

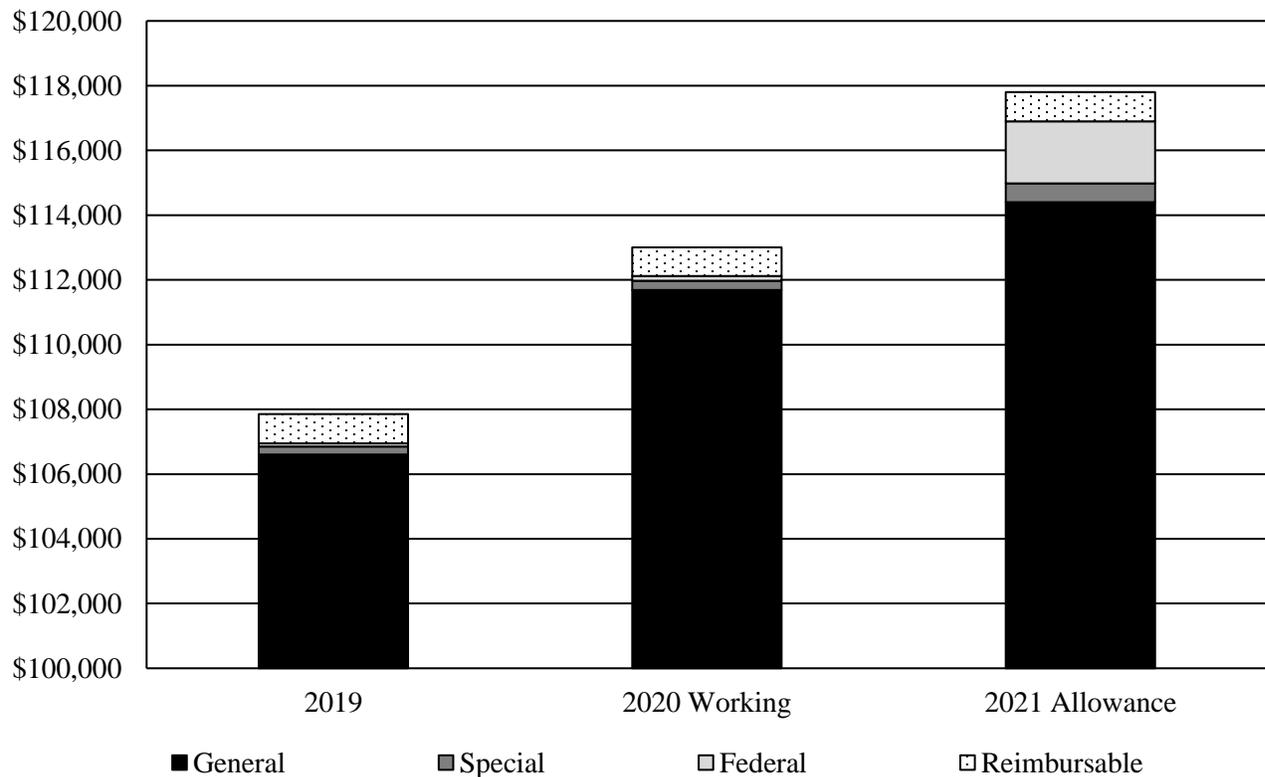
C80B00
Office of the Public Defender

Executive Summary

The Office of the Public Defender (OPD) provides counsel and related services to indigent persons involved in criminal cases and other select matters.

Operating Budget Summary

Fiscal 2021 Budget Increases by \$4.8 Million or 4.2% to \$117.8 Million
(\$ in Thousands)



Note: Numbers may not sum due to rounding. The fiscal 2020 appropriation includes deficiencies, planned reversions, and general salary increases. The fiscal 2021 allowance includes contingent reductions and general salary increases.

- **Deficiencies Total \$4.6 Million:** The Governor’s budget includes fiscal 2020 deficiency funding of \$940,892 for the agency’s new case management system, eDefender, and \$3,637,474 to cover carryover expenses for fiscal 2019 operating expenses.

Key Observations

- ***Case-related Expenditures Underfunded by Just \$14,000:*** While OPD has required deficiency funding since fiscal 2010 for case-related cost overruns, the current budget helps the agency clear its financial backlog and reduces its level of exposure in terms of future case expenditures.
- ***Workload Reduction Pilot Program Is Reducing Caseloads:*** In the first six months of the agency’s workload reduction pilot program at the end of calendar 2018, OPD’s caseloads were lowered by over 9,500 cases, resulting in savings for the agency and the State.
- ***After Five-year Decline, Total Cases Increase 13%:*** Despite recent declines in cases across the country, OPD cases are growing for several key reasons. In addition, Maryland’s suburban county caseloads remain high.
- ***eDefender Case Management System Deploys in 2020:*** The agency’s new information technology system is slated for deployment in calendar 2020 and will enable the agency and its attorneys to conduct more key operations digitally, reducing costs and increasing efficiency.

Operating Budget Recommended Actions

1. Adopt committee narrative requesting that information about the agency’s Workload Reduction Pilot Program be included in its annual Managing for Results submission.

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Office of the Public Defender

Operating Budget Analysis

Program Description

The Office of the Public Defender (OPD) provides counsel and related services to indigent persons through 12 district operations, four divisions, and two specialized units. As defined in the Code of Maryland Regulations 14.06.03.01, indigent means “any person taken into custody or charged with a serious crime who under oath or affirmation subscribes and states in writing that he is financially unable, without undue hardship, to provide for the full payment of an attorney and all other necessary expenses of legal representation.” Legal representation is provided in criminal trials, bail reviews, appeals, juvenile cases, post-conviction proceedings, parole and probation revocations, and involuntary commitments to mental institutions. The four divisions that support the office are (1) General Administration; (2) District Operations; (3) Appellate and Inmate Services; and (4) Involuntary Institutionalization Services.

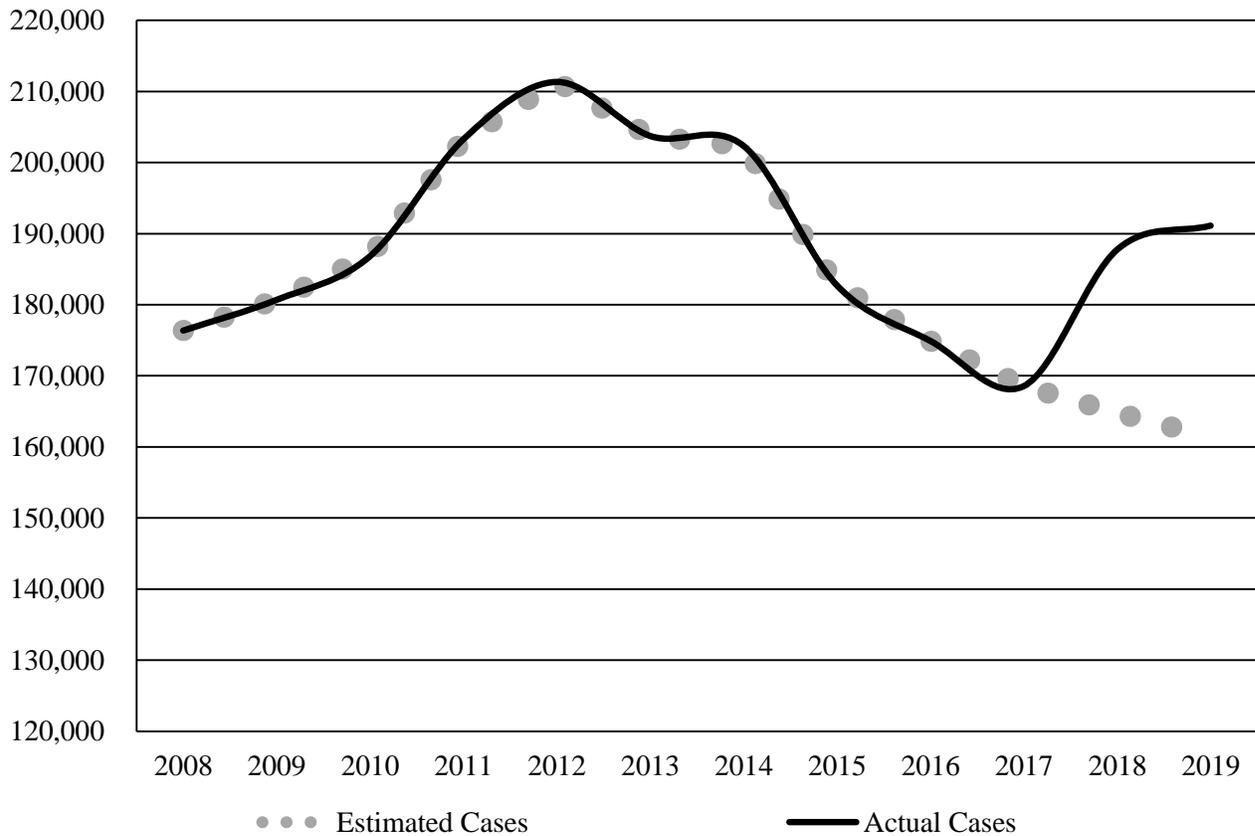
Performance Analysis: Managing for Results

1. After Five-year Decline, District and Circuit Court Cases Increase 13%

During the 2006 session, the General Assembly endorsed the implementation of Maryland-specific attorney caseload standards for public defenders. Under these standards, the maximum number of cases that public defenders can handle each year without jeopardizing the effective assistance of counsel varies based on geographic location and type of case. OPD also uses these standards to measure agency performance and to inform its allocation of resources.

In calendar 2019, the estimated agency caseload was 191,122. Since calendar 2012, OPD saw a decrease in overall cases, similar to other judicial agencies, due to nationwide and statewide declines in arrests and crimes. Since that relative peak in 2012, cases declined from a high of over 211,000 to just under 167,000 five years later, in calendar 2017. During that time, the agency published its annual estimated caseloads which, bolstered by the decriminalization of marijuana, predicted continued declines to 161,000 cases in calendar 2019. However, actual cases in 2018 were higher than expected, particularly for District Court. **Exhibit 1** depicts the agency’s estimated and actual caseloads, which indicates an increase from 161,000 cases to 191,000 cases by the end of 2019. This increase, in part, is due to the fact that public defenders previously represented only individuals who applied for a defender at OPD offices; now, 100% of individuals can apply at their initial appearance with a court commissioner.

Exhibit 1
Estimated versus Actual Caseloads
Calendar 2008-2019



Source: Department of Budget and Management

Caseloads Increase Because Judiciary Can Notify All Charged Individuals of Their Right to a Public Defender

In fiscal 2017, Chapter 606 of 2017 gave the Judiciary and its court commissioners the ability to determine if individuals qualified for a public defender; additionally, commissioners are easily able to inform individuals of this option at their initial appearances. OPD reports that the potential increase cannot be directly quantified in this case as it is impossible to know if an individual would have asked for a public defender if the new indigency determinations were not offered. However, there is still an impact, as Judiciary sees 100% of individuals charged and can determine their eligibility. Overall, the rule change has directly expanded the State's ability to increase residents' access to legal representation.

2. Circuit Court Cases Per Attorney Remain Within Standards; Western Maryland Sees Significant Increase

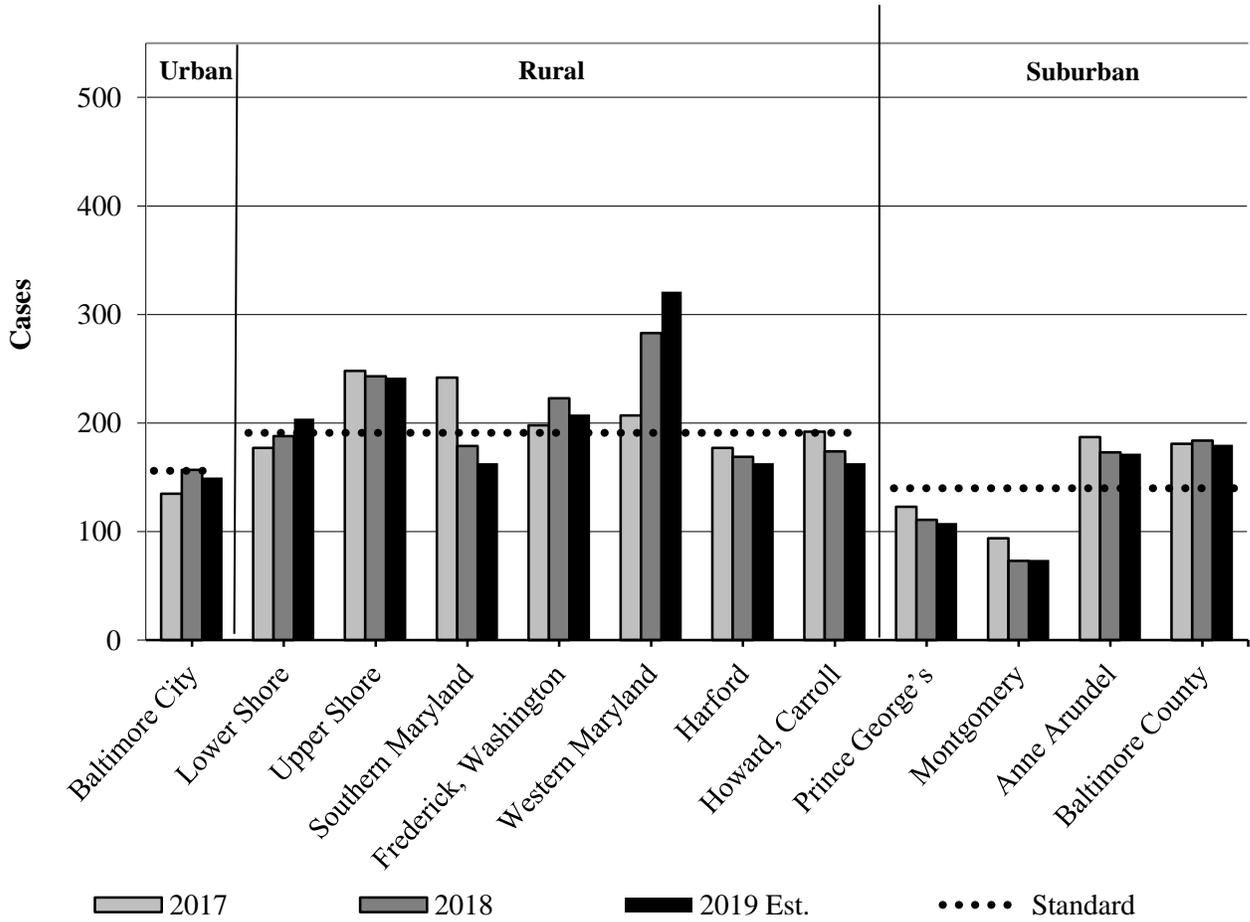
The recent decline in OPD caseloads helped the agency achieve or come close to its attorney workload targets in the previous fiscal year. This also allowed OPD to rebalance caseloads throughout the State by moving attorneys to where they would be needed most. While performance measure indicators use the most recent calendar year estimates (in this case, 2019) to judge progress in terms of workload standards, it is useful to look at prior years to determine if caseload estimates were, in fact, accurate. Despite a few key increases in actual calendar year totals, overall caseload trends for OPD remain intact.

For its circuit court cases, OPD has the following workload standard: 156 cases per attorney in urban districts; 191 for rural districts; and 140 for the suburban areas. The OPD target is that 40% of districts (5 of 12) will be in compliance with caseload standards. In the current estimate for calendar 2019, the following results were observed.

- ***Circuit Court Goal States that 40% (or 5 of 12) Districts Should Meet Targets:*** 6 of 12 districts met the target – Baltimore City, Southern Maryland, Harford County, Howard/Carroll counties, Prince George’s County, and Montgomery County. This is one less jurisdiction than in calendar 2018.
- Western Maryland (Allegany and Garrett counties) has a significant caseload increase since calendar 2016 – from 174 to 321, or 84%.

Exhibit 2 depicts annual caseloads per circuit court attorney from calendar 2017 to 2019 estimated. **OPD should comment on the circuit court’s significant case per attorney increase in the Western Maryland jurisdictions.**

**Exhibit 2
Average Circuit Court Caseload Per Attorney
Calendar 2017-2019 Est.**



Lower Shore: Dorchester, Somerset, Wicomico, and Worcester counties
 Upper Shore: Caroline, Cecil, Kent, Queen Anne’s, and Talbot counties
 Southern Maryland: Calvert, Charles, and St. Mary’s counties
 Western Maryland: Allegany and Garrett counties

Maryland Caseload Standards: Urban Counties – 156 cases; Rural Counties – 191 cases; Suburban Counties – 140 cases.

Source: Department of Budget and Management

3. District Court Caseloads Remain High

Similar to circuit court, OPD has performance measures for its District Court cases per attorney, with similar standards. Per attorney, caseload standards are 728, 630, and 705 for urban, rural, and suburban District Court attorneys, respectively. In calendar 2019, the OPD target goal for these attorneys is the same – that 40% of districts (5 of 12) will be in compliance with agency caseload standards. In the current estimate for calendar 2019, the following results were observed.

- ***District Court Goal States that 40% (or 5 of 12) Districts Should Meet Targets:*** Only 3 of 12 districts met the target: Baltimore City; Western Maryland; and Howard/Carroll counties. This is two fewer jurisdictions than in calendar 2018. While the Southern Maryland and Frederick/Washington districts were all within standards in calendar 2018, both areas are now over standards due to caseload increases; however, those increases are fairly minimal. With a standard of 630, Southern Maryland has 646 cases per attorney (16 cases over), and Frederick/Washington counties are at 682 – or a collective 52 cases over the standard.

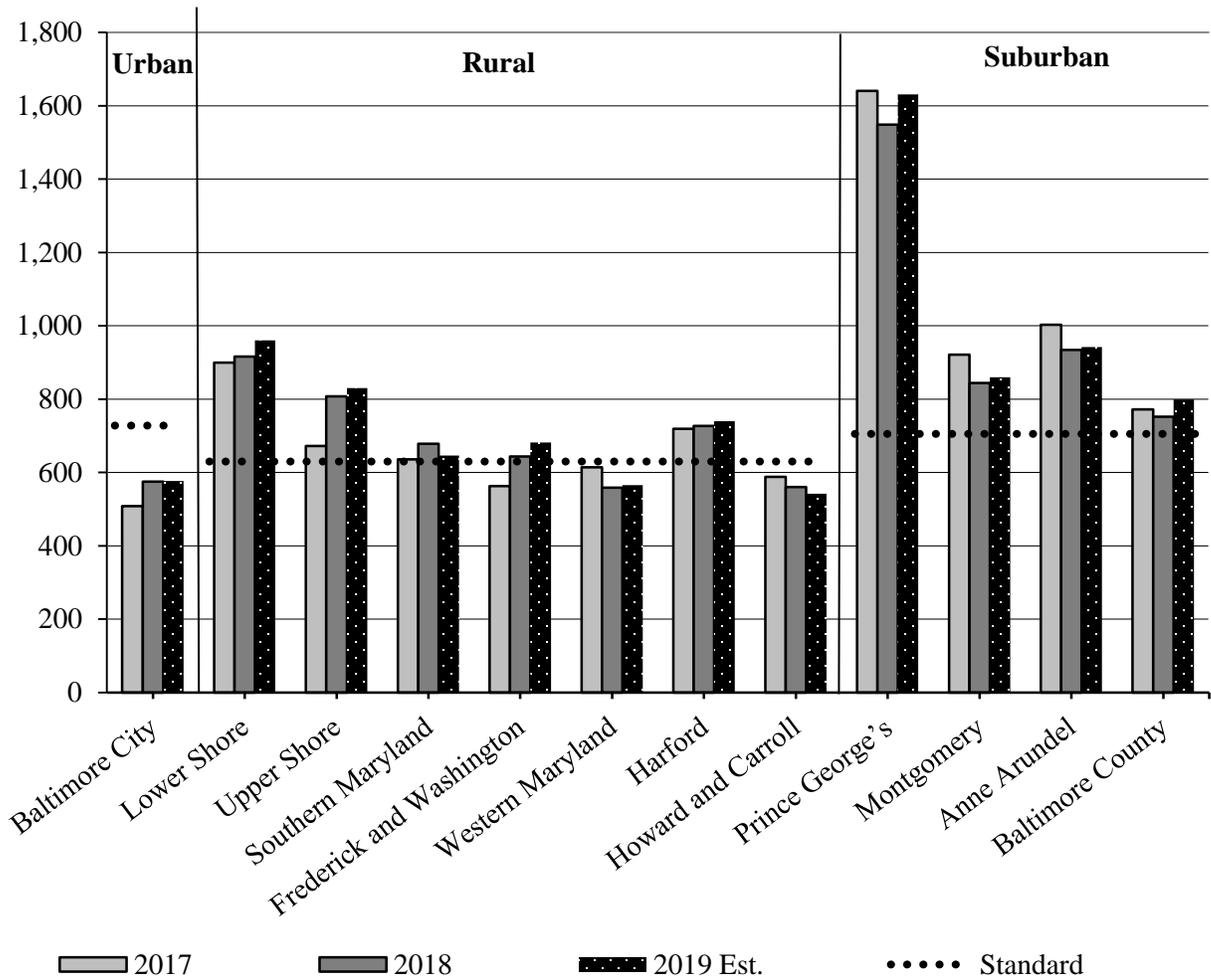
Suburban District Caseloads Continue to Grow

In terms of the larger counties, Prince George’s County continues to have far higher caseloads than any other jurisdiction – over 1,600 cases, while the second largest county by caseload is Anne Arundel County with 942, Montgomery County with 860, and Baltimore County with 799. All three counties, which represent the entire suburban category, are over standards and have been since calendar 2010. **Exhibit 3** depicts annual caseloads for each District Court attorney from calendar 2017 to 2019 estimated.

Caseload Standards May Need to Be Reevaluated

It is important to note that caseloads per attorney can fail to meet standards because OPD may not have enough attorneys in a region. In recent years, the agency has stated that its attorney personnel complement is lower than what is necessary to meet standards and adequately handle workloads. **OPD should comment on the significant increase in District Court caseloads as well as why all suburban districts have been over standard for nearly a decade. In addition, the agency should comment on whether workload standards should be updated, given the longstanding high suburban caseload level. Last, the agency should discuss its new case management system and if it will help the agency address the caseload and standards issue.**

**Exhibit 3
Average District Court Caseload Per Attorney
Calendar 2017-2019 Est.**



Lower Shore: Dorchester, Somerset, Wicomico, and Worcester counties
 Upper Shore: Caroline, Cecil, Kent, Queen Anne's, and Talbot counties
 Southern Maryland: Calvert, Charles, and St. Mary's counties
 Western Maryland: Allegany and Garrett counties

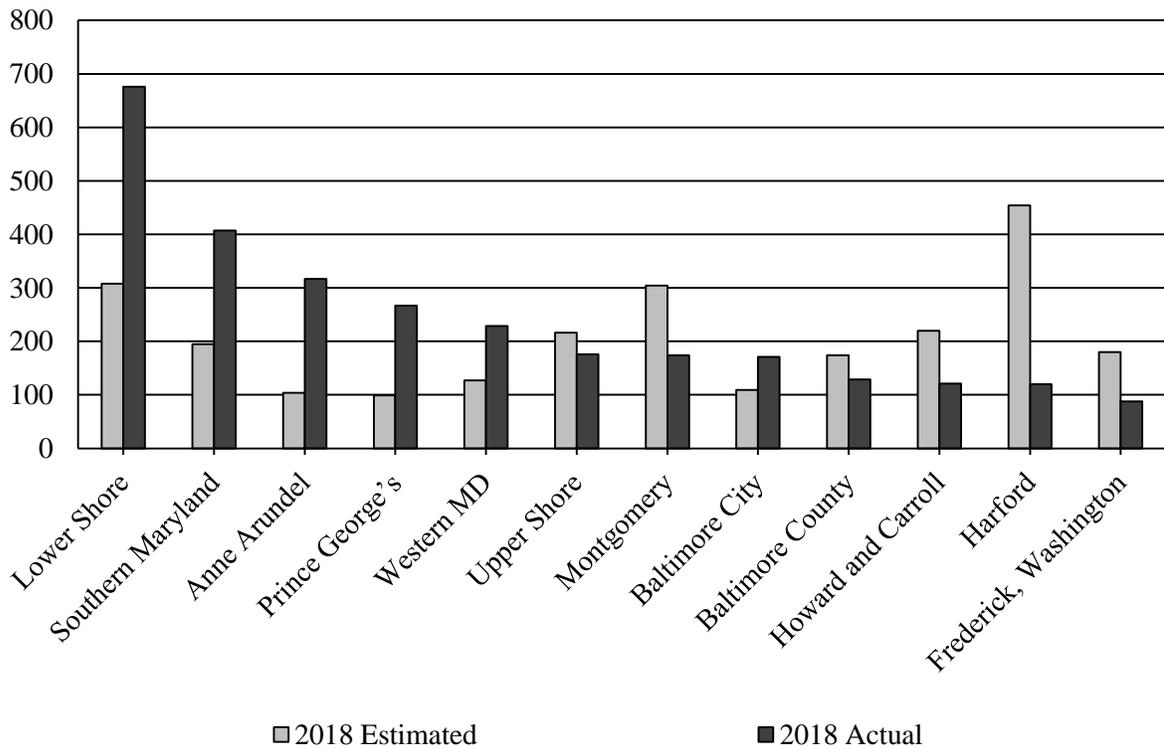
Maryland Caseload Standards: Urban Counties – 728 cases; Rural Counties – 630 cases; Suburban Counties – 705 cases.

Source: Department of Budget and Management

4. Juvenile Caseloads Per Attorney: Most Regions Remain within Standards Despite Significant Increases in Several Districts

Since calendar 2014, the OPD juvenile caseload has decreased overall, mirroring the decline seen in adult caseloads in both circuit and District courts. However, since calendar 2016, when a low of 9,960 cases was recorded, juvenile caseloads per attorney have been on the rise. In its annual Managing for Results (MFR) submission, OPD reports estimated caseloads for the most recent calendar year and follows that by reporting actual results during the following year. **Exhibit 4** displays agency juvenile caseloads per attorney (estimated and actual) for each jurisdiction. As the exhibit illustrates, there are wide swings in the estimated versus actual caseloads for lawyers in those areas. In particular, the Lower Shore region had 308 estimated cases but 646 actual cases – an increase of nearly 110%. Additionally, Southern Maryland’s juvenile caseloads more than doubled for each attorney and more than tripled in Anne Arundel County.

**Exhibit 4
Average Juvenile Caseloads Per Attorney (Estimated vs. Actual)
Calendar 2018**

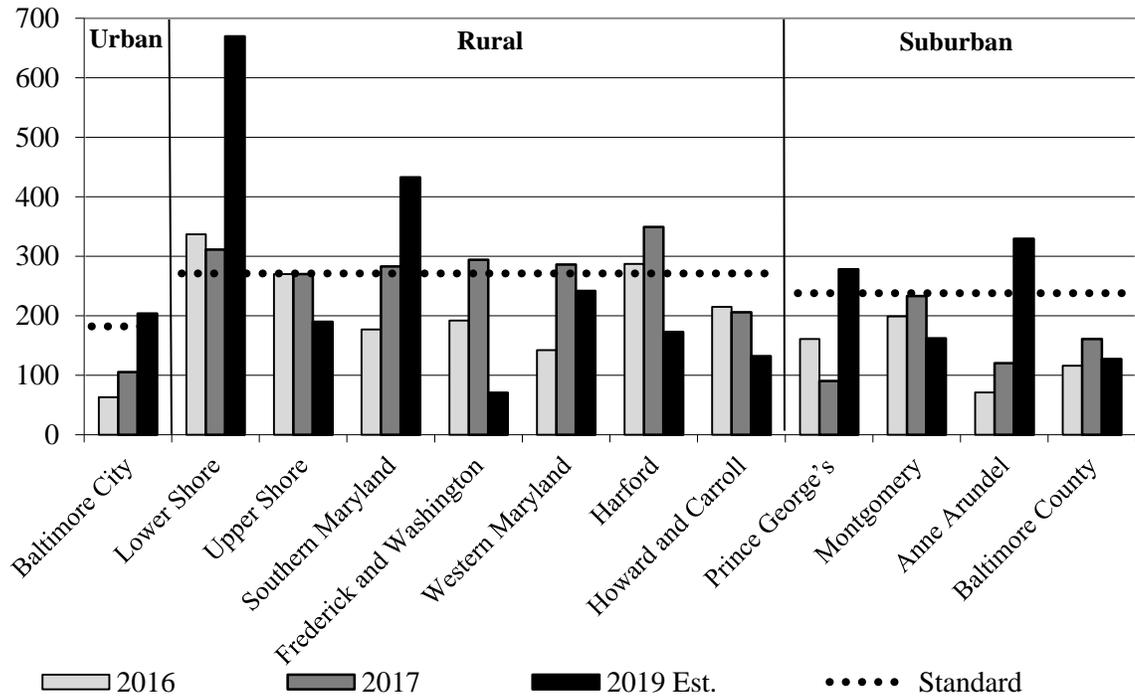


Source: Department of Budget and Management

Juvenile Caseloads Per Attorney Increase Significantly in Lower Shore, Southern Maryland, Baltimore, and Anne Arundel Regions

Overall, caseloads per attorney are affected by several factors. If fewer public defenders are deployed to a particular jurisdiction, the caseload count per attorney will increase. Additionally, changes in OPD's methodology for its estimates would have an outsized impact when comparing these numbers year over year. When observing the actual caseloads per attorney with previous year actuals, it is clear that significant increases have occurred in the Lower Shore (Dorchester, Somerset, Wicomico, and Worcester); Southern Maryland (Calvert, Charles, and St. Mary's); Baltimore City; and Anne Arundel County – and each region is over its respective standard. In total, the goal for this metric is that at least 75% of districts (9 of 12) meet the standards. In calendar 2019, 7 of the 12 districts were within standards, which is two fewer regions than the previous year, as seen in **Exhibit 5**. **While both Southern Maryland and Lower Shore only have one juvenile attorney each – which can skew the calculations in those districts – OPD should comment on whether the current levels are sustainable and if more attorneys need to be deployed to these jurisdictions. In addition, OPD notes that the Anne Arundel County and other MFR totals have some errors, so the agency should comment on this issue as well as the rise of juvenile caseloads per attorney in Baltimore City.**

**Exhibit 5
Average Juvenile Court Caseload Per Attorney
Calendar 2017-2019 Est.**



Maryland Caseload Standards: Urban Counties – 182 cases; Rural Counties – 271 cases; Suburban Counties – 238 cases.

Lower Shore: Dorchester, Somerset, Wicomico, and Worcester counties

Upper Shore: Caroline, Cecil, Kent, Queen Anne’s, and Talbot counties

Southern Maryland: Calvert, Charles, and St. Mary’s counties

Western Maryland: Allegany and Garrett counties

Source: Department of Budget and Management

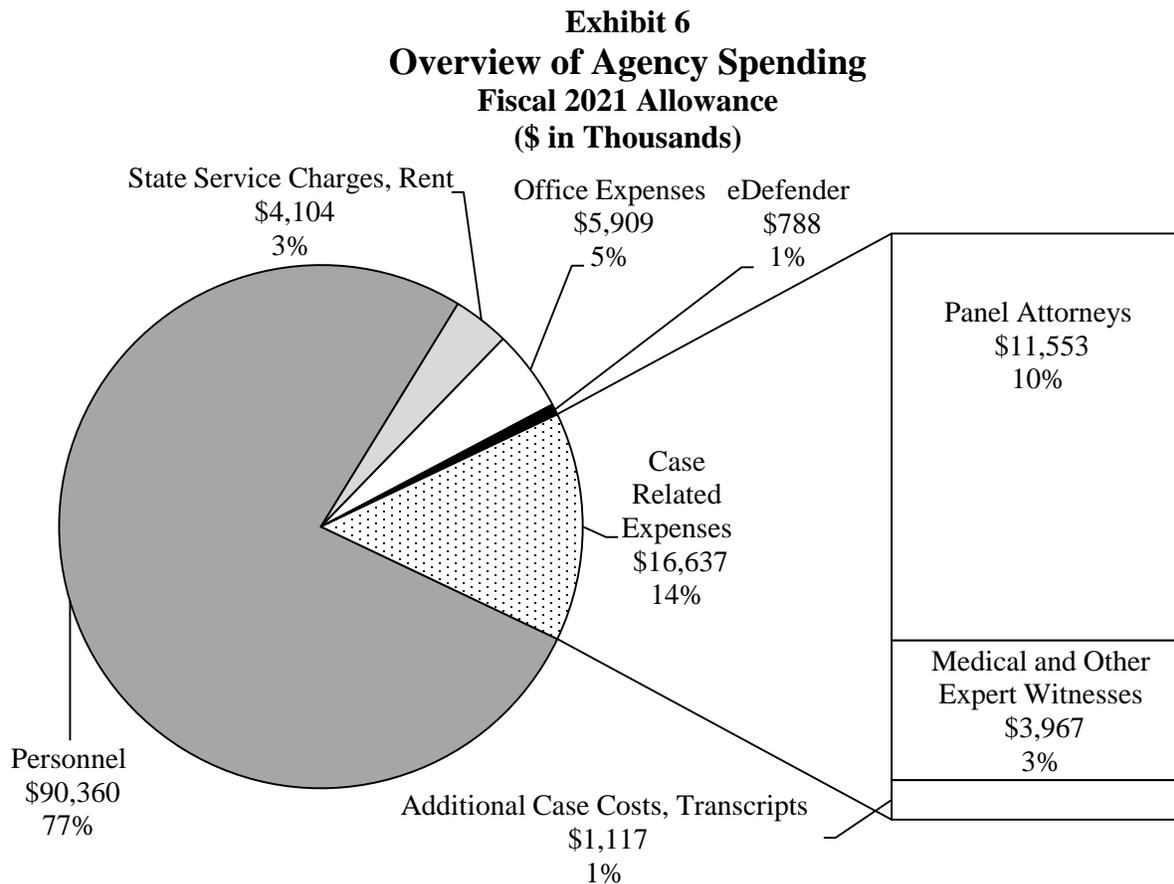
Fiscal 2020 Actions

Proposed Deficiency

The Governor’s budget includes \$940,882 in fiscal 2020 deficiency funding to provide additional general funds for replacement equipment and contractual services for the agency’s new eDefender case management program. An additional \$3,637,474 in general funds is also provided to cover a fiscal 2019 cost overrun for case-related expenditures (panel attorney fees, expert witness and transcription costs, and other items) which carried over into fiscal 2020.

Fiscal 2021 Overview of Agency Spending

Exhibit 6 shows the key areas of spending in OPD’s fiscal 2021 allowance. While just over three-quarters of the agency budget, or \$90 million, is allocated for personnel (77%), case-related expenses such as costs for panel attorneys, expert witnesses, and transcripts for appeals make up 14% and total approximately \$16.6 million. Remaining expenses total nearly \$11 million for general office expenses, rent, and various State service charges. Included in this total is approximately \$788,000 for the agency’s eDefender case management system. Overall, spending allocations are consistent and have changed no more than 2% per category when compared to the fiscal 2020 allowance.



Source: Department of Legislative Services

Proposed Budget Change

The fiscal 2021 allowance for OPD increases by \$4.8 million, or 4.2%, depicted in **Exhibit 7**. Overall, the increase is due to growth in statewide salary enhancements, costs for the eDefender case management system, and a fairly significant expansion in case-related expenditures.

Exhibit 7
Proposed Budget
Office of the Public Defender
(\$ in Thousands)

How Much It Grows:	General Fund	Special Fund	Federal Fund	Reimb. Fund	Total
Fiscal 2019 Actual	\$106,603	\$248	\$97	\$907	\$107,854
Fiscal 2020 Working Appropriation	111,686	286	145	883	113,000
Fiscal 2021 Allowance	<u>114,401</u>	<u>576</u>	<u>1,922</u>	<u>899</u>	<u>117,798</u>
Fiscal 2020-2021 Amount Change	\$2,715	\$290	\$1,777	\$16	\$4,798
Fiscal 2020-2021 Percent Change	2.4%	101.3%	1221.5%	1.8%	4.2%
Where It Goes:					<u>Change</u>
Personnel Expenses					
Fiscal 2021 2% cost-of-living adjustment (COLA) effective January 1, 2021.....					\$747
Accrued leave payouts					600
Employee retirement system.....					503
Employee and retiree health insurance costs					414
Net annualization of fiscal 2020 COLA					334
Other fringe benefit adjustments.....					-2
Social Security contributions					-45
Turnover expectancy.....					-34
Abolished position: 1 part-time attorney					-56
Workers' compensation premium assessment					-67
Regular earnings					-555
Other Changes					
Panel attorney fees					980
State service charges and fees					575
eDefender Case Management System licenses					555
Desktop and laptop computer upgrades					443
Contractual services and office supplies					397
Medical experts and support for cases/clients.....					200
Routine travel and operations					68
Non-Department of General Services rent.....					41
Courtroom expert witnesses.....					-150
All other changes					-150
Total					\$4,798

Note: Numbers may not sum due to rounding. The fiscal 2020 appropriation includes deficiencies, planned reversions, and general salary increases. The fiscal 2021 allowance includes contingent reductions and general salary increases.

eDefender Case Management System Deploys in Spring 2020

The agency’s eDefender case management system, a major information technology (IT) development project, deploys in calendar 2020, replacing the agency’s decade-old Prolaw software. With \$787,500 in the fiscal 2021 allowance, eDefender will be a key component of OPD’s attorney representation process, allowing the agency to track the submission of attorney panel fee petitions, case dispositions and results, and will analyze case activity in order to more accurately predict future panel fee costs. Electronic storage and web access to eDiscovery will allow the agency to reduce its paper footprint and postage costs. In addition to the new system, OPD attorneys and social workers will have laptops with mobile access that will allow them to work in court at trial counsel tables, project evidence and presentations for opening and closing arguments, and will give them the ability to work remotely. More information about eDefender can be found in **Appendix 2** of this analysis.

Personnel Data

	FY 19 <u>Actual</u>	FY 20 <u>Working</u>	FY 21 <u>Allowance</u>	FY 20-21 <u>Change</u>
Regular Positions	888.50	888.50	888.50	0.00
Contractual FTEs	<u>55.00</u>	<u>61.00</u>	<u>56.50</u>	<u>-4.50</u>
Total Personnel	943.50	949.50	945.00	-4.50

Vacancy Data: Regular Positions

Turnover and Necessary Vacancies, Excluding New Positions	62.82	7.07%
Positions and Percentage Vacant as of 12/31/19	68.50	7.71%
Vacancies Above Turnover	5.68	

While there were no changes in regular positions, the agency abolished 1 part-time attorney position in order to combine it with a similar one to create 1 full-time attorney position. In addition, OPD had 16 internal transfers; these changes were for redeployments of attorneys. In particular, the agency continues to move attorneys away from Baltimore City (District 1), as caseloads have continued to decline. During the past five years, approximately 40 vacant attorney positions in Baltimore City were redistributed. The agency also reports that it turned over more than 70% of its IT staff in fiscal 2019 because of a need for improved IT skills among its personnel complement. This change of strategic plans led to some agency reorganization and, as a result, several temporary personnel will be in the process of being hired full time. **OPD should comment on their IT reorganization and how it will improve agency operational capacity and comport with the new eDefender case management system.**

Issues

1. OPD Need for Deficiencies Mitigated by New Workload Reduction Pilot Program

The Governor’s budget plan provides OPD with over \$3.6 million in fiscal 2020 deficiency funding to cover case-related expenses from previous fiscal years. Due to cost overruns, particularly because of specific types of case-related expenditures, the agency has required similar deficiency funding since fiscal 2010. In each of these years, the General Assembly has provided funding for the agency, and, in recent years, the Department of Legislative Services (DLS) generally predicted that OPD would continue to be underfunded for the foreseeable future.

Exhibit 8 shows several key OPD case-related expenditures: (1) panel fees (where attorneys take on multiple cases within a single docket); (2) medical support (expert medical assistance and courtroom witnesses); (3) other expert witnesses; and (4) transcripts for court proceedings. Since fiscal 2010, these expenses have continued to rise, along with carryover costs from previous years that added to the total. From fiscal 2019 onward, the increase in funding from the Workload Reduction Pilot Program (WRPP) – which allows private attorneys to take multi-case District Court traffic dockets – places the OPD budget in a unique position. By using a three-year average of actual case expenditures, DLS estimates that current year case-related expenses (excluding the WRPP) are underfunded by approximately \$14,000. This figure represents relative progress, as agency case expenses were underfunded by \$785,000 in fiscal 2020.

Exhibit 8
Key Caseload Expenditures
Fiscal 2017-2021
(\$ in Thousands)

	<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>Working Appropriation 2020</u>	<u>Allowance 2021</u>	<u>Three-year Actual Average</u>
Panel Fees	\$7,458	\$7,987	\$8,540	\$8,300	\$8,300	\$7,995
Medical Support	1,663	2,081	2,529	1,800	2,000	2,091
Expert Witnesses	1,344	1,284	1,093	1,350	1,200	1,240
Transcripts	1,725	1,625	1,773	1,570	1,570	1,708
Total	\$12,189	\$12,977	\$13,935	\$13,020	\$13,070	\$13,034
				2020 Working Appropriation		\$13,020
				Three-year Actual Average		13,034
						-\$14

Note: This chart does not include funding provided in fiscal 2019 to 2021 for the Workload Reduction Pilot Program.

Source: Office of the Public Defender

C80B00 – Office of the Public Defender

Because key OPD expenditures now have additional funding and the agency receives deficiency funding for cost overruns in the current budget, it does not expect to have similar funding issues going forward. However, OPD faces a variety of challenges, including the following.

- ***Indigency Determinations:*** As mentioned in the MFR section of this analysis, OPD is entering its third year after transferring the determinations for public defender eligibility to county commissioners. The resulting increase in cases is not a short-term phenomenon. Despite the fact that OPD caseloads were declining, the new rules will continue to result in an increase in the number of individuals informed of their right to a public defender, both during the initial case review and at their bail review.
- ***Case Complexity:*** The agency notes that cases are becoming more complex due to the increase in technology and tools that require extensive consultation with experts on a variety of issues. These range from DNA capture and advanced forensic science, to the use of computer data extraction, cell phone tracking, and the massive volume of cell phone video recordings and police body camera footage – all of which add to the costs for expert witnesses, digital storage, and computer equipment.
- ***Medical Services:*** The costs for expert medical witnesses and case advisors have continued to increase for several reasons. The number of mental health assessments needed for juveniles (and others) as well as a need for expertise regarding a variety of substance abuse and opioid issues continues to grow.

WRPP Has Reduced Caseloads by 9,500

OPD has been able to meet the challenge in terms of several of its other key costs including forensic and technical support services and costs for social workers, and will be reducing its paper footprint via its new eDefender case management system. Additionally, the WRPP and its \$1 million in initial funding reduced the agency's district court caseload by over 9,500 cases, as illustrated in **Exhibit 9**. The districts listed in the chart were invited to enter the pilot program because those regions were over caseload standards in fiscal 2017.

Exhibit 9
WRPP Caseload Reductions by District
June to December 2018

<u>District</u>	<u>Jurisdiction</u>	<u>Cases Reduced</u>
District 2	Lower Shore (Dorchester, Somerset, Wicomico, and Worcester counties)	667
District 3	Upper Shore (Caroline, Cecil, Kent, Queen Anne’s, and Talbot counties)	430
District 4	Southern Maryland (Calvert, Charles, and St. Mary’s counties)	608
District 5	Prince George’s County	3,249
District 6	Montgomery County	1,473
District 7	Anne Arundel County	1,820
District 8	Baltimore County	1,054
District 12	Allegany and Garrett counties	242
Total		9,543

WRPP: Workload Reduction Pilot Program

Source: Office of the Public Defender

WRPP Update: Over 24,000 Cases Resolved and \$1 Million Saved

Currently, the WRPP continues to reduce caseloads. According to OPD, updated metrics for calendar 2019 show that 3,421 dockets (averaging 11 cases within each docket) were taken by panel attorneys. So far, the total number of cases resolved was 24,213, which approximates the work of 32 attorneys. According to the agency, if caseloads remain steady, nearly all of its District Court jurisdictions could move within caseload standards in calendar 2020 or 2021. While the actual number of caseloads has risen higher than agency expectations, it is important to note that the agency’s longstanding personnel needs are at least addressed by the WRPP, and the State does save approximately \$1 million in costs avoided in the most recent fiscal year due to the program. **In order to ensure that the committees remain properly briefed on the operational impact of this program, DLS recommends that OPD include key metrics for the WRPP in its annual MFR submission.**

Operating Budget Recommended Actions

1. **Workload Reduction Pilot Program Data Report:** In recent years, the Office of the Public Defender (OPD) has noted that while caseloads per attorney have changed, the actual workloads for its attorneys have remained either consistent or have risen. By increasing the number of cases that can be handled via multi-case dockets to private bar attorneys, the Workload Reduction Pilot Program (WRPP) has enabled the agency to decrease its overall caseloads. Therefore, it is the intent of the budget committees that OPD submit a calendar year update that includes, but is not limited to, the following information with its annual Managing for Results submission:

- Total dockets paneled and average cases per docket;
- average number of cases resolved;
- total number of cases resolved in total and by district;
- estimated savings due to cost avoidance of the resolved cases; and
- total funding of the WRPP program for the most recent fiscal year.

Information Request	Author	Due Date
WRPP data report	OPD	January 1, 2021 and each year thereafter

Appendix 1
2019 Joint Chairmen’s Report Responses from Agency

The 2019 *Joint Chairmen’s Report* (JCR) requested that the Office of the Public Defender (OPD) prepare one report. Electronic copies of the full JCR responses can be found on the Department of Legislative Services Library website.

- ***Contractual Staff Compensation and Pipeline to Full-time Employment:*** OPD continues to redeploy contractual employees where they are needed, according to areas of law and statewide geographic needs. The report includes key position classifications, hourly pay rates, as well as information regarding the 35 contractual employees who were converted to full-time staff since calendar 2017.

Appendix 2
Major Information Technology Project
Office of the Public Defender
Case Management Replacement: eDefender

More information on this project is referenced in the Budget section of this document.

New/Ongoing: Ongoing.								
Start Date: Fiscal 2020					Est. Completion Date: Fiscal 2022			
Implementation Strategy: Waterfall/Agile Waterfall								
(\$ in Millions)	Prior Year	2020	2021	2022	2023	2024	Remainder	Total
GF		\$0.556	\$0.788	\$0.668				\$2.012
Total		\$0.556	\$0.788	\$0.668				\$2.012

- **Project Summary:** The Office of the Public Defender (OPD) will deploy E-Defender, a commercial off-the-shelf legal case management application customized for OPD offices. The system is web-based and will help the agency manage and process its cases from initial intake, representation, and to the generation of statistics to further inform decisions and funding.
- **Need:** This project will replace the decade-old Prolaw case management system and will enable the agency to support real-time data exchange, current security requirements, and obtain full software support. It will also enhance accessibility as the old system cannot be used outside of OPD’s offices.
- **Observations and Milestones:** eDefender is on schedule for the pilot program deployment in the third quarter of fiscal 2020. Minor setbacks occurred due to vendor resource availability and additional work discovered as the project advanced. Draft training materials will be delivered to the pilot sites, and the agency is working to include compatibility with the Judiciary.
- **Changes:** The decision to incorporate data from and e-filing to the Judiciary is a change in the scope; this requires adding the Judiciary as a project stakeholder.

**Appendix 3
Object/Fund Difference Report
Office of the Public Defender**

<u>Object/Fund</u>	<u>FY 19 Actual</u>	<u>FY 20 Working Appropriation</u>	<u>FY 21 Allowance</u>	<u>FY 20 - FY 21 Amount Change</u>	<u>Percent Change</u>
Positions					
01 Regular	888.50	888.50	888.50	0.00	0%
02 Contractual	55.00	61.00	56.50	-4.50	-7.4%
Total Positions	943.50	949.50	945.00	-4.50	-0.5%
Objects					
01 Salaries and Wages	\$ 85,721,348	\$ 88,186,001	\$ 88,944,103	\$ 758,102	0.9%
02 Technical and Spec. Fees	13,189,363	14,971,721	16,574,938	1,603,217	10.7%
03 Communication	985,362	430,660	434,260	3,600	0.8%
04 Travel	255,023	181,258	249,534	68,276	37.7%
06 Fuel and Utilities	86,770	101,000	101,000	0	0%
07 Motor Vehicles	50,418	39,540	52,540	13,000	32.9%
08 Contractual Services	4,162,119	4,801,255	6,363,862	1,562,607	32.5%
09 Supplies and Materials	393,541	291,680	303,685	12,005	4.1%
10 Equipment – Replacement	153,356	26,916	470,000	443,084	1646.2%
11 Equipment – Additional	274,901	55,000	70,000	15,000	27.3%
13 Fixed Charges	2,581,872	2,640,022	2,818,253	178,231	6.8%
Total Objects	\$ 107,854,073	\$ 111,725,053	\$ 116,382,175	\$ 4,657,122	4.2%
Funds					
01 General Fund	\$ 106,603,202	\$ 110,410,734	\$ 112,985,059	\$ 2,574,325	2.3%
03 Special Fund	247,596	286,266	576,369	290,103	101.3%
05 Federal Fund	96,502	145,453	1,922,147	1,776,694	1221.5%
09 Reimbursable Fund	906,773	882,600	898,600	16,000	1.8%
Total Funds	\$ 107,854,073	\$ 111,725,053	\$ 116,382,175	\$ 4,657,122	4.2%

Note: The fiscal 2020 appropriation does not include deficiencies, planned reversions, or general salary increases. The fiscal 2021 allowance does not include contingent reductions or general salary increases.

**Appendix 4
Fiscal Summary
Office of the Public Defender**

<u>Program/Unit</u>	<u>FY 19 Actual</u>	<u>FY 20 Wrk Approp</u>	<u>FY 21 Allowance</u>	<u>Change</u>	<u>FY 20 - FY 21 % Change</u>
01 General Administration	\$ 9,179,018	\$ 8,399,684	\$ 10,452,717	\$ 2,053,033	24.4%
02 District Operations	88,597,238	94,062,885	96,016,606	1,953,721	2.1%
03 Appellate and Inmate Services	8,069,031	7,407,956	7,816,096	408,140	5.5%
04 Involuntary Institutionalization Services	2,008,786	1,854,528	2,096,756	242,228	13.1%
Total Expenditures	\$ 107,854,073	\$ 111,725,053	\$ 116,382,175	\$ 4,657,122	4.2%
General Fund	\$ 106,603,202	\$ 110,410,734	\$ 112,985,059	\$ 2,574,325	2.3%
Special Fund	247,596	286,266	576,369	290,103	101.3%
Federal Fund	96,502	145,453	1,922,147	1,776,694	1221.5%
Total Appropriations	\$ 106,947,300	\$ 110,842,453	\$ 115,483,575	\$ 4,641,122	4.2%
Reimbursable Fund	\$ 906,773	\$ 882,600	\$ 898,600	\$ 16,000	1.8%
Total Funds	\$ 107,854,073	\$ 111,725,053	\$ 116,382,175	\$ 4,657,122	4.2%

Note: The fiscal 2020 appropriation does not include deficiencies, planned reversions, or general salary increases. The fiscal 2021 allowance does not include contingent reductions or general salary increases.