



IDC

Indigent Defense Coordinator

Old Bisbee High School, 3rd Floor
(Mailing Address: 1415 Melody Lane)

Bisbee, AZ 85603

(520)432-9800 FAX: (520)432-8461

www.cochise.az.gov/IDC

MEMORANDUM

To: Board of Supervisors

Cc: Michael Ortega, County Administrator
James Vlahovich, Deputy County Administrator

From: Amy Hunley, Indigent Defense Administrator

Date: June 27, 2014

Re: IDC Request for General Fund Contingency Transfer

IDC is requesting contingency funds in the amount of \$100,000 for its projected FY13/14 budget shortfall. Based on year-to-date expenses, IDC anticipates a total shortfall of \$96,511 due to expenses incurred in the State v. Sappington capital murder case. This case is assigned to private attorneys due to conflicts in the Public Defender and Legal Defender offices.

Attachment A contains FY13/14 projections for the Indigent Defense Coordinator, Public Defender and Legal Defender budgets. Attachment B contains IDC's FY13/14 budget projection. Revenue figures in Attachment A are provided for informational purposes only as those monies are deposited to the General Fund and are not available for use by the departments.

Attachments

INDIGENT DEFENSE BUDGET

FY13/14 BUDGET PROJECTED THROUGH JUNE 2014								
<i>Description</i>	<i>Amended Budget</i>	<i>Actual Expenses through 5/31/14</i>	<i>Projected Expenses through 6/30/14</i>	<i>Budget Less Projected Expenses</i>	<i>FY12/13 Adopted Budget</i>	<i>FY12/13 Total Expenses</i>	<i>FY11/12 Adopted Budget</i>	<i>FY11/12 Total Expenses</i>
Indigent Defense Coordinator	\$1,102,862	\$1,085,642	\$1,199,373	-\$96,511	\$997,490	\$1,289,467	\$994,761	\$1,393,745
Public Defender	\$1,337,219	\$1,198,000	\$1,336,365	\$854	\$1,423,533	\$1,259,343	\$1,400,726	\$1,380,753
Legal Defender	\$905,491	\$822,404	\$905,491	\$0	\$887,348	\$891,713	\$874,406	\$858,438
TOTALS	\$3,345,572	\$3,106,046	\$3,441,229	-\$95,657	\$3,308,371	\$3,440,523	\$3,269,893	\$3,632,936
TOTAL FY12/13 & FY11/12 INDIGENT DEFENSE BUDGET LESS EXPENSES					-\$132,152		-\$363,043	

FY13/14 SALARY/VACANCY SAVINGS (Included in IDC/PD/LD Budget Projections)		
	Salary Savings	Vacancy Savings
Indigent Defense Coordinator	\$ -	\$ -
Public Defender	\$ (506)	\$ 56,700
Legal Defender	\$ -	\$ -
TOTALS	\$ (506)	\$ 56,700

FY13/14 REVENUE (General Fund Deposits not Included in IDC/PD/LD Budgets)	
PROJECTED Attorneys' Fees Collected by Courts <i>Actual July 2013-May 2014 Amount: \$61,000 (PD Revenue)</i>	\$70,000
PROJECTED Salary Reimbursement from FTG Grant funds <i>PD Paralegal Amount: \$24,730 (PD Revenue) LD Investigator Amount: \$37,881 (Paid directly from Grant)</i>	\$62,611
TOTAL PROJECTED REVENUE	\$132,611

INDIGENT DEFENSE COORDINATOR BUDGET

Description	FY13/14				FY12/13		FY11/12	
	Adopted Budget	Actual Expenses 5/31/14	Projected Expenses through 6/30/14	Budget Less Projected Expenses	Adopted Budget	Year End Expenses 6/30/13	Adopted Budget	Year End Expenses 6/30/12
Administrative Expenses (including Salaries/Benefits)	\$ 119,791	\$ 103,736	\$ 114,848	\$ 4,943	\$ 122,638	\$ 113,478	\$ 114,690	\$ 101,659
Psychological Evaluations	\$ 4,071	\$ 9,525	\$ 9,525	\$ (5,454)	\$ 4,071	\$ 4,875	\$ 4,071	\$ 14,121
Rule 11 Examinations	\$ 35,000	\$ 21,515	\$ 25,000	\$ 10,000	\$ 14,000	\$ 28,575	\$ 14,000	\$ 40,735
Court Investigator Fees	\$ 5,000	\$ 23,525	\$ 30,000	\$ (25,000)	\$ 5,000	\$ 19,452	\$ 5,000	\$ 52,772
Witness Fees	\$ 10,000	\$ 63,619	\$ 70,000	\$ (60,000)	\$ 10,000	\$ 90,158	\$ 10,000	\$ 68,184
Juvenile Indigent Defense	\$ 228,500	\$ 313,227	\$ 350,000	\$ (121,500)	\$ 228,500	\$ 344,173	\$ 228,500	\$ 300,430
Adult Indigent Defense	\$ 618,500	\$ 550,494	\$ 600,000	\$ 18,500	\$ 618,500	\$ 688,755	\$ 618,500	\$ 815,844
TOTAL	\$1,020,862	\$1,085,642	\$ 1,199,373	\$ (178,511)	\$ 1,002,709	\$ 1,289,467	\$ 994,761	\$ 1,393,745
IDC BUDGET SHORTFALL - FY12/13 and FY11/12					(\$286,758)		(\$398,984)	
Transfers from PD and Contingency Funds								
<i>FY13/14: \$82,000 PD FY12/13: \$280,000 contingency funds, \$68,360 PD FY11/12: \$500,000 contingency funds</i>					\$348,360		\$500,000	

FY13/14 expenses for Adult Indigent Defense, Witness Fees, and Court Investigator Fees include expenses incurred in the State v. Sappington capital murder case. The Sappington case is currently scheduled for a six-week trial beginning in January 2015.

Juvenile Indigent Defense expenses consist of attorneys' fees and costs for juvenile delinquency, dependency and severance cases, with the majority of the expenses attributable to dependency cases. Dependency cases typically remain open and active for several years before being resolved. Expenses include dependency flat fee payments (\$1,200 for the first year and \$500 for each additional year) for cases assigned after July 1, 2012 and payments for pre-contract cases billed at \$50/hour. There has been a 84% increase in the number of new dependency case assignments since FY11/12.