt to handle this unreasonable caseload with too few professional support staff, and then resign, which only exacerbates the problem. High turnover compounds the SPD's understaffed system: each time a public defender departs, their high caseload must be redistributed among remaining staff who are already operating above ethical capacity. This problem is the reality across the state and the Constitution requires a correction.

Background

The SPD's Trial and Appellate Divisions have approximately 380 FTE attorneys. These attorneys provide representation in a majority of the approximately 108,000 appointments made in FY 26.

In the Trial Division, as of May 6, 2026, there were over 4100 cases awaiting appointment of a lawyer, and the Appellate Division had over 2000 cases awaiting appointment. Reappointments (not appointments for new cases) must occur whenever there are resignations or withdrawals. In FY26, nearly 3100 cases had to be reappointed to staff. A significant reason for those numbers, and the number of cases awaiting appointment were 39 departures of assistant state public defenders in FY26.

The annual caseload of an assistant state public defender in the Trial Division "for budgetary determinations" is outlined in Wis. Stat. 977.08(5) as 184.5 felonies, or 492 misdemeanor cases. From FY20-26, staff attorneys provided representation on an average of 72,000 cases per year.

By comparison to the SPD budgetary caseload, the 2023 National Public Defense Workload Study (NPDWS), conducted by the RAND Corporation, concluded that an ethical annual caseload in a year is 59 "low-level" felonies, or 93-150 misdemeanors/year, depending on complexity.

To assist in representing those 72,000 cases and maintaining the 40 offices across the state, staff attorneys use investigators, paralegals, client service specialists, as well as legal secretaries. The ratio of this support, however, is minimal: approximately 0.6 support staff per attorney.

The National Association of Public Defense (NAPD) translated the NPDWS workload study into required staffing ratios. The recommended ratio to maintain effective representation for attorneys to support staff (Legal Assistant/Paralegal, Investigators, and Mitigation Specialists/Client Service Specialists) should be 1:1.17.

Analysis

For these two divisions, SPD requests 140.5 new positions—including 33.5 ASPDs and 107 support staff.

The additional 33.5 attorney positions are needed to relieve the waitlists and to keep pace with charging across the state. Since 2009, the Legislature has authorized 134.25 new prosecutor positions compared to only 57.2 public defender positions (attorneys and staff). This imbalance has created a bottleneck where the state's capacity to charge cases far outweighs its capacity to provide constitutionally mandated defense counsel. These additional attorney positions will be placed in trial and appellate offices to address waitlists and to keep up with the increased pace of charging. They will also be utilized as statewide litigators, providing representation on complex cases when a smaller office does not possess the necessary level of experience or staffing numbers.

The support staff positions are needed for multiple reasons. SPD offices are already significantly understaffed, and the positions are needed to keep up with the work the cases entail. As explained in the NPDWS, there has been a tremendous expansion of digital evidence, directly driving up the hours required per case and consequently reducing the maximum caseload an attorney can ethically handle.

Unsurprisingly, the above-outlined ASPD caseload is regularly cited as a primary reason for resignation. ASPDs have been asked to do too much with too little support. By way of comparison, prosecutors currently benefit from 1.2 support staff per attorney (along with the investigative resources of law enforcement), while the SPD office has just 0.6. The prosecutor's support staff are provided by the county boards while SPD support staff depends entirely on the state legislature budgetary process. The SPD request for 107 additional support positions is half of the NAPD ratio for what the SPD needs. This additional support will directly help with the workload these cases entail and will reduce turnover of all SPD staff.

Despite the lack of necessary support staff positions, the SPD has nonetheless attempted to meet the needs of staff attorneys with a patchwork of LTE support staff. Reliance on temporary staff, however, has proven to be inadequate and unsustainable. The SPD has not had the LTE budget for what is needed, and staff have been unable to rely on constantly changing and temporary support staff. Funding for permanent staffing will provide the needed stability and consistency that the agency needs to retain staff and provide representation for clients.

Support staff (at salaries roughly half of an attorney's) allow attorneys to remain in the courtroom rather than performing administrative tasks like sifting through massive amounts of digital discovery, sitting with incarcerated clients while they review their discovery, or managing phone calls. Support staff provide additional resources to clients and increase communication and responsiveness to client needs. Additional support would also reduce client requests for a new attorney thereby reducing the number of reappointments.

Specifically, the SPD requests 15 additional legal secretaries, due to added office needs, attorney needs, and the significant increases in electronic discovery. The SPD requests 53 paralegal positions, necessary to assist with motion practice, review of discovery with clients, and necessary assistance with trial litigation. The SPD requests 11 additional investigator positions (PDI), which will allow for an investigator to be in every office, a necessity to ensure adequate investigative support across increased caseloads. The SPD requests 28 additional client service specialists (CSS), since a prominent feature of an ASPD's caseload are clients with significant mental health issues, and additional resources are needed to obtain records, provide treatment resources, provide information to courts, and to provide necessary communication with clients.

The current reality is overworked and under-resourced public defenders which results in turnover, delays in appointment, and struggles to keep up with the demands of the work. Systemic delays in representation affect the rest of the justice system as well: overcrowding in jails, delayed court hearings, expensive appointments at county expense, and the oversized negative consequences on clients (prolonged incarceration, housing instability, loss of employment, and damaged family connections). The SPD's budget request is to correct this imbalance and to address these harms.

The SPD's request for supplies and services has previously been set at $8000 per FTE. That amount has been insufficient for the realities of public defense, considering the costs of experts, private office leases, travel costs, basic office operations needs, and necessary software for receiving and managing electronic discovery. In FY26, the *actual* supplies and services costs in the Trial Division was over $18,000 per FTE, and these costs (including leases) are expected to increase. To pay for the actual supplies and services costs, the SPD requests $18,000 per FTE for these positions.

Summary

	FY 28		FY 29	
	Funding	FTE	Funding	FTE
GPR	$5,265,000	71.5	$11,765,200	140.5
PR	$0		$0	
TOTAL	$5,265,000	71.5	$11,765,200	140.5

Prepared by:
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Decision Item by Line

Decision Item (DIN): 5002 - Workload Staffing

Line Number	Expenditure Items	1st Year Cost	2nd Year Cost
01	Permanent Position Salaries	$2,851,400	$6,630,700
02	Turnover	$0	$0
03	Project Position Salaries	$0	$0
04	LTE/Misc. Salaries	$0	$0
05	Fringe Benefits	$1,115,800	$2,594,700
06	Supplies and Services	$1,297,800	$2,539,800
07	Permanent Property	$0	$0
08	Unallotted Reserve	$0	$0
09	Aids to Individuals & Organizations	$0	$0
10	Local Assistance	$0	$0
11	One-time Financing	$0	$0
12	Debt service	$0	$0
13		$0	$0
14		$0	$0
15		$0	$0
16		$0	$0
17	**TOTAL**	**$5,265,000**	**$11,765,200**
18	Project Positions Authorized	0.00	0.00
19	Classified Positions Authorized	56.00	107.00
20	Unclassified Positions Authorized	15.50	33.50

Decision Item by Numeric

Program: 01 - Legal assistance

Decision Item (DIN): 5002 - Workload Staffing

Numeric	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
02 - Appellate representation	$686,800	$1,333,300	8.50	14.00
03 - Trial representation	$4,578,200	$10,431,900	63.00	126.50
Program Sub Total	**$5,265,000**	**$11,765,200**	**71.50**	**140.50**
DIN 5002 - Workload Staffing Total	**$5,265,000**	**$11,765,200**	**71.50**	**140.50**
Agency Total	**$5,265,000**	**$11,765,200**	**71.50**	**140.50**

Decision Item by Fund Source

Decision Item (DIN): 5002 - Workload Staffing

Source of Funds	Type	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
GPR	S	$5,265,000	$11,765,200	71.50	140.50
DIN 5002 - Workload Staffing Total		**$5,265,000**	**$11,765,200**	**71.50**	**140.50**
Agency Total		**$5,265,000**	**$11,765,200**	**71.50**	**140.50**

Decision Item (DIN): 5003 - Client Appointment Project

NARRATIVE

The Public Defender Boards requests, for the State Public Defenders Office (SPD), $1,041,600 in FY28 and $1,292,800 in FY29, representing a net total of $2,334,400 for the biennium to recruit 15 Client Appointment Project (CAP) Paralegals and one supervisor to manage the specialized workflow.

Office of the State Public Defender
2027-2029 Biennial Budget
Issue Paper

Topic: DIN 5003 - Client Appointment Project (CAP)

Agency Request

The Public Defender Boards requests, for the State Public Defenders Office (SPD), $1,041,600 in FY28 and $1,292,800 in FY29, representing a net total of $2,334,400 for the biennium to recruit 15 Client Appointment Project (CAP) Paralegals and one supervisor to manage the specialized workflow.

Problem Description

The Board requests 15.0 FTE CAP Paralegals and 1.0 FTE CAP Supervisor positions to provide permanent staffing and facilitate the expansion of a centralized CAP unit. These permanent positions resolve the constitutional risk of delayed counsel.

Currently, the CAP unit functions with a single full-time permanent CAP Paralegal and depends significantly on temporary Limited Term Employees (LTEs) to coordinate private bar conflict appointments for 57 of Wisconsin's 72 counties. Establishing a fully staffed, permanent CAP unit will address two vital challenges within the state's criminal legal system:

- System-Wide Efficiency & Timeliness: Creating a standardized process improves the timeliness of private bar appointments for conflict and overflow cases throughout all Wisconsin Counties, directly supporting Wisconsin's constitutional obligation to provide effective and timely representation.

- Administrative Relief & Staff Retention: Shifting the substantial workload of private bar appointments away from the local SPD legal secretaries enables support to focus on administrative duties and assist attorneys with the significant increase of digital discovery, while directly collaborating with the SPD Assigned Counsel Division (ACD) to recruit and retain private bar attorneys.

In offices lacking CAP resources, SPD Legal Secretaries dedicate a significant part of their workday finding private bar counsel for conflict cases. This prevents support staff from fulfilling vital primary duties, such as evaluating clients for SPD eligibility, managing high-volume call traffic, and processing legal correspondence. Additionally, support staff are responsible for preparing pleadings, basic motions, and coordinating communication with institutions for client visits.

The absence of centralized appointment staffing hinders the management of digital discovery. Without CAP, legal secretaries struggle to oversee the download, review, and organization of electronic evidence essential for modern case management. Shifting private bar appointments to a dedicated unit allows local staff to focus on these critical support functions.

Finally, forcing staff attorneys to manage clerical tasks alongside complex legal cases contributes to attorney burnout and worsens the current retention crisis within the SPD.

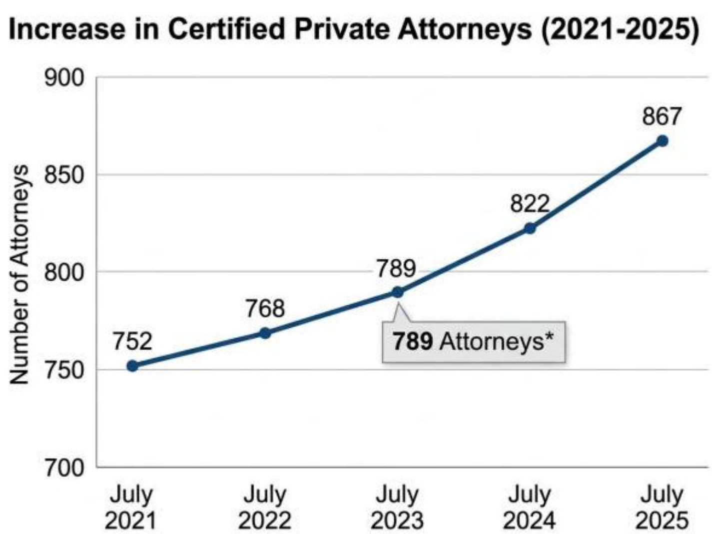
Background

The SPD received 1.5 FTE for classified support professionals in the FY21-23 budget. The SPD used 1.0 FTE to create a full time CAP Paralegal position and started the Client Appointment Pilot. Supported by two LTE CAP paralegals, the full-time CAP paralegal focused on offices with large conflict lists where local secretaries struggled to manage private bar appointments.

Allowing CAP paralegals to concentrate on case appointments produced immediate results:

- **Increased Appointments**: Offices with lengthy conflict lists saw faster appointments.
- **Improved Job Satisfaction**: As CAP expanded to 57 counties, legal secretaries returned to core client and administrative duties, while attorneys refocused on discovery review, client visits, court appearances, motion writing and litigation.
- **Judicial Requests**: Multiple courts specifically requested CAP paralegal coverage for their counties to alleviate local backlog.
- **Private Bar Recruitment**: CAP paralegals leverage the Consolidated Court Automation Programs (CCAP) to strategically identify private bar attorneys currently accepting court appointments. By cross-referencing these findings with the SPD certification list, the unit proactively recruits uncertified attorneys and coordinates with the Assigned Counsel Division (ACD) to streamline their addition to the SPD certification list. Between 2021 and 2025, ACD added 125 certified attorneys to the list, leveraging the 2023 $100/hour rate increase.

Figure 1: Steady growth in the number of certified private bar attorneys from July 2021 (752) to July 2025 (867). The implementation of the $100/hour rate in 2023 significantly



*contributed to this sustained upward trend in recruitment and retention. *Rate increased to $100/hour*

Analysis

CAP centralizes the process of assigning conflict cases to private bar attorneys. By consolidating these efforts, CAP creates a standardized, reliable, and efficient process that addresses private bar appointment concerns throughout Wisconsin counties, mitigates court backlogs, and reduces "jail wait times."

Relying on 1 permanent FTE supplemented by LTEs is structurally unsustainable. In FY26, agency-wide LTE spending exceeded budget limits due to an urgent reliance on these temporary staff to cover core appointment needs. Investing in a permanent CAP unit represents a more fiscally responsible strategy than continuously incurring the high administrative costs and delays of recruiting and training temporary staff.

The historical data illustrates that private bar appointments are a permanent, high-volume structure of Wisconsin's Public Defender system. Between FY20 and FY26, the SPD processed 305,658 private bar appointments, an average of 43,665 cases per year, representing 37.7% of all agency case assignments. Decentralizing the management of ~43,600 annual appointments forces legal secretaries to spend their workdays calling private attorneys rather than processing evidence. Centralizing this massive workload into 15 permanent CAP Paralegals protects agency operations.

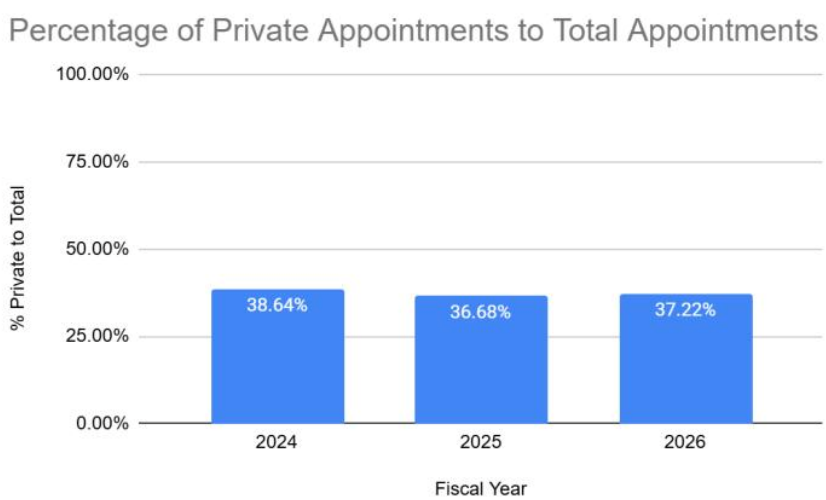


Figure 2: Private bar appointments as a percentage of total agency case assignments (FY2024-FY2026). Data illustrates the consistent high-volume workload requiring centralized appointment management.

Digital Discovery Impact

Modern defense litigation requires managing and reviewing digital discovery, including body camera video, squad car footage, cell phone videos, license plate readers (FLOCK cameras), and other police surveillance tools has increased significantly. According to the 2023 National Public Defense Workload Study (NPDWS) conducted by the RAND Corporation, cases take twice as much time to resolve today compared to historic metrics, primarily due to digital evidence requirements.[1]

When CAP paralegals manage the private bar appointment workflow, local legal secretaries can focus on downloading, organizing, and preparing electronic evidence. This keep staff attorneys in the courtroom, increases client communication, reduces requests for new counsel, and minimizes costly reappointments.

Summary

	FY28		FY29	
	Funding	FTE	Funding	FTE
GPR	$1,041,600	16.00	$1,292,800	16.00
PR	$0	0.00	$0	0.00
TOTAL	$1,041,600	16.00	$1,292,800	16.00

Prepared by:
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[1] Nicholas M. Pace, Malia N. Brink, Cynthia G. Lee, and Stephen F. Hanlon, *National Public Defense Workload Study* (Santa Monica, Calif.: RAND Corporation, 2023), https://www.rand.org/pubs/research_reports/RRA2559-1.html.

Decision Item by Line

Decision Item (DIN): 5003 - Client Appointment Project

Line Number	Expenditure Items	1st Year Cost	2nd Year Cost
01	Permanent Position Salaries	$541,600	$722,200
02	Turnover	$0	$0
03	Project Position Salaries	$0	$0
04	LTE/Misc. Salaries	$0	$0
05	Fringe Benefits	$212,000	$282,600
06	Supplies and Services	$288,000	$288,000
07	Permanent Property	$0	$0
08	Unallotted Reserve	$0	$0
09	Aids to Individuals & Organizations	$0	$0
10	Local Assistance	$0	$0
11	One-time Financing	$0	$0
12	Debt service	$0	$0
13		$0	$0
14		$0	$0
15		$0	$0
16		$0	$0
17	**TOTAL**	**$1,041,600**	**$1,292,800**
18	Project Positions Authorized	0.00	0.00
19	Classified Positions Authorized	16.00	16.00
20	Unclassified Positions Authorized	0.00	0.00

Decision Item by Numeric

Program: 01 - Legal assistance

Decision Item (DIN): 5003 - Client Appointment Project

Numeric	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
03 - Trial representation	$1,041,600	$1,292,800	16.00	16.00
Program Sub Total	**$1,041,600**	**$1,292,800**	**16.00**	**16.00**
DIN 5003 - Client Appointment Project Total	**$1,041,600**	**$1,292,800**	**16.00**	**16.00**
Agency Total	**$1,041,600**	**$1,292,800**	**16.00**	**16.00**

Decision Item by Fund Source

Decision Item (DIN): 5003 - Client Appointment Project

Source of Funds	Type	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
GPR	S	$1,041,600	$1,292,800	16.00	16.00
DIN 5003 - Client Appointment Project Total		**$1,041,600**	**$1,292,800**	**16.00**	**16.00**
Agency Total		**$1,041,600**	**$1,292,800**	**16.00**	**16.00**

Decision Item (DIN): 5004 - Human Resources Administrative Needs

NARRATIVE

The Public Defender Board requests, for the Office of the State Public Defender (SPD), 1.0 FTE and $79,400 GPR in FY 28 and $99,900 in FY 29 to hire an additional HR Specialist.

State Public Defenders
2027-2029 Biennial Budget
Issue Paper

Topic: DIN 5004 Human Resources Administrative Needs

Agency Request
The Public Defender Board requests, for the Office of the State Public Defender (SPD), 1.0 FTE and $79,400 GPR in FY 28 and $99,900 in FY 29 to hire an additional HR Specialist.

Problem Description
The SPD faces a systemic administrative resource crisis that can no longer be addressed through internal reallocations or temporary measures. Currently, our Human Resources department is critically under-staffed—operating with a ratio of 1 HR staff member to 122 employees. Additional administrative positions are necessary to support increased agency staffing. Without an additional HR Specialist to handle core functions—including general HR issues, employee relations, performance management, policy compliance, and targeted recruitment—the agency remains in a reactive posture, driving burnout and hindering efforts to sustain staff morale and retain talent across our offices.

Background
The SPD continues to face significant challenges in recruiting and retaining qualified personnel across both attorney and support staff positions. Historically, the SPD has lacked dedicated administrative capacity to manage sustained, agency-wide recruitment efforts and address ongoing employee relations needs. This work has been left largely to Limited Term Employees (LTEs) or overburdened existing staff, which prevents a sustained, strategic approach to workforce management. When public defenders and legal support staff are pushed to the breaking point without adequate administrative infrastructure, morale drops, leading to high turnover and severe operational delays across the criminal legal system.

Analysis
An analysis of staffing benchmarks reveals a stark and unsustainable disparity: the SPD's current ratio of HR staff to employees is 1 to 118, while comparable statistics-based agencies maintain an average ratio of 1 HR professional for every 66 employees. Operating with nearly half the human resources capacity of its peers creates a severe bottleneck that directly impacts daily operations. The SPD HR Department includes 1 Human Resources Director, 2 HR specialists, and 2 Payroll & Benefit specialists. With only two HR specialists, the department lacks the bandwidth to handle fundamental administrative tasks.

Adding 1.0 FTE HR Specialist is essential to support existing staff and absorb the administrative workload associated with agency growth. Specifically, the requested HR Specialist will:

- Coordinate Recruitments: Lead targeted recruitment initiatives at undergraduate and law school events across the country to build a sustained talent pipeline.

- Manage General HR & Employee Relations: Assist existing HR staff with employee relations, performance management, and resolving day-to-day personnel concerns to improve staff morale and retention.
- Ensure Policy Compliance: Maintain strict compliance with SPD and Department of Administration (DOA) policies.
- Support Operational Capacity: Provide the structural infrastructure needed to manage modern litigation demands and protect staff from burnout.

Fiscal Responsibility & LTE Reliance Reduction

The current reliance on Limited Term Employees (LTEs) to perform core, ongoing administrative and recruitment functions is structurally inefficient and financially unsustainable. Approving 1.0 FTE permanent HR Specialist creates a stable, cost-effective administrative foundation that directly mitigates the agency's reliance on increased LTE spending while establishing long-term institutional knowledge.

Infrastructure for Agency Growth & Systemic Impact

The SPD's budget request includes 162.5 new positions (30 ASPDs, 126.5 support staff, and 6 administrative staff). The budget request is designed to address crippling caseloads and modern digital discovery demands. If provided, the hiring of these positions will be split across each year of the biennium. The current HR staffing ratio of 1 specialist per 118 employees cannot absorb the recruitment, onboarding, performance management, and policy compliance required for an expansion of this scale. Investing in 1.0 FTE HR Specialist ensures the agency can successfully execute this large-scale hiring effort, directly reducing attorney burnout and high turnover. Unaddressed turnover and vacant positions extend across the entire legal system. Funding this central HR position protects state and local expenditures by stabilizing the public defense workforce.**Summary**

	FY28		FY29	
	Funding	FTE	Funding	FTE
GPR	$79,400	1.00	$99,900	1.00
PR	$0	0.00	$0	0.00
TOTAL	$0	0.00	$0	0.00

Prepared by:
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Decision Item by Line

Decision Item (DIN): 5004 - Human Resources Administrative Needs

Line Number	Expenditure Items	1st Year Cost	2nd Year Cost
01	Permanent Position Salaries	$44,100	$58,800
02	Turnover	$0	$0
03	Project Position Salaries	$0	$0
04	LTE/Misc. Salaries	$0	$0
05	Fringe Benefits	$17,300	$23,100
06	Supplies and Services	$18,000	$18,000
07	Permanent Property	$0	$0
08	Unallotted Reserve	$0	$0
09	Aids to Individuals & Organizations	$0	$0
10	Local Assistance	$0	$0
11	One-time Financing	$0	$0
12	Debt service	$0	$0
13		$0	$0
14		$0	$0
15		$0	$0
16		$0	$0
17	**TOTAL**	**$79,400**	**$99,900**
18	Project Positions Authorized	0.00	0.00
19	Classified Positions Authorized	1.00	1.00
20	Unclassified Positions Authorized	0.00	0.00

Decision Item by Numeric

Program: 01 - Legal assistance

Decision Item (DIN): 5004 - Human Resources Administrative Needs

Numeric	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
01 - Program operation	$79,400	$99,900	1.00	1.00
Program Sub Total	**$79,400**	**$99,900**	**1.00**	**1.00**
DIN 5004 - Human Resources Administrative Needs Total	**$79,400**	**$99,900**	**1.00**	**1.00**
Agency Total	**$79,400**	**$99,900**	**1.00**	**1.00**

Decision Item by Fund Source

Decision Item (DIN): 5004 - Human Resources Administrative Needs

Source of Funds	Type	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
GPR	S	$79,400	$99,900	1.00	1.00
DIN 5004 - Human Resources Administrative Needs Total		**$79,400**	**$99,900**	**1.00**	**1.00**
Agency Total		**$79,400**	**$99,900**	**1.00**	**1.00**

Decision Item (DIN): 5010 - Case Management System Replacement

NARRATIVE

The Public Defender Board requests, for the Office of the State Public Defender (SPD), $2,800,000 GPR in FY28 and $1,036,600 in FY29, representing a net total of $3,836,600 for the biennium to replace the current case management system, eOPD.

Office of the State Public Defender
2027-2029 Biennial Budget
Issue Paper

Topic: DIN 5010 - Case Management System Replacement

Agency Request

The Public Defender Board requests, for the Office of the State Public Defender (SPD), $2,800,000 GPR in FY28 and $1,036,600 in FY29, representing a net total of $3,836,600 for the biennium to replace the current case management system, eOPD.

Problem Description

Lack of funding for Information Technology resources within the SPD have made it difficult for the agency to maintain adequate information technology to meet the existing business needs of the agency, including the replacement of our case management system.

Background

The SPD implemented a web-based case management system in 2002 (eOPD), which also serves as the billing system for private bar attorneys assigned SPD cases. Because clients are assessed a payment fee for legal representation, a client accounts and verification module is included in the system. Since eOPD was implemented, over 2.9 million cases have been entered in the system. This system is not sophisticated enough to ensure the reliability and accuracy of the data, and users have reported discrepancies when performing conflict of interest checks and entering or searching for other data in the system.

The SPD manages its extensive statewide caseload through a proprietary legacy system developed more than 20 years ago. This antiquated platform was designed for simple data entry rather than the complex, collaborative needs of a modern defense team, and as the legal landscape shifts toward digital discovery and integrated social services, our staff is forced to work around – rather than with – our technology.

SPD needs a case management system (CMS) that moves beyond basic record-keeping and provides a centralized, secure, and user-friendly "one-stop-shop" for case management. The goal is to replace the existing custom build system with a platform that streamlines document management, automates conflict checking, handles high-volume digital discovery, maintains calendars for court appearances, and provides advanced analytics for workload and reporting. The system must facilitate seamless collaboration between attorneys and support staff who compromise the defense team. Additionally, the CMS would also be used for performance tracking, workload analysis, and legislative reporting.

Analysis

The SPD's legacy case management system (eOPD) needs to be replaced. It is over 20 years old and today's developers do not possess the skill sets required to work on the outdated technology that supports the case management system making it difficult to recruit and retain developers capable of making the required changes to the system.

To continue to support the mission of our agency as well as meet the ethical and legal requirements for our attorneys, the agency must replace the existing case management system. It is critical to the agency's success that this system be replaced.

Replacement System

The decision to build or buy a software solution is always a consideration. In general, it is a better practice to consider buying a solution for the following reasons:

- Public Defender/Law Office requirements are fairly standard, so the SPD can consider mature products in the market that will address the agency's business needs.
- Vendors have the benefit of working with multiple agencies and law offices, which allows them to adapt products to meet industry best practices.
- Vendors plan to continue to sell their product, so they are likely to continue to invest in enhancing and improving their product.
- Vendor user groups provide an outstanding forum to get input from peers on how to best make use of the application.
- IT developers in an organization may move to the next project after this one, potentially resulting in a gap in technical knowledge. The vendors will continue to have qualified personnel supporting the application.
- The agency can identify vendors and systems that can potentially meet all of the business requirements and can ensure that they offer the functionality required, have a proven track record, and can provide ongoing support.

On March 11, 2026, the SPD issued a Request for Information (RFI) for information and planning purposes for acquisition of a new Case Management System (CMS). Nineteen vendors responded to the RFI. The RFI validated that there are capable solutions in the market. Some options available include products offered by Journal Technologies, Karpel, Legal Edge, LegalServer, ZLS, Pine Technologies, and Hike2. Every option would need significant review and demonstration to make sure the system would meet all requirements of SPD case management, conflict of interest checks, private bar billing, and client accounts and verification processing.

The new CMS will support our operational and organizational strategy around digital case handling and data-driven defense. It will help the SPD gain a better understanding of staffing and operational needs.

Based upon responses to the RFI, costs could range from $1,603,120 to $4,000,000 for initial implementation and $153,120 to $1,920,010 for annual costs. The most affordable CMS for annual costs had very high implementation costs. There was not a low cost implementation and a low annual cost CMS. CMS costs vary depending upon features, number of users, etc. SPD's estimate includes a per case entry fee per case, customization costs, and conversion of one year of open case data.

SPD's new CMS would need to:

- be accessible from multiple locations

- manage data storage to off site, lessening network upkeep and costs
- be able to fully complete all internal case management needs
- import CCAP data fields
- be accessible and understandable to the SPD users who enter and retrieve data

Implementing the new system will require staff training and legacy data migration. Once in place, the agency expects to gain efficiencies through automated workflows, standardized case management, and intuitive interfaces that minimize manual data entry. Additionally, the system will enable seamless data sharing with external partners and deliver analytics to optimize staff allocation.

Reengineering of Current System

Legacy systems generally consist of invaluable assets with embedded business logic representing many years of coding, developments, enhancements, and modifications. However, they are often undocumented, tightly coupled, and relatively closed, and inflexible. In most cases, they were developed independently without a consistent underlying architecture, resulting in overlapping and redundant functionality and data. Re-engineering the legacy system would require a full decommissioning of the existing system and then a full rebuild - and only then the addition of any new functionality. This sequence ensures that the system will complete the existing processes but allows for a significant reduction and simplification in coding, a fix of current erroneous coding and a clear understanding of the needed improvements in system design.

The current eOPD case management system would require significant upgrades to the software, programming and reporting abilities to fix significant deficiencies within the system. These upgrades would require contractors to complete ongoing maintenance of the system. The agency estimates that to adequately re-engineer the current case management system would require that 5-7 contractor positions over the biennium be utilized to cover project management, business analytics, database architecture, and programming hours. SPD would also need to purchase the hardware and software required to support the data storage needs.

Information Technology Management Strategic Plan

This request is consistent with the SPD 2026-2027 Annual Information Technology Plan as submitted to the Department of Administration in June 2026. Specifically, the project enhances service delivery by aligning the service delivery method more closely with current business requirements. The project expands utilization of technology to improve efficiencies and reduce costs. The reengineering or replacement of a legacy system is crucial to allow for mobile technology accessibility and according to the Strategic Plan, more efficient, more secure, and cost effective.

Return on Investment

The Return on Investment (ROI) will be realized in efficiency savings that improve data validity, improve service delivery, and increase security. For staff who complete conflict checks they would be able to accurately determine if staff attorneys can take a case. Being able to confidently determine whether a conflict exists is significant to meet the ethical requirements of the legal profession. Also, there will be efficiency savings that a new case management system would reduce or fully eliminate the need for duplicative entries of data allowing for improved service delivery.

Summary

Replacing a legacy system will have a beneficial impact on SPD, by addressing the need to correct and redefine essential business processes. The antiquated architecture of the agency's legacy system has limited the ability to improve system capabilities, the associated business processes, and staff communications. The agency is committed to the replacement of our legacy system as the least expensive and best decision to strengthen operational capabilities, adapt to changes in the criminal justice field, and meet increasing staff and client expectations.

	FY28		FY29	
	Funding	FTE	Funding	FTE
GPR	$2,800,000	0.00	$1,036,600	0.00
PR	$	0.00	$	0.00
TOTAL	$2,800,000	0.00	$1,036,600	0.00

Prepared by:
Rhonda Frank-Loron
Administrative Services Director
608-261-0084

Decision Item by Line

Decision Item (DIN): 5010 - Case Management System Replacement

Line Number	Expenditure Items	1st Year Cost	2nd Year Cost
01	Permanent Position Salaries	$0	$0
02	Turnover	$0	$0
03	Project Position Salaries	$0	$0
04	LTE/Misc. Salaries	$0	$0
05	Fringe Benefits	$0	$0
06	Supplies and Services	$2,800,000	$1,036,600
07	Permanent Property	$0	$0
08	Unallotted Reserve	$0	$0
09	Aids to Individuals & Organizations	$0	$0
10	Local Assistance	$0	$0
11	One-time Financing	$0	$0
12	Debt service	$0	$0
13		$0	$0
14		$0	$0
15		$0	$0
16		$0	$0
17	**TOTAL**	**$2,800,000**	**$1,036,600**
18	Project Positions Authorized	0.00	0.00
19	Classified Positions Authorized	0.00	0.00
20	Unclassified Positions Authorized	0.00	0.00

Decision Item by Numeric

Program: 01 - Legal assistance

Decision Item (DIN): 5010 - Case Management System Replacement

Numeric	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
01 - Program operation	$2,800,000	$1,036,600	0.00	0.00
Program Sub Total	**$2,800,000**	**$1,036,600**	**0.00**	**0.00**
DIN 5010 - Case Management System Replacement Total	**$2,800,000**	**$1,036,600**	**0.00**	**0.00**
Agency Total	**$2,800,000**	**$1,036,600**	**0.00**	**0.00**

Decision Item by Fund Source

Decision Item (DIN): 5010 - Case Management System Replacement

Source of Funds	Type	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
GPR	S	$2,800,000	$1,036,600	0.00	0.00
DIN 5010 - Case Management System Replacement Total		**$2,800,000**	**$1,036,600**	**0.00**	**0.00**
Agency Total		**$2,800,000**	**$1,036,600**	**0.00**	**0.00**

Decision Item (DIN): 7900 - IT Staffing Needs

NARRATIVE

The Public Defender Board requests, for the Office of the State Public Defender (SPD), $265,500 GPR and 3.0 FTE in FY28 and $516,800 GPR and 5.0 FTE in FY29, for a combined total of $782,300 to increase cybersecurity and address workload issues that contribute to the delays in the provision of constitutionally required representation.

Office of the State Public Defender
2027-2029 Biennial Budget
Issue Paper

Topic: DIN 7900 - IT Staffing Increasing Cybersecurity

Agency Request

The Public Defender Board requests, for the Office of the State Public Defender (SPD), $265,500 GPR and 3.0 FTE in FY28 and $516,800 GPR and 5.0 FTE in FY29, for a combined total of $782,300 to increase cybersecurity and address workload issues that contribute to the delays in the provision of constitutionally required representation.

Problem Description

The SPD has a current ratio of 1 IT professional to 85 FTE staff members, comparable state agencies benefit from a far more robust support ratio of 1 IT professional to 8 employees. This staffing discrepancy is especially critical considering that the SPD manages its own network and security infrastructure independently of the Division of Enterprise Technology (DET).

Background

The current IT staff of seven FTEs is critically insufficient to support the current agency staff and an agency of this size. The current staffing levels within the State Public Defender's (SPD) IT division reveal a critical disparity when measured against industry benchmarks and other WI state agencies.

Analysis

Additional administrative positions are necessary to keep up with current charging practices, respond to increased charging capability, and support increased staffing. The request for 5 IT positions (focused on cybersecurity, development, user support, and data) is essential to manage the increased need for positions that support staff and protect the sensitive digital discovery that now defines modern litigation.

- **FY28 Additions (3.00 FTE):**
    - IS Technical Services - Specialist ($74,672/year) - for IT cybersecurity and implementing CIS controls
    - IS Systems Development Services - Senior ($63,980/year) for patching and maintaining IT resources, as directed by CIO and cybersecurity specialist
    - IS Technical Services - Senior ($63,980/year) for user support
- **FY29 Additions (2.00 FTE):**
    - IS Enterprise Data Services - Senior ($63,980/year)
    - IS Technical Services - Specialist ($74,672/year) for network and infrastructure management

This expanded team will ensure network independence, which is required due to the confidential nature of client representation. Maintaining existing staffing constraints poses a substantial risk to mission-critical initiatives—specifically the Case Management System and Data Dashboard projects that are vital to modernizing legal practice and handling police body-camera discovery.

Five additional IT staff will allow the SPD to fulfill critical functions, including application development for electronic case management in light of all the digital discovery coming from prosecutors and law enforcement agencies statewide, implementing security initiatives and monitoring security cyberrisks, which are entirely dependent on IT staff.

Agency	Total IT Staff	#FTEs	Ratio
SPD	7	593	1:85
DOJ	50	800	1:16
DPI	68	1900	1:27
ETF	65	300	1:5
DCF	114	788	1:7

Even with the addition of additional IT staff, SPD's ratio would still be one of the highest among state agencies at 1 IT position per 593 FTE. The cost for these positions in the administrative office is $265,500 in FY28 and $516,700 in FY29.

Summary

	FY28		FY29	
	Funding	FTE	Funding	FTE
GPR	$265,500	3.00	$516,800	5.00
PR	$0	0.00	$0	0.00
TOTAL	$265,500	3.00	$516,800	5.00

Prepared by:

Rhonda Frank-Loron
Administrative Services Director
608-261-0084

Decision Item by Line

Decision Item (DIN): 7900 - IT Staffing Needs

Line Number	Expenditure Items	1st Year Cost	2nd Year Cost
01	Permanent Position Salaries	$152,000	$306,700
02	Turnover	$0	$0
03	Project Position Salaries	$0	$0
04	LTE/Misc. Salaries	$0	$0
05	Fringe Benefits	$59,500	$120,100
06	Supplies and Services	$54,000	$90,000
07	Permanent Property	$0	$0
08	Unallotted Reserve	$0	$0
09	Aids to Individuals & Organizations	$0	$0
10	Local Assistance	$0	$0
11	One-time Financing	$0	$0
12	Debt service	$0	$0
13		$0	$0
14		$0	$0
15		$0	$0
16		$0	$0
17	**TOTAL**	**$265,500**	**$516,800**
18	Project Positions Authorized	0.00	0.00
19	Classified Positions Authorized	3.00	5.00
20	Unclassified Positions Authorized	0.00	0.00

Decision Item by Numeric

Program: 01 - Legal assistance

Decision Item (DIN): 7900 - IT Staffing Needs

Numeric	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
01 - Program operation	$265,500	$516,800	3.00	5.00
Program Sub Total	**$265,500**	**$516,800**	**3.00**	**5.00**
DIN 7900 - IT Staffing Needs Total	**$265,500**	**$516,800**	**3.00**	**5.00**
Agency Total	**$265,500**	**$516,800**	**3.00**	**5.00**

Decision Item by Fund Source

Decision Item (DIN): 7900 - IT Staffing Needs

Source of Funds	Type	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
GPR	S	$265,500	$516,800	3.00	5.00
DIN 7900 - IT Staffing Needs Total		**$265,500**	**$516,800**	**3.00**	**5.00**
Agency Total		**$265,500**	**$516,800**	**3.00**	**5.00**

Decision Item (DIN): 7901 - IT Infrastructure Maintenance & Hardware Lifecycle Refresh for Cybersecurity

NARRATIVE

The Public Defender Board requests, for the Office of the State Public Defender (SPD), $4,436,000 GPR in FY28 and $2,677,800 GPR in FY29, representing a net total of $7,113,800 for the biennium to secure the necessary baseline IT resources and hardware lifecycles. This request represents the absolute minimum budget standard required to maintain the agency's existing operational capacity, ensure mandatory electronic court filing (eFiling) compliance, and sustain secure, mobile-equipped public defense representation across Wisconsin's 72 counties. Contained within this document is also the SPD's cybersecurity budget request for the 2027-2029 biennium. As the State views cybersecurity as an intrinsic component of all modernization and with the updated Flaw Remediation SI-2 State Standard, the budget totals of $240,000 GPR in FY28 and $315,000 GPR in FY29, contained within the overall budget request, reflect needed cybersecurity investment. This allows SPD to meet this updated standard, as well as costs for upgrades necessary to prioritize cloud security, enhance cyber resilience, and secure the SPD's and the State network.

Office of the State Public Defender
2027-2029 Biennial Budget
Issue Paper

Topic: DIN 7901 - IT Infrastructure Maintenance & Hardware Lifecycle Refresh for Cybersecurity

Agency Request

The Public Defender Board requests, for the Office of the State Public Defender (SPD), $4,435,958 GPR in FY28 and $2,677,746 GPR in FY29, representing a net total of $7,113,704 for the biennium to secure the necessary baseline IT resources and hardware lifecycles. This request represents the absolute minimum budget standard required to maintain the agency's existing operational capacity, ensure mandatory electronic court filing (eFiling) compliance, and sustain secure, mobile-equipped public defense representation across Wisconsin's 72 counties. Contained within this document is also the SPD's cybersecurity budget request for the 2027-2029 biennium. As the State views cybersecurity as an intrinsic component of all modernization and with the updated Flaw Remediation SI-2 State Standard, the budget totals of $240,000 GPR in FY28 and $315,000 GPR in FY29, contained within the overall budget request, reflect needed cybersecurity investment. This allows SPD to meet this updated standard, as well as costs for upgrades necessary to prioritize cloud security, enhance cyber resilience, and secure the SPD's and the State network.

Problem Description

Minimum Budget Standard

The Office of the State Public Defender provides constitutional and statutorily authorized legal representation for persons who are accused of crimes or individuals in certain specified civil matters, as long as they meet statutory financial eligibility criteria or the SPD is statutorially authorized to represent without an indigency determination. In modern practice, legal representation is completely inseparable from secure, stable, and compliant information technology. Public defense staff-including trial and appellate attorneys, paralegals, legal secretaries, investigators, and client services staff-rely on baseline IT resources to draft briefs, review extensive digital evidence (including bodyworn camera footage), manage active case files, and access state judicial systems.

This budget request outlines the minimum budget standard necessary to prevent immediate, catastrophic failure of public defense services across the state. Historically, the SPD had a supplies and services budget of only $93,700 for software and equipment maintenance, established in 1999 (Act 9), which has been repeatedly decimated by decades of subsequent base cuts. Funding for equipment replacements has been dependent upon temporary year-end salary savings and GPR vacancy rate variances. However, with the Wisconsin Supreme Court's mandatory electronic eFiling system and the exponential expansion of digital evidence, the agency can no longer manage technology needs through sporadic, non-base-building funding.

Background

If the requested baseline funding is not approved, the consequences will be immediate:

- **Loss of Core Communication and Productivity:** The agency's entire email, document storage, and remote communication systems—anchored by Google Workspace Enterprise Plus—will expire, disconnecting 41 trial and administrative offices statewide.
- **Court Compliance Shutdown:** Attorney access to Microsoft 365, Adobe Acrobat Pro, and secure VPNs will terminate, making it legally and technically impossible for staff to submit mandatory electronic filings (eFiling) to the court system, immediately stalling county dockets.
- **Evidentiary Blindness:** The agency's subscription to Evidence.com (Axon), which serves as the primary system for receiving, reviewing, and analyzing law enforcement discovery and body camera footage, will expire, completely halting representation in active criminal litigation.

Analysis

Standard Laptop Hardware Lifecycle Refresh

In 2025, the SPD executed a critical agency-wide mobile hardware modernization, purchasing 850 Dell laptops and matching dual-monitor docking stations for a total cost of $1,419,338 under an invoice drop-shipped to our offices statewide. It is vital to emphasize that this request is not a migration from desktop systems. The agency transitioned fully to mobile environments in prior biennia; this funding request is for a standard regular hardware lifecycle refresh to replace these existing, intensively utilized field devices as they reach the end of their 4-year useful life and vendor warranty cycles.

Public defenders spend a significant portion of their work week away from their home offices—drafting motions during court delays, conducting client interviews in county jails and state prisons, and meeting witnesses in the field. Maintaining a warrantied, secure, and physically intact mobile computing fleet is essential to eliminate 'dead time' and maximize taxpayer-funded attorney hours. To prevent a massive capital spike in a single fiscal year, the SPD proposes a standard cost-splitting model, refreshing 50% of the fleet in each year of the upcoming biennium:

- FY28 (Year 1 Refresh): $709,669 GPR for the lifecycle refresh of 425 laptop devices and dual-docking stations (representing exactly half of the statewide fleet).
- FY29 (Year 2 Refresh): $709,669 GPR for the lifecycle refresh of the remaining 425 laptop devices and dual-docking stations, completing the agency's baseline hardware modernization cycle.

Statewide Network Gear Replacement Cycle

- **Preventing Critical Operational Downtime:** SPD's IT strategy notes that keeping hardware past its standard useful lifecycle increases the risk of "computer downtime, difficulty in finding replacement parts," and maintenance costs that quickly "exceed the value of the machine". Upgrading the physical gear ensures the agency's local offices do not suffer from network disruptions that freeze staff productivity.
- **Defending Against Escalating Security Exploits:** Outdated network switches, routers, and access points that are "without warranties, and lack vendor support" cannot receive vital security patches. Because the agency handles "highly sensitive and confidential client data", modernizing this network perimeter is "essential to safeguard operations" and build "long-term resilience against evolving cyber threats".
- **Supporting High-Bandwidth Cloud Services:** The physical network infrastructure serves as the highway for all core business functions, including securing baseline communications for the agency's 800 users, routing traffic for high-density tools like Evidence.com/Axon, and maintaining localized office network connectivity.

Allocating $125,000 as a one-time capital expense during the 2027-2029 biennium will secure the physical backbone of the agency's offices, preventing costly administrative disruptions.

Baseline Software Licenses & Expiration Breakout

The agency's recurring software baseline covers 59 active products, representing a non-discretionary standard cost of $1,568,231 GPR annually and $2,002,904 GPR over the two years of the biennium. To address the legislative requirement to 'break out the licenses and in which year they come due or are annual,' this section categorizes every active contract into three distinct operational profiles: (1) Core Recurring Annual/Monthly Baseline Licenses, (2) Multi-Year Contracts Expiring and Due for GPR Renewal in FY28, and (3) Multi-Year Contracts Expiring and Due for GPR Renewal in FY29.

1. **Core Recurring Annual & Monthly Baseline Licenses**

The following table represents the critical baseline licenses that are billed annually, monthly, or have rolling terms that are due in both years of the biennium. They are required for daily communications, networking, endpoint security, and office-level IT administration. This portfolio totals $1,568,231 GPR annually and remains flat across both FY28 and FY29.

Software / Service Item	Seats / Details	Billing Cycle	Annual Baseline Cost
Microsoft 365 M365 G3	833 seats @ $270.43 / year	Annual	$225,268
Microsoft 365 M365 G5 Step-up	833 seats @ $223.20 / year	Annual	$185,926
Microsoft M365 G5 Full	42 seats @ $605.83 / year	Annual	$25,445
Microsoft Suite Subscription	875 licenses (SQL, Mobility)	Annual	$134,158
Gartner Advisors & Licenses	IT research subscription	Annual	$233,385
Charter Spectrum Fiber	Statewide WAN connection	Annual	$230,400
Google Voice Standard User	Core IP telephony system	Annual	$100,000
Mandiant Penetration Testing	Security testing & retainer	Annual	$58,796
Notability iPad Software	420 licenses @ $60 / year	Annual	$25,200
PrinterLogic Cloud Print	180 seats (printer routing)	Annual	$15,937
Tenable Vulnerability Scanning	Core network security suite	Annual	$9,634
Cloudflare CDN & DDOS	Web security / firewalling	Monthly ($475)	$5,700
Monday.com Project PM	20 active seats (IT ops)	Annual	$4,560
AWS Cloud Infrastructure	Operational cloud hosting	Monthly ($167)	$2,000
Google Cloud Platform	Developer API cloud services	Monthly ($800)	$9,600
Small Office Tools (Lucid, Pluralsight, etc.)	Lucidchart, Pluralsight, KioWare, etc.	Annual/Misc	$2,852
Total Annual Baseline Portfolio	**Flat-rate recurring services**	**Sustained Baseline**	**$1,568,231**

2. Multi-Year Contracts Expiring and Due for GPR Renewal in FY28 (Year 1)

The following multi-year software contracts have expiration dates falling between June 1, 2027 and June 30, 2028. To ensure uninterrupted public defense services, these licenses are due for renewal in Year 1 of the biennium (FY28). They total $1,918,058 GPR in annual baseline cost, with their renewals carried forward into FY29 as part of the agency's baseline IT cost standard.

Software Product / Service	Expiration Date	Primary Purpose	Annual Baseline Cost
Axon Evidence.com (Licenses, Storage, Support & Transcription)	11/23/2027	Statewide digital evidence system	$908,040
Google Workspace Enterprise Plus	6/30/2027	Core email, storage, productivity	$225,623
Google Support	7/21/2027	Workspace enterprise support	$155,757
SkopeNow Social Search	4/1/2028	Statewide client/witness search tool	$253,524
CrowdStrike Falcon Endpoint Security	6/1/2027	Antivirus security for 733 workstations	$80,803
Adobe Acrobat Pro	5/29/2028	Mandatory PDF creation / court eFiling	$77,890
SysCloud Workspace Backup	5/16/2028	Google Workspace 1TB data backup	$61,200
Cvent Event Management	5/28/2028	Core training / legal education	$45,901
Bitwarden Password Manager	1/26/2028	Securing user access & passwords	$36,303
Cellebrite IT Forensics	1/31/2028	Device forensic analysis system	$27,999
Absolute Resilience Security	4/30/2028	900 client-device hardware locks	$25,500
Zoho Desk	12/23/2027	Internal ticketing and service desk	$13,706
CrowdStrike Mobile Express & Support	6/1/2027	Antivirus security for 550 iPads	$5,812
Total FY28 Expiring Renewals Portfolio	**FY28 Expirations**	**Critical GPR Multi-Year Renewals**	**$1,918,058**

3. **Multi-Year Contracts Expiring and Due for GPR Renewal in FY29 (Year 2)**
The third group of baseline licenses consists of multi-year contracts whose terms expire during Year 2 of the biennium, specifically between July 1, 2028 and June 30, 2029. These licenses total $84,846 GPR in baseline cost and represent vital network connection and administrative security features.

Software Product / Service	Expiration Date	Primary Purpose	Annual Baseline Cost
Zscaler Secure VPN Portfolio	1/24/2029	800 VPN tunnels for secure remote court access	$82,692
Devolutions Server Remote Admin	2/20/2029	7 server RDM administrative licenses	$1,882
SnagIt Screen Capture Tool	2/3/2029	Developer and documentation support	$272
Total FY29 Expiring Renewals Portfolio	**FY29 Expirations**	**Critical GPR Multi-Year Renewals**	**$84,846**

IT Software Baseline Portfolio Reconciliation

To reconcile the baseline software portfolio with the master database sheet, we compile the active licensing groups described above:

- **Group 1: Core Annual & Monthly Rolling Baseline:** $1,568,231 GPR
- **Group 2: FY28 Expiration Multi-Year Renewals:** $1,918,058 GPR
- **Group 3: FY29 Expiration Multi-Year Renewals:** $84,846 GPR

The mathematical sum of these baseline software segments (Group 1 + Group 2 + Group 3) is exactly **$3,571,136 GPR**. This standard baseline is constant across both years of the biennium, representing the minimum required standard for recurring operations.

Cybersecurity Software Additions

The legal industry is currently confronting escalating cybersecurity threats, including sophisticated data breaches, ransomware campaigns, and third-party supply chain vulnerabilities. Because SPD handles highly sensitive, legally privileged, and confidential client data, deploying a robust, layered cybersecurity strategy is essential to safeguard statewide legal operations. This budget proposal requests a targeted GPR funding allocation of **$240,000 in FY28 (Year 1)** to cover initial deployment, integration, and setup costs, and **$315,000 in FY29 (Year 2)** to fund ongoing annual subscription renewals and maintenance. The total request for this separate software package is **$555,000 GPR** over the 2027-2029 biennium.

Budget Request Category	FY28 (Year 1)	FY29 (Year 2)	Biennial Total
Initial Security Software Setup/Implementation (One-time)	$240,000	$0	$240,000
Ongoing Annual Subscription Licensing/ renewals	$0	$315,000	$315,000
Total Targeted Cybersecurity GPR Request	**$240,000**	**$315,000**	**$555,000**

Detailed Line Item Budget

This table represents targeted, industry-standard tools required to protect the agency's 800 users and 2,000 endpoints:

Software Line Item	Expanded Core Purpose	Initial GPR Cost	Annual Renewal
Incident Response (IR) Retainer	Prepaid emergency forensic and threat containment response from elite specialists.	$30,000	$30,000
Internal Penetration Testing	Annual simulated ethical hacking to assess vulnerabilities on network servers and web applications.	$30,000	$30,000
Security Awareness Platform	Statewide employee training platform to conduct real-time phishing tests and reduce human-error risk.	$50,000	$50,000
Email Security Solution	Advanced filtering and business email compromise (BEC) protection for 800 users handling confidential files.	$15,000	$45,000
Web Server Protection (WAF)	Web Application Firewall (WAF) to defend public-facing web applications from SQL injections and DDoS attacks.	$25,000	$35,000
Privileged Access Management (PAM)	Strict credential isolation and administrative credential auditing across 2,000 endpoints.	$40,000	$60,000

Data Loss Prevention (DLP)	Comprehensive data classification to monitor and block unauthorized sharing of confidential client files.	$50,000	$65,000

Security standard Justification & Operational Imperative

- **Rapid Breach Containment & Resilience:** Establishing an Incident Response Retainer ensures that elite forensic consultants are available 24/7 to contain any network security breach immediately, minimizing operational downtime and preventing data exfiltration.
- **Proactive Vulnerability Identification:** Regular Internal Penetration Testing shifts the agency from a reactive posture to a proactive security stance, enabling security specialists to identify and remediate internal configuration and web-facing security gaps before they are exploited.
- **Mitigating the Human-Error Attack Vector:** With phishing and social engineering representing over 80% of corporate breaches, deploying a statewide Security Awareness Platform ensures that all SPD staff are trained to identify and block deceptive email threats.
- **Business Email Compromise (BEC) Prevention:** The specialized Email Security Solution establishes an intelligent email perimeter, analyzing attachments and incoming links to prevent sophisticated spear-phishing campaigns targeting defense attorneys and investigators.
- **Securing Public-Facing Access Gateways:** WAF technology (Web Application Firewall) shields critical web portals from external attacks, preventing the degradation of digital services and ensuring client discovery databases remain secure and accessible.
- **Enforcing the Principle of Least Privilege:** The Privileged Access Management (PAM) system restricts administrative access rights on the agency's 2,000 active endpoints, preventing malware from propagating laterally across local networks and servers.
- **Protecting Confidential Case Files:** By deploying a Data Loss Prevention (DLP) solution, the agency can dynamically classify and safeguard client files, automatically blocking accidental or malicious exfiltration of sensitive defense data to unauthorized endpoints or cloud services.

IT Budget Request Component	FY28 (Year 1)	FY29 (Year 2)	Biennium Total Ask
1. Ongoing Baseline Annual Renewals	$1,568,231	$1,568,231	$3,136,462
2. Contracts Expiring in FY28 (Year 1)	$1,918,058	$0	$1,918,058
3. Contracts Expiring in FY29 (Year 2)	$0	$84,846	$84,846
4. Total Targeted Cybersecurity GPR Request	$240,000	$315,000	$555,000
5. Laptop Fleet Standard Refresh Split	$709,669	$709,669	$1,419,338
TOTAL AGENCY GPR STANDARD REQUEST	**$4,435,958**	**$2,677,746**	**$7,113,704**

Summary

	FY28		FY29	
	Funding	FTE	Funding	FTE
GPR	$4,435,958	0.00	2,677,746	0.00
PR	$0	0.00	$0	0.00
TOTAL	$4,435,958	0.00	2,677,746	0.00

Prepared by:

Rhonda Frank-Loron
Administrative Services Director
608-261-0084

Decision Item by Line

Decision Item (DIN): 7901 - IT Infrastructure Maintenance & Hardware Lifecycle Refresh for Cybersecurity

Line Number	Expenditure Items	1st Year Cost	2nd Year Cost
01	Permanent Position Salaries	$0	$0
02	Turnover	$0	$0
03	Project Position Salaries	$0	$0
04	LTE/Misc. Salaries	$0	$0
05	Fringe Benefits	$0	$0
06	Supplies and Services	$4,436,000	$2,677,800
07	Permanent Property	$0	$0
08	Unallotted Reserve	$0	$0
09	Aids to Individuals & Organizations	$0	$0
10	Local Assistance	$0	$0
11	One-time Financing	$0	$0
12	Debt service	$0	$0
13		$0	$0
14		$0	$0
15		$0	$0
16		$0	$0
17	**TOTAL**	**$4,436,000**	**$2,677,800**
18	Project Positions Authorized	0.00	0.00
19	Classified Positions Authorized	0.00	0.00
20	Unclassified Positions Authorized	0.00	0.00

Decision Item by Numeric

Program: 01 - Legal assistance

Decision Item (DIN): 7901 - IT Infrastructure Maintenance & Hardware Lifecycle Refresh for Cybersecurity

Numeric	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
01 - Program operation	$4,436,000	$2,677,800	0.00	0.00
Program Sub Total	**$4,436,000**	**$2,677,800**	**0.00**	**0.00**
DIN 7901 - IT Infrastructure Maintenance & Hardware Lifecycle Refresh for Cybersecurity Total	**$4,436,000**	**$2,677,800**	**0.00**	**0.00**
Agency Total	**$4,436,000**	**$2,677,800**	**0.00**	**0.00**

Decision Item by Fund Source

Decision Item (DIN): 7901 - IT Infrastructure Maintenance & Hardware Lifecycle Refresh for Cybersecurity

Source of Funds	Type	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
GPR	S	$4,436,000	$2,677,800	0.00	0.00
DIN 7901 - IT Infrastructure Maintenance & Hardware Lifecycle Refresh for Cybersecurity Total		**$4,436,000**	**$2,677,800**	**0.00**	**0.00**
Agency Total		**$4,436,000**	**$2,677,800**	**0.00**	**0.00**

ACT 201

Proposal under s. 16.42(4)(b): **0% change in each fiscal year**

FY: **FY28**

Agency: **OPD - 550**

Exclude: Federal
Debt Service

Columns A-G were prepopulated for agencies to reflect state operations adjusted base and reductions agreed to by DOA and LFB. See Appendix H for instructions on how to complete these templates.

Proposed $ and Proposed FTE columns reflect total agency proposed spending and positions for indicated fiscal year. These amounts should include standard budget adjustments (SBAs), any proposed reallocations or reductions to meet the target, and any other requests that the agency would want considered under this proposal.

Appropriations with zero dollars and zero FTEs are not loaded into the template. If you have any questions, contact your SBO analyst.

IF YOUR AGENCY PLANS TO TAKE THE SAME CUTS OVER BOTH YEARS, YOU SHOULD ONLY FILL OUT ONE GRID FOR 0% GROWTH AND ONE GRID FOR 5% REDUCTION, THEN CHANGE "FY28" TO "FY28 AND 29".

	Appropriation		Fund			(See Note 1) 0% Change	Proposed Budget 2027-28		Item	Change from Adj Base		(See Note 2) Remove SBAs		Change from Adj Base after Removal of SBAs	
Agency	Alpha	Numeric	Source	$	FTE	Target	Proposed $	Proposed FTE	Ref	$	FTE	$	FTE	$	FTE
550	**1a**	101	GPR	$3,545,400.00	18.40	$0	$17,106,900	22.40		$13,561,500	4.00	$50,900	0.00	$13,612,400	4.00
550	**1a**	102	GPR	$6,889,000.00	46.85	$0	$7,919,400	55.35		$1,030,400	8.50	($343,600)	0.00	$686,800	8.50
550	**1a**	103	GPR	$77,563,600.00	556.85	$0	$86,295,400	635.85		$8,731,800	79.00	($345,300)	0.00	$8,386,500	79.00
550	**1a**	104	GPR	$49,083,200.00	0.00	$0	$23,510,800	0.00	1,2	($25,572,400)	0.00	$0	0.00	($25,572,400)	0.00
550	**1a**	105	GPR	$973,000.00	5.25	$0	$840,700	5.25		($132,300)	0.00	$132,300	0.00	$0	0.00
550	**1a**	106	GPR	$2,129,700.00	0.00	$0	$2,636,500	0.00		$506,800	0.00	$0	0.00	$506,800	0.00
550	**1a**	107	GPR	$4,014,200.00	0.00	$0	$6,394,100	0.00		$2,379,900	0.00	$0	0.00	$2,379,900	0.00
550	**1fb**	135	PR	$345,300.00	3.00	$0	$343,800	3		($1,500)	0.00	$1,500	0.00	$0	0.00
550	**1kj**	137	PR	$271,800.00	2.00	$0	$300,700	2.00		$28,900	0.00	($28,900)	0.00	$0	0.00
550	**1L**	136	PR	$913,000.00	0.00	$0	$913,000	0.00		$0	0.00	$0	0.00	$0	0.00
Totals				**$145,728,200.00**	**632.35**	**$0**	**$146,261,300**	**723.85**		**$533,100**	**91.50**	**($533,100)**	**0.00**	**$0**	**91.50**

Note 1: Reduction target must be met within state operations appropriations, but may be allocated across those appropriations and fund sources.
Note 2: Amounts should be SBAs (DINs 3001 - 3011) from agency request multiplied by -1.

Target Reduction = $0

Difference = **$0**
Should equal $0

Items - Describe proposed changes (excl. SBAs) to reach target or other priorities of agency

1 Amend statutes to require prosecutors to review and organize discovery before charging
2 Marijuana legalization

ACT 201

Proposal under s. 16.42(4)(b): **5% change in each fiscal year**
FY: **FY28**
Agency: **OPD - 550**

Exclude: Federal
Debt Service

Columns A-G were prepopulated for agencies to reflect state operations adjusted base and reductions agreed to by DOA and LFB. See Appendix H for instructions on how to complete these templates.

Proposed $ and Proposed FTE columns reflect total agency proposed spending and positions for indicated fiscal year. These amounts should include standard budget adjustments (SBAs), any proposed reallocations or reductions to meet the target, and any other requests that the agency would want considered under this proposal.

Appropriations with zero dollars and zero FTEs are not loaded into the template. If you have any questions, contact your SBO analyst.

IF YOUR AGENCY PLANS TO TAKE THE SAME CUTS OVER BOTH YEARS, YOU SHOULD ONLY FILL OUT ONE GRID FOR 0% GROWTH AND ONE GRID FOR 5% REDUCTION, THEN CHANGE "FY28" TO "FY28 AND 29".

	Appropriation		Fund			(See Note 1) 5% Change	Proposed Budget 2027-28		Item	Change from Adj Base		(See Note 2) Remove SBAs		Change from Adj Base after Removal of SBAs	
Agency	Alpha	Numeric	Source	$	FTE	Target	Proposed $	Proposed FTE	Ref	$	FTE	$	FTE	$	FTE
550	**1a**	101	GPR	$3,545,400.00	18.40	($177,300)	$17,106,900	22.40		$13,561,500	4.00	$50,900	0.00	$13,612,400	4.00
550	**1a**	102	GPR	$6,889,000.00	46.85	($344,500)	$7,919,400	55.35		$1,030,400	8.50	($343,600)	0.00	$686,800	8.50
550	**1a**	103	GPR	$77,563,600.00	556.85	($3,878,200)	$86,295,400	635.85		$8,731,800	79.00	($345,300)	0.00	$8,386,500	79.00
550	**1a**	104	GPR	$49,083,200.00	0.00	($2,454,200)	$16,224,100	0.00	1,2,3	($32,859,100)	0.00	$0	0.00	($32,859,100)	0.00
550	**1a**	105	GPR	$973,000.00	5.25	($48,700)	$840,700	5.25		($132,300)	0.00	$132,300	0.00	$0	0.00
550	**1a**	106	GPR	$2,129,700.00	0.00	($106,500)	$2,636,500	0.00		$506,800	0.00	$0	0.00	$506,800	0.00
550	**1a**	107	GPR	$4,014,200.00	0.00	($200,700)	$6,394,100	0.00		$2,379,900	0.00	$0	0.00	$2,379,900	0.00
550	**1fb**	135	PR	$345,300.00	3.00	($17,300)	$343,800	3.00		($1,500)	0.00	$1,500	0.00	$0	0.00
550	**1kj**	137	PR	$271,800.00	2.00	($13,600)	$300,700	2.00		$28,900	0.00	($28,900)	0.00	$0	0.00
550	**1L**	136	PR	$913,000.00	0.00	($45,700)	$913,000	0.00		$0	0.00	$0	0.00	$0	0.00
Totals				**$145,728,200.00**	**632.35**	**($7,286,700)**	**$138,974,600**	**723.85**		**($6,753,600)**	**91.50**	**($533,100)**	**0.00**	**($7,286,700)**	**91.50**

Note 1: Reduction target must be met within state operations appropriations, but may be allocated across those appropriations and fund sources.
Note 2: Amounts should be SBAs (DINs 3001 - 3011) from agency request multiplied by -1.

Target Reduction = ($7,286,700)

Difference = **$0**
Should equal $0

Items - Describe proposed changes (excl. SBAs) to reach target or other priorities of agency

1 Amend statutes to require prosecutors to review and organize discovery before charging
2 Marijuana legalization
3 Reclassify all first-offense, non-violent Class ABC misdemeanors to civil forfeitures

ACT 201

Proposal under s. 16.42(4)(b): **0% change in each fiscal year**
FY: **FY29**
Agency: **OPD - 550**

Exclude: Federal
Debt Service

Columns A-G were prepopulated for agencies to reflect state operations adjusted base and reductions agreed to by DOA and LFB. See Appendix H for instructions on how to complete these templates.

Proposed $ and Proposed FTE columns reflect total agency proposed spending and positions for indicated fiscal year. These amounts should include standard budget adjustments (SBAs), any proposed reallocations or reductions to meet the target, and any other requests that the agency would want considered under this proposal.

Appropriations with zero dollars and zero FTEs are not loaded into the template. If you have any questions, contact your SBO analyst.

IF YOUR AGENCY PLANS TO TAKE THE SAME CUTS OVER BOTH YEARS, YOU SHOULD ONLY FILL OUT ONE GRID FOR 0% GROWTH AND ONE GRID FOR 5% REDUCTION, THEN CHANGE "FY28" TO "FY28 AND 29".

	Appropriation		Fund			(See Note 1) 0% Change	Proposed Budget 2028-29		Item	Change from Adj Base		(See Note 2) Remove SBAs		Change from Adj Base after Removal of SBAs	
Agency	Alpha	Numeric	Source	$	FTE	Target	Proposed $	Proposed FTE	Ref	$	FTE	$	FTE	$	FTE
550	**1a**	101	GPR	$3,545,400.00	18.40	$0	$13,858,700	24.40		$10,313,300	6.00	$49,300	0.00	$10,362,600	6.00
550	**1a**	102	GPR	$6,889,000.00	46.85	$0	$8,568,200	60.85		$1,679,200	14.00	($345,900)	0.00	$1,333,300	14.00
550	**1a**	103	GPR	$77,563,600.00	556.85	$0	$92,422,100	699.35		$14,858,500	142.50	($367,100)	0.00	$14,491,400	142.50
550	**1a**	104	GPR	$49,083,200.00	0.00	$0	$17,649,000	0.00	1,2,3,4	($31,434,200)	0.00	$0	0.00	($31,434,200)	0.00
550	**1a**	105	GPR	$973,000.00	5.25	$0	$840,800	5.25		($132,200)	0.00	$132,200	0.00	$0	0.00
550	**1a**	106	GPR	$2,129,700.00	0.00	$0	$2,636,500	0.00		$506,800	0.00	$0	0.00	$506,800	0.00
550	**1a**	107	GPR	$4,014,200.00	0.00	$0	$8,754,300	0.00		$4,740,100	0.00	$0	0.00	$4,740,100	0.00
550	**1fb**	135	PR	$345,300.00	3.00	$0	$343,800	3.00		($1,500)	0.00	$1,500	0.00	$0	0.00
550	**1kj**	137	PR	$271,800.00	2.00	$0	$301,100	2.00		$29,300	0.00	($29,300)	0.00	$0	0.00
550	**1L**	136	PR	$913,000.00	0.00	$0	$913,000	0.00		$0	0.00	$0	0.00	$0	0.00
Totals				**$145,728,200.00**	**632.35**	**$0**	**$146,287,500**	**794.85**		**$559,300**	**162.50**	**($559,300)**	**0.00**	**$0**	**162.50**

Note 1: Reduction target must be met within state operations appropriations, but may be allocated across those appropriations and fund sources.
Note 2: Amounts should be SBAs (DINs 3001 - 3011) from agency request multiplied by -1.

Target Reduction = $0

Difference = **$0**
Should equal $0

Items - Describe proposed changes (excl. SBAs) to reach target or other priorities of agency

1 Amend statutes to require prosecutors to review and organize discovery before charging
2 Marijuana legalization
3 Reclassify all first-offense, non-violent Class ABC misdemeanors to civil forfeitures
4 Reclassify all operating after revocation charges to civil forfeitures

ACT 201

Proposal under s. 16.42(4)(b): **5% change in each fiscal year**
FY: **FY29**
Agency: **OPD - 550**

Exclude: Federal
Debt Service

Columns A-G were prepopulated for agencies to reflect state operations adjusted base and reductions agreed to by DOA and LFB. See Appendix H for instructions on how to complete these templates.

Proposed $ and Proposed FTE columns reflect total agency proposed spending and positions for indicated fiscal year. These amounts should include standard budget adjustments (SBAs), any proposed reallocations or reductions to meet the target, and any other requests that the agency would want considered under this proposal.

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	Appropriation					(See Note 1) 5% Change	Proposed Budget 2028-29		Item	Change from Adj Base		(See Note 2) Remove SBAs		Change from Adj Base after Removal of SBAs	
Agency	Alpha	Numeric	Fund Source	$	FTE	Target	Proposed $	Proposed FTE	Ref	$	FTE	$	FTE	$	FTE
550	**1a**	101	GPR	$3,545,400.00	18.40	($177,300)	$13,858,700	24.40		$10,313,300	6.00	$49,300	0.00	$10,362,600	6.00
550	**1a**	102	GPR	$6,889,000.00	46.85	($344,500)	$8,568,200	60.85		$1,679,200	14.00	($345,900)	0.00	$1,333,300	14.00
550	**1a**	103	GPR	$77,563,600.00	556.85	($3,878,200)	$92,422,100	699.35		$14,858,500	142.50	($367,100)	0.00	$14,491,400	142.50
550	**1a**	104	GPR	$49,083,200.00	0.00	($2,454,200)	$10,362,300	0.00	1-6	($38,720,900)	0.00	$0	0.00	($38,720,900)	0.00
550	**1a**	105	GPR	$973,000.00	5.25	($48,700)	$840,800	5.25		($132,200)	0.00	$132,200	0.00	$0	0.00
550	**1a**	106	GPR	$2,129,700.00	0.00	($106,500)	$2,636,500	0.00		$506,800	0.00	$0	0.00	$506,800	0.00
550	**1a**	107	GPR	$4,014,200.00	0.00	($200,700)	$8,754,300	0.00		$4,740,100	0.00	$0	0.00	$4,740,100	0.00
550	**1fb**	135	PR	$345,300.00	3.00	($17,300)	$343,800	3.00		($1,500)	0.00	$1,500	0.00	$0	0.00
550	**1kj**	137	PR	$271,800.00	2.00	($13,600)	$301,100	2.00		$29,300	0.00	($29,300)	0.00	$0	0.00
550	**1L**	136	PR	$913,000.00	0.00	($45,700)	$913,000	0.00		$0	0.00	$0	0.00	$0	0.00
Totals				**$145,728,200.00**	**632.35**	**($7,286,700)**	**$139,000,800**	**794.85**		**($6,727,400)**	**162.50**	**($559,300)**	**0.00**	**($7,286,700)**	**162.50**

Note 1: Reduction target must be met within state operations appropriations, but may be allocated across those appropriations and fund sources.
Note 2: Amounts should be SBAs (DINs 3001 - 3011) from agency request multiplied by -1.

Target Reduction = ($7,286,700)

Difference = **$0**
Should equal $0

Items - Describe proposed changes (excl. SBAs) to reach target or other priorities of agency

1. Amend statutes to require prosecutors to review and organize discovery before charging
2. Marijuana legalization
3. Reclassify all first-offense, non-violent Class ABC misdemeanors to civil forfeitures
4. Reclassify all operating after revocation charges to civil forfeitures
5. Reclassify all disorderly conduct charges to civil forfeitures
6. Eliminate crimeless revocations