

Alternate Public Defender

RECOMMENDED BUDGET • FY 2022-23

MISSION

The purpose of the Office of the Alternate Public Defender is to provide legal representation to indigent persons charged with crimes and whom the Public Defender's Office is unable to represent due to a conflict of interest or unavailability, in court proceedings in the Superior Court.

DEPARTMENT BUDGET SUMMARY

Description	FY 2020-21 Actual	Current Year Adopted	CAO Recommended	Difference from Adopted
Fines & Penalties	435,130	0	0	0
Service Charges	771,902	0	0	0
Miscellaneous Rev	2,125	0	14,300	14,300
Total Revenue	1,209,157	0	14,300	14,300
Salaries & Benefits	0	745,941	876,382	130,441
Services & Supplies	1,112,705	1,980,571	1,817,137	(163,434)
Other Charges	1,183,898	0	0	0
Other Fin Uses	29,721	264,000	0	(264,000)
Intrafund Transfers	39,552	56,912	107,536	50,624
Total Appropriations	2,365,876	3,047,424	2,801,055	(246,369)
FUND 1000 GENERAL FUND TOTAL	1,156,719	3,047,424	2,786,755	(260,669)

MAJOR BUDGET CHANGES

Revenues

Miscellaneous Revenue

\$14,300 The Alternate Public Defender is receiving funding from the Board of State and Community Corrections to participate in the Public Defense Pilot Program.

Appropriations

Salaries and Benefits

\$130,441 Increase in permanent employee salaries is due mainly to Board-approved compensation increases which are offset partially by a reduction in health insurance premium costs. FY 2021-22 was the first year of the office and health insurance was budgeted at the highest level. As employees have been hired their actual benefit elections were lower, resulting in savings.

Services and Supplies

(\$163,434) Decrease is due mainly to the elimination of the El Dorado Law contract, which was in place for three months during FY 2021-22 as a transition period during the establishment of this new office.

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Other Financing Uses

(\$264,000) Decrease due to the elimination of the transfer out to the Facilities Division, which was included in the FY 2021-22 budget for completion of the buildout of the Alternate Public Defender's office space.

Intrafund Transfers

\$50,624 Increase in intra-fund charges from the Chief Administrative Office Central Fiscal Division for fiscal and administrative support. Charges for FY 2021-22, the first year of the office, were estimated. The charge for FY 2022-23 is based on actual time spent by the Central Fiscal Division in FY 2021-22.

PROGRAM SUMMARY

Alternate Public Defender

The Office of the Alternate Public Defender serves as indigent conflict counsel for those cases where either the Judge or the County Public Defender has determined a conflict exists. Conflicts can exist for a number of different reasons. Examples include a case where the Public Defender may already be defending a client on a different case or where a client is linked to circumstances in a different client's case. The Alternate Public Defender may also be assigned by Judges to cases where there are multiple defendants or where special circumstances exist such as the death penalty which requires, by law, a minimum of two attorneys, one of which would come from the Alternate Public Defender's Office.

The Office was created in March, 2022; prior to that, all services were provided through contracts. The Office will serve the West Slope with County employees. For the first two years, the Office will provide services in the Tahoe Basin through contracts with two attorneys that are currently providing these services for the County in the Basin.

STAFFING TREND

The Office of the Alternate Public Defender was established in 2021 with 5.0 FTEs. No changes to the personnel allocation are recommended with this budget.

RECOMMENDED BUDGET

This Budget is recommended at \$2,801,055, which is a decrease of \$246,369 (8%) when compared to the FY 2021-22 Adopted Budget. The General Fund provides 99% of the Department and total General Fund support is reduced by 8.6% when compared to the FY 2021-22 Adopted Budget.

Sources & Uses of Funds

Indigent Defense is a mandated service, funded entirely from discretionary General Fund revenue.