

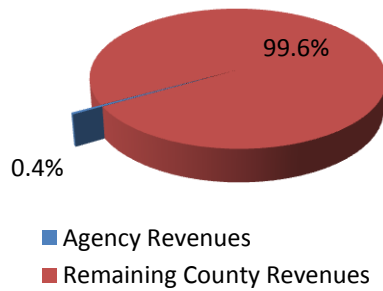
Public Defender

Agency Mission:

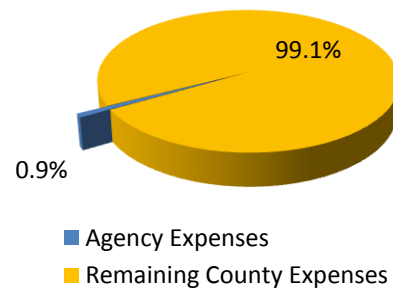
The mission of the Franklin County Public Defender's Office is to provide comprehensive legal representation services in criminal, juvenile and custody proceedings to indigent persons in Franklin County so as to fulfill the constitutional mandate of "equal justice under the law".

Revenue and Expense Overview:

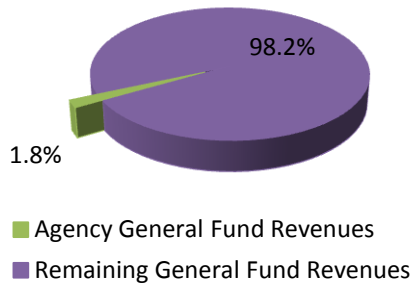
% of Total County Revenue



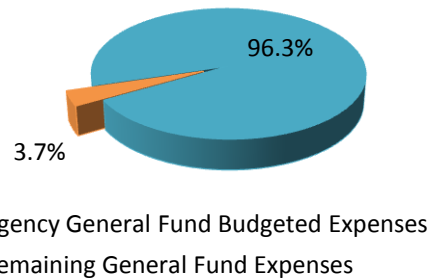
% of Total County Expenses



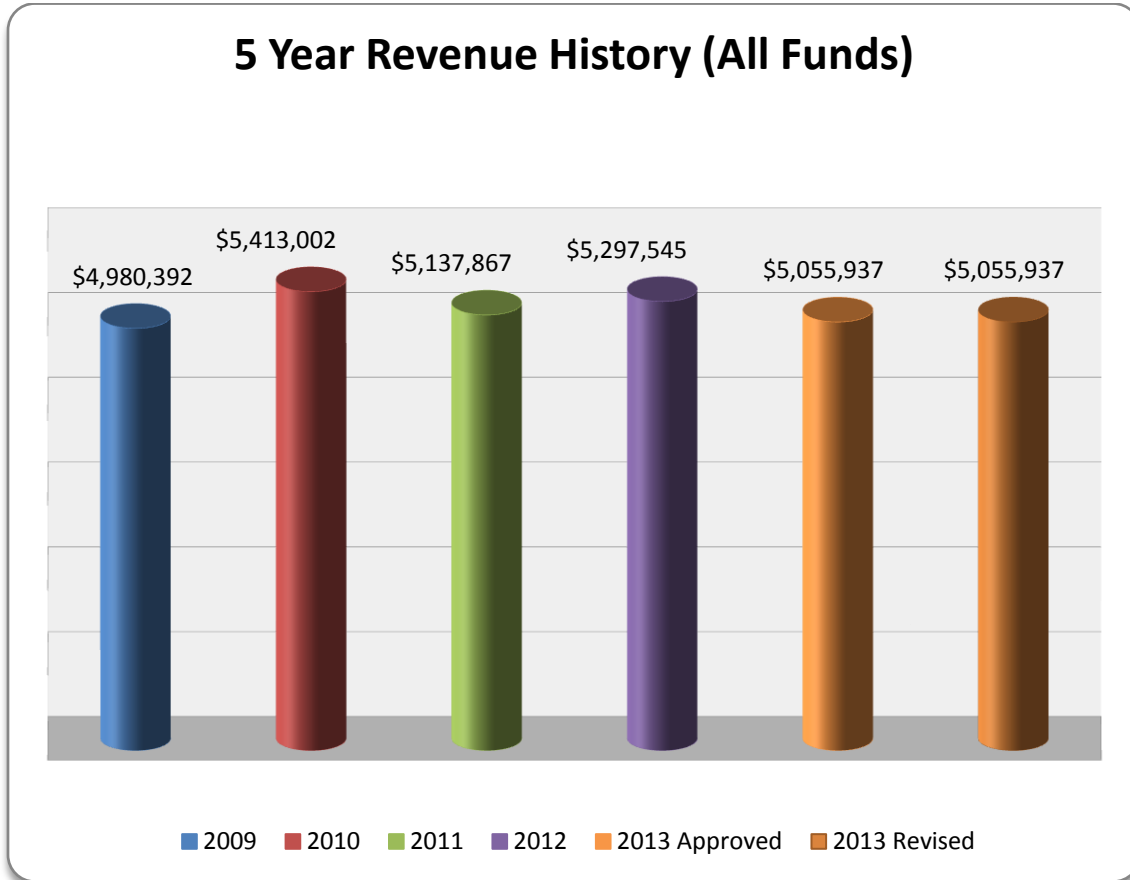
% of County General Fund Revenue



% of County General Fund Expenses



I. Budget Summary – Revenue



- 1) Primary Sources of Revenue – The agency’s primary sources of revenues are reimbursements from the State Public Defender’s Office and the Public Defender contract with the City of Columbus. All of the agency’s revenue is received by the General Fund.

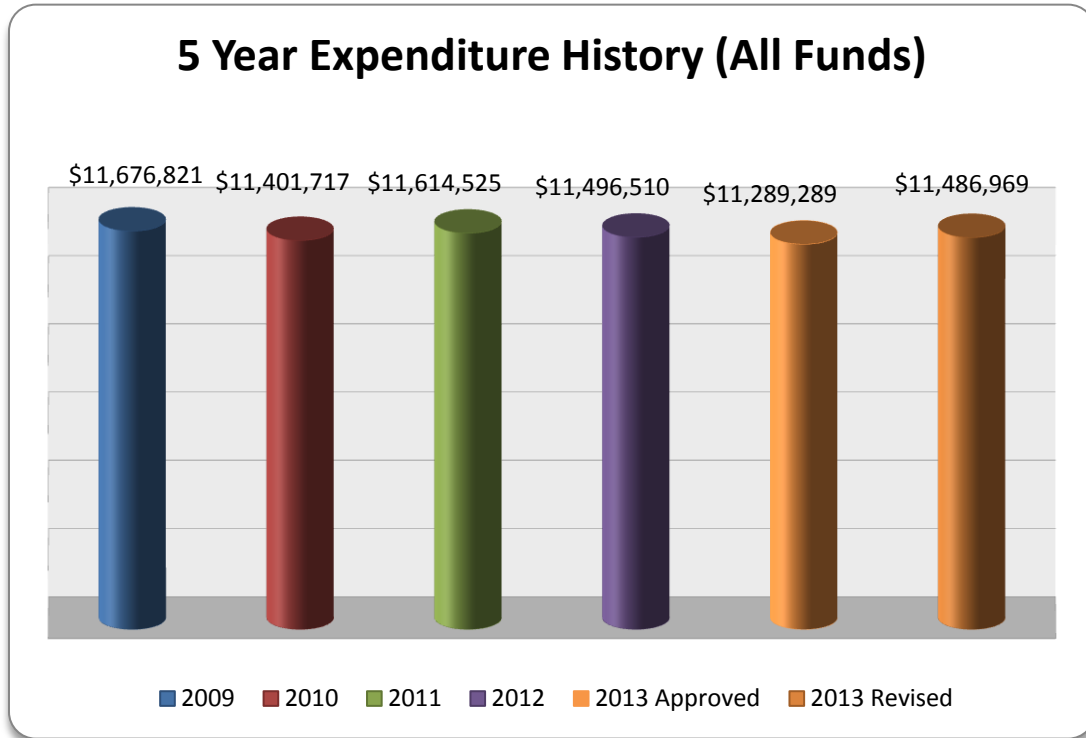
- 2) The increased revenues between 2009 and 2010 are attributed to the State Public Defender’s reimbursement rate increasing from 28% to 35% in July 2009. In 2011 the reductions are related to a decline in expenditures by the Public Defender’s Office.

Revenue

	General Fund	Non-General Fund	Total
2011 Actual	\$5,137,867	\$0	\$5,137,867
2012 Actual	\$5,297,545	\$0	\$5,297,545
2013 Agency Request	\$5,102,541	\$0	\$5,102,541
% Over(Under) 2012 Actual	(4.4%)	0.0%	(4.4%)
2013 Approved Budget	\$5,055,937	\$0	\$5,055,937
% Over(Under) 2012 Actual	(4.6%)	0.0%	(4.6%)
% Over(Under) Agency Request	(0.9%)	0.0%	(0.9%)
2013 Revised Budget	\$5,055,937	\$0	\$5,055,937
% Over(Under) 2012 Actual	(4.6%)	0.0%	(4.6%)
% Over(Under) Agency Request	(0.9%)	0.0%	(0.9%)
% Over(Under) Approved Budget	0.0%	0.0%	0.0%

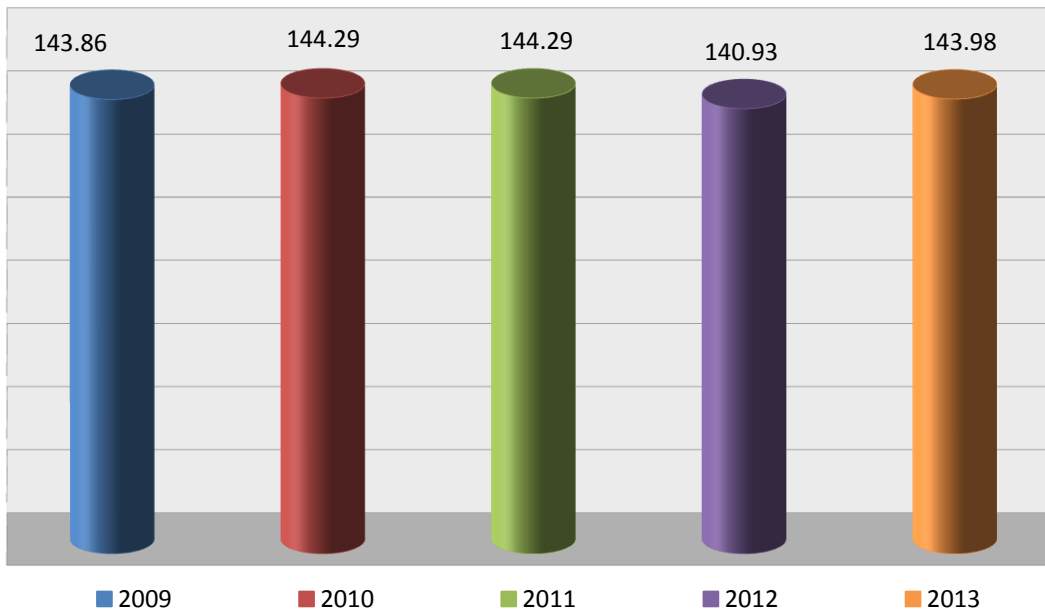
- 3) 2012 Actual –The \$159,678 increase from the 2011 Actual to the 2012 Actual is primarily attributed to the reimbursement from the State Public Defender's Office being higher than anticipated.
- 4) Agency Request - The \$195,004 decrease from the 2012 Actual to the 2013 Agency Request is due to the Public Defender's 2013 appropriations request being lower than the 2012 Actual. The Public Defender's Office is reimbursed at a rate of 35% for all expenses related to the operation of the Public Defender's Office.
- 5) Approved Budget - The \$46,604 decrease from the 2013 Agency Request to the 2013 Approved Budget is primarily attributed to partially funding the requests for four additional FTEs and replacement computers. The Public Defender's Office is reimbursed at a rate of 35% for all expenses related to the operation of the Public Defender's Office.
- 6) Revised Budget – There is no change from the 2013 Approved Budget to the 2013 Revised Budget.

II. Budget Summary – Expenditures



- 1) There are no significant changes in expenditures.

Budgeted FTE History (All Funds)



- 2) The Public Defender's Office in 2012 eliminated 2 part-time social workers (1.1 FTEs), 2 part-time law clerks (1.26 FTEs), 1 part-time social worker student (0.5 FTE) and 1 part-time clerical specialist (0.5 FTE).
- 3) The Public Defender's Office in 2013 added 3 Attorneys (3.0 FTEs).

Full Time Equivalents (FTEs)	2012 Budget	2013 Agency Request	2013 Approved Budget	2013 Revised Budget
Appeals	6.64	6.39	6.39	6.39
Common Pleas	45.14	46.08	46.08	46.08
Municipal Court	52.88	56.68	55.67	55.67
Juvenile	36.27	35.84	35.84	35.84
Total Agency FTEs	140.93	144.99	143.98	143.98

- 4) Agency Request - The 4.05 FTE increase from the 2012 Approved Budget to the 2013 Agency Request is due to the Public Defender's Office requesting to add four additional FTEs (3 attorneys and 1 social worker for the Municipal Court Unit) plus a minor adjustment in the number of hours for the part-time law clerk positions.
- 5) Approved Budget - The 1.00 FTE decrease from the 2013 Agency Request to the 2013 Approved Budget is due to not recommending the Public Defender's Office request for 1 social worker for the Municipal Court Unit.
- 6) 2013 Revised Budget - There is no change in Total FTEs from the 2013 Approved Budget to the 2013 Revised Budget.

Expenditures

	General Fund	Non-General Fund	Total
2011 Actual	\$11,614,525	\$0	\$11,614,525
2012 Actual	\$11,496,510	\$0	\$11,496,510
2013 Agency Request	\$11,373,837	\$0	\$11,373,837
% Over(Under) 2012 Actual	(1.1%)	0.0%	(1.1%)
2013 Approved Budget	\$11,289,289	\$0	\$11,289,289
% Over(Under) 2012 Actual	(1.8%)	0.0%	(1.8%)
% Over(Under) Agency Request	(0.7%)	0.0%	(0.7%)
2013 Revised Budget	\$11,486,969	\$0	\$11,486,969
% Over(Under) 2012 Actual	(0.1%)	0.0%	(0.1%)
% Over(Under) Agency Request	1.0%	0.0%	1.0%
% Over(Under) Approved Budget	1.8%	0.0%	1.8%

- 7) 2012 Actual - The \$118,015 decrease from the 2011 Actual to the 2012 Actual is primarily attributed to lower than anticipated personnel costs.
- 8) Agency Request - The \$122,673 decrease from the 2012 Actual to the 2013 Agency Request is primarily attributed to the Public Defender's Office reducing costs by 1% to meet budget limits.
- 9) Approved Budget - The \$84,548 decrease from the 2013 Agency Request to the 2013 Approved Budget is primarily attributed to not recommending the request for 1 additional FTE and replacement computers. These decreases were partially offset by a 6% healthcare premium rate increase effective April 2013 and a cost allocation adjustment.
- 10) Revised Budget – The \$197,680 increase from the 2013 Approved Budget to the 2013 Revised Budget is primarily attributed to a 1.5% salary and wage increase for non-bargaining employees (\$123,894) and for the purchasing of equipment to utilize the County's E-Filing system (\$73,786).

III. Agency Overview

Agency Goals:

- 1.) 100% of all cases within the Appeals program will be in full compliance with procedural rules.
- 2.) 100% of all cases within the Common Pleas program will meet internal quality review standards.
- 3.) 100% of all cases within the Juvenile program will meet internal quality review standards.
- 4.) 100% of all cases within the Municipal Court program will meet internal quality review standards.

Agency Strategic Issues:

- 1.) Improved information technology and telecommunication services and user training will enable better case and office management and improved access to information including information from other agencies, thus promoting more efficient, timely and cost-effective delivery of services.
- 2.) New and changing legislation create new and complex statutes and enhanced crimes, resulting in more court appearances affecting office workload and support services. Recent legislation which could impact office functioning.
- 3.) Trends, including changing social policy, increases in diversity, immigration, media, public scrutiny, and indigence are increasing the case complexity and workload for the office.
- 4.) The complex and changing nature of criminal and juvenile practice requires constant development of the skills of new and experienced staff, including attorneys, social workers, investigators and support staff. Emphasis on the effective use of Specialty Court dockets in Juvenile, Municipal, and Common Pleas Court has influenced practice considerations in each Court.
- 5.) Interagency collaboration and countywide strategic planning efforts to improve information technology, information sharing, and telecommunication services is needed to ensure the timely delivery of quality services in a cost-effective manner.

IV. General Fund Budget Overview

Fund Description:

The General Fund is the County's primary operating fund. Revenues are collected from numerous sources and allocated to various programs to provide services to the residents of Franklin County.

	2011 Actual	2012 Actual	2013 Requested Budget	2013 Approved Budget	2013 Revised Budget
Service Fees & Charges Total	\$1,044,675	\$1,065,325	\$1,156,550	\$1,136,404	\$1,136,404
Intergovernmental Total	\$4,092,948	\$4,232,060	\$3,945,991	\$3,919,533	\$3,919,533
Miscellaneous Revenue Total	\$244	\$160	\$0	\$0	\$0
Total Revenue	\$5,137,867	\$5,297,545	\$5,102,541	\$5,055,937	\$5,055,937
Personal Services Total	\$7,557,056	\$7,473,228	\$7,204,202	\$7,098,404	\$7,205,046
Fringe Benefits Total	\$2,929,679	\$2,762,232	\$2,846,018	\$2,887,977	\$2,905,229
Materials & Services Total	\$1,127,791	\$1,261,050	\$1,323,617	\$1,302,909	\$1,376,695
Total Expenses	\$11,614,525	\$11,496,510	\$11,373,837	\$11,289,289	\$11,486,969

V. Program Overview

Appeals Program

Program Purpose:

The purpose of the Appeals Program is to provide appellate services and pre- and post-trial consultation to clients and staff attorneys, so clients can receive, and attorneys provide, competent, timely, comprehensive, and cost effective legal representation, consistent with the mandate of equal justice under the law as guaranteed by the Ohio and United States Constitutions.

ORC Reference Mandating this Program: ORC 120.13 to 120.18

Program Services:

Direct Appeals and Discretionary Appeals, Notice of Appeal, Motions and Memorandums, Client Communications, transcripts and court document analysis and review, Legal Brief preparation, court appearance in Franklin County Court of Appeals, the Ohio Supreme Court, Federal District Court, and the U.S. Supreme Court, *Representation – Other Litigation (all of above plus discovery), Inter-Agency shared information, Office Consultations, Outside Consultations, client counseling, amicus briefs, community education, guidance and advocacy on Court policy, Secretarial and law clerk services

Core Principle:

Provide Community Safety, Security, and Effective Justice

Linkage to Core Principle:

The Appeals Program improves the quality of service delivery of public safety and justice services and strengthens the bond between the public safety offices, courts, and the community through collaboration and information sharing. The program improves public safety through the use of community planning and involvement.

Measures and Indicators:

Performance Measures	2010 Actual	2011 Actual	2012 Actual	2013 Budget
Appeals cases requiring representation	148	242	89	82

*The substantial increase in cases opened in the Appeals Program between 2009 and 2011 was an aberration due to the passage of SB 10 - the Adam Walsh Bill. As a result of that legislation, over 500 cases were opened during that time to specifically address SB 10 issues. During this time the Public Defender's Office did not request any additional staffing.

Generally the Appellate Unit has four attorneys who handle about 100 – 125 cases per year and provide legal consultation and assistance to all the other attorneys on staff whenever needed. The National Legal Aid and Defender Association's (NLADA) National Advisory Commission (NAC) and American Council of Chief Defenders (ACCD) advises that appellate attorneys should handle no more than 25- 30 cases per year.

Common Pleas Program

Program Purpose:

The purpose of the Common Pleas Program is to provide legal services, social work intervention services and Death Penalty mitigation to indigent persons in Franklin County charged with Felony offenses so they can receive effective, competent, comprehensive legal representation consistent with the mandate of equal justice under the law as provided in the Ohio and U.S. Constitutions.

ORC Reference Mandating this Program: ORC 120.13 to 120.18

Program Services:

Negotiations, Social Work Referrals, Investigation Referrals, Legal Consultation and Representation including research, oral advocacy and pretrial negotiations, Social Work Counseling, Legal Motion Practice, Court Appearances, File Management, Sexual Predator Hearings, Death Penalty Trials, Client Interviews, Expert Witness and contract professional services, Discovery, Death Penalty Mitigation Reports, Research, Inter-Agency shared information, In-house Consultations, Legal Analysis, 24-hour emergency consultation services, Non-Court Proceedings/Advocacy, community education, guidance and advocacy on Court policy, Secretarial and law clerk services

Core Principle:

Provide Community Safety, Security, and Effective Justice

Linkage to Core Principle:

The Common Pleas Program improves the quality of service delivery of public safety and justice services and strengthens the bond between the public safety offices, courts, and the community through collaboration and information sharing. The program improves public safety through the use of community planning and involvement.

Measures and Indicators:

Performance Measures	2010 Actual	2011 Actual	2012 Actual	2013 Budget
Common Pleas cases requiring representation	5,480	5,797	5,127	5,308

Municipal Court Program

Program Purpose:

The purpose of the Municipal Court Program is to provide legal services and social worker intervention services to indigent persons in Franklin County Municipal Court on criminal misdemeanor, traffic, felony initial appearances, and felony preliminary hearings so they can receive effective, competent, comprehensive legal representation consistent with the mandate of equal justice under the law as provided in the Ohio and U.S. Constitutions

ORC Reference Mandating this Program: ORC 120.13 to 120.18

Program Services:

Negotiations, Social Work Referrals, Investigation Referrals, Social Work Counseling, Legal Consultation, Motion Practice, Court representation, File Management, Client Interviews, Selection of Expert Witnesses, Discovery, Research, Inter-Agency shared information, In-house Consultations, Legal Analysis, Emergency 24-hour client services, Administrative License Suspension Hearings, Non-Court Proceedings/Advocacy, Felony initial appearances and preliminary hearings, community education, guidance and advocacy on Court policy, Secretarial and law clerk services

Core Principle:

Provide Community Safety, Security, and Effective Justice

Linkage to Core Principle:

The Municipal Court Program improves the quality of service delivery of public safety and justice services and strengthens the bond between the public safety offices, courts, and the community through collaboration and information sharing. The program improves public safety through the use of community planning and involvement.

Measures and Indicators:

Performance Measures	2010 Actual	2011 Actual	2012 Actual	2013 Budget
Municipal cases requiring representation	42,114	46,438	47,666	49,872

Juvenile Program

Program Purpose:

The purpose of the Juvenile Program is to provide legal services and social work intervention services, Attorney Guardian Ad Litem representation, post decree Lay Guardian Ad Litem services, and social work assessments, investigations to indigent persons in Franklin County charged with delinquency offenses, those at risk of incarceration or loss of parental rights, and children alleged as abused, neglected, or dependent so that their rights are protected by effective, competent, comprehensive legal representation consistent with the mandate of equal justice under the law provided in the Ohio and U.S. Constitutions, and children alleged to have been abused, neglected or dependent are provided a safe, nurturing and permanent environment

ORC Reference Mandating this Program: ORC 120.13 to 120.18

Program Services:

Court representation and comprehensive client and family intervention and prevention support services including court appearances at trials, transfer proceedings, other hearings and mediation, counsel/legal advice, mitigation, Investigative referrals, Social work referrals, Guardian Ad Litem reports, case plan progress reports, Social work risk assessments, Inter-Agency shared information, In-house consultations and analysis, Negotiations, Research, Social work counseling, Home investigations, Witness Reports, Subpoenas/Letters, Interview summaries, Expert witness hiring, contract professional services, community education, guidance and advocacy on Court policy, Secretarial and law clerk services, 24-hour emergency client services.

Core Principle:

Provide Community Safety, Security, and Effective Justice

Linkage to Core Principle:

The Juvenile Program improves the quality of service delivery of public safety and justice services and strengthens the bond between the public safety offices, courts, and the community through collaboration and information sharing. The program improves public safety through the use of community planning and involvement.

Measures and Indicators:

Performance Measures	2010 Actual	2011 Actual	2012 Actual	2013 Budget
Juvenile cases requiring representation	7,152	5,890	5,617	5,982

VI. Request for Results:

1) Project Title: Municipal Attorneys

Type of Request: Baseline	Amount Requested:	\$212,346
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Request Description: The Public Defender's Office has requested the addition of three attorneys for the Municipal Court Unit to handle the addition of handling traffic court arraignments and the "Changing Actions To Change Habits" program (C.A.T.C.H.) and the "Alcohol Drug Addiction Program" (A.D.A.P.) specialty dockets. The Municipal Court has also developed the "Franklin County Municipal Court (FCMC) Addiction Diversion Program" to resolve lower level felony drug offenses in Municipal Court.

Even though the Public Defender's Office may not be specifically responsible for providing counsel in traffic court, they are responsible for providing legal counsel when there is a risk of incarceration. This could result in a cost savings for the City Attorney's Office because the cases do not go to court (reduced work for prosecutors, contacting witnesses, and the cases do not go on a judge's docket). While the Public Defender's Office does currently provide support in these areas, there is a concern with the number of cases currently assigned to each attorney (average of 1,284 cases per attorney). The State Public Defender reimbursement for this request would be \$74,321.

Status: Recommended	Amount Recommended:	\$197,869
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Recommendation: OMB partially recommended the addition of these three positions. The final approved budget supported the addition of three Municipal Unit Attorneys.

2) Project Title: Municipal Social Worker

Type of Request: Baseline	Amount Requested:	\$57,999
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Request Description: The Public Defender's Office has requested the addition of one social worker for the Municipal Court Unit. In the past 7 years, four additional specialty courts have been created within the Municipal Court. Since the creation of the first specialty court the Public Defender's Office has not increased their social worker staffing, causing the staff to be stretched thin while trying to cover all of the specialty courts that have been created over the last 7 years. The State Public Defender reimbursement for this request would be \$20,300.

Status: Not Recommended	Amount Recommended:	\$0
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Recommendation: OMB did not recommend the addition of this position. However, in the future, when the county's fiscal forecast is more positive, this request can be reconsidered. This item was not recommended for inclusion in the final approved budget.

3) **Project Title: IT PC Replacements**

Type of Request: Baseline	Amount Requested:	\$57,602
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Request Description: The Public Defender's Office is requesting to replace 65 Desktop Computers, 25 Monitors and 6 laptops that are over 6 years old and out of warranty. This is in line with the Data Center's recommendation to replace PC's every 5 years. The State Public Defender reimbursement for this request would be \$20,160.

Status: Not Recommended	Amount Recommended:	\$0
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Recommendation: OMB did not recommend that these computers be replaced. However, in the future, when the county's fiscal forecast is more positive, this request can be reconsidered.

4) **Project Title: IT Common Pleas E-Filing**

Type of Request: New Initiative	Amount Requested:	\$42,020
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Request Description: The Public Defender's Office is requesting to add 52 I-Pads to make filing court documents more timely and efficient and give the defendants and court personnel more flexibility in accessing and reviewing these documents. Since the Public Defender's Office handles thousands of cases a year these tablets will give them the access and flexibility to view, modify, and file from anywhere as long as there is a Wi-Fi connection. The State Public Defender reimbursement for this request would be \$14,707.

Status: Recommended	Amount Recommended:	\$42,020
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Recommendation: OMB recommended that this request be approved so that the Public Defender's Office can fully utilize the E-Filing System. This item was included in the final approved budget.

5) **Project Title: IT E-Filing Integration**

Type of Request: New Initiative	Amount Requested:	\$92,000
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Request Description: The Public Defender's Office is requesting to integrate their case management system (CMS) with the E-Filing system. This will enable the Public Defender's Office to E-File within their CMS, and would reduce data entry needed to E-File because the data will auto fill into the forms from their CMS. This would also enable the CMS to receive updated case activity and notify staff of all case actions that were submitted to the E-Filing System. The State Public Defender reimbursement for this request would be \$32,200.

Status: Recommended	Amount Recommended:	\$92,000
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Recommendation: OMB recommended that this request be approved because it will create an efficiency within the Public Defender's Office by allowing the attorney's to enter data once into the CMS and that information then can be transferred into the E-Filing System without repeating the need to enter the same data twice. The Franklin County Data Center also approved this request.

6) **Project Title: Supreme Court Dues**

Type of Request: Baseline	Amount Requested:	\$30,800
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Request Description: The Public Defender's Office is requesting to cover the licensing costs of the Supreme Court of Ohio for each of its attorneys. The cost of the license in 2010 was \$350 per attorney. The same assumption was included in this request. The State Public Defender reimbursement for this request would be \$10,780.

Status: Recommended	Amount Recommended:	\$30,800
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Recommendation: OMB recommended that this request be approved because this cost has traditionally been borne by the Public Defender's Office as the employer.

7) **Project Title: Baseline Adjustment for Personnel Cost**

Type of Request: Baseline	Amount Requested:	\$320,977
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Request Description: The Public Defender's Office included a 3% reduction in personnel costs in its baseline request in order to meet the allowable baseline limit. The Public Defender's Office is requesting that the 3% reduction in personnel costs be reinstated because these additional cuts would affect the quality and efficiency of the Public Defender's Office to adequately defend indigent individuals.

Status: Recommended	Amount Recommended:	\$320,977
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Recommendation: OMB recommended that this request be approved because any additional reduction in personnel costs would likely lead to an increase in cases assigned to Appointed Counsel, which would be a more costly alternative. This request was included in the final approved budget.

VII. OMB Recommended Adjustments:

A. Vacancy Credits

- 1) Vacancy Credit – General Fund (Fund 1000) – The 2013 Agency Request includes a vacancy reduction of \$29,688 in personal services and \$18,201 in fringe benefits, which represents a vacancy rate of approximately 0.4%. For comparison, the 2012 Budget included a vacancy credit of \$69,864 in personal services and \$11,303 in fringe benefits, which represented a vacancy rate of approximately 1.2%.

Based on the 2009, 2010 and 2011 total actual salaries and wages expenditures, as well as the 2012 projected salary expenditures, as compared to approved budget amounts, the agency maintains an average vacancy surplus of 1.5% in this fund. The final approved budget included a vacancy credit of 1.2% or \$77,806.

Other Adjustments

- 1) Baseline Adjustments – General Fund (Fund 1000) – Cost Allocation Adjustment – The 2013 Approved Budget includes an increase of \$39,516 for cost allocation expenses.
- 2) Baseline Adjustments – General Fund (Fund 1000) – Healthcare Adjustment – The 2013 Approved Budget includes an additional \$83,820 for the estimated 6% premium rate increase effective April 2013.

VIII. Budget Corrective Items:

A. Approved

- 1) Resolution No. 0031-13 authorized a General Fund transfer of appropriations from the Commissioners' Reserves in the amount of \$1,219,297 to various County offices for a 1.5% salary and wage increase for non-bargaining employees. The total amount transferred to Personal Services and Fringe Benefits for the Public Defender's Office was \$123,894.
- 2) Resolution No. 0363-13 authorized a transfer of General Fund appropriations for the purchase of equipment to utilize the County's E-Filing System in the amount of \$73,786.

B. Pending

- 1) None.

IX. Other Post-Budget Items:

A. None.