

# Agency Summary And Certification

## 443 -- Appellate Public Defender, State

Original Submission \_\_\_ or Rev No. 1

FY2018 Request

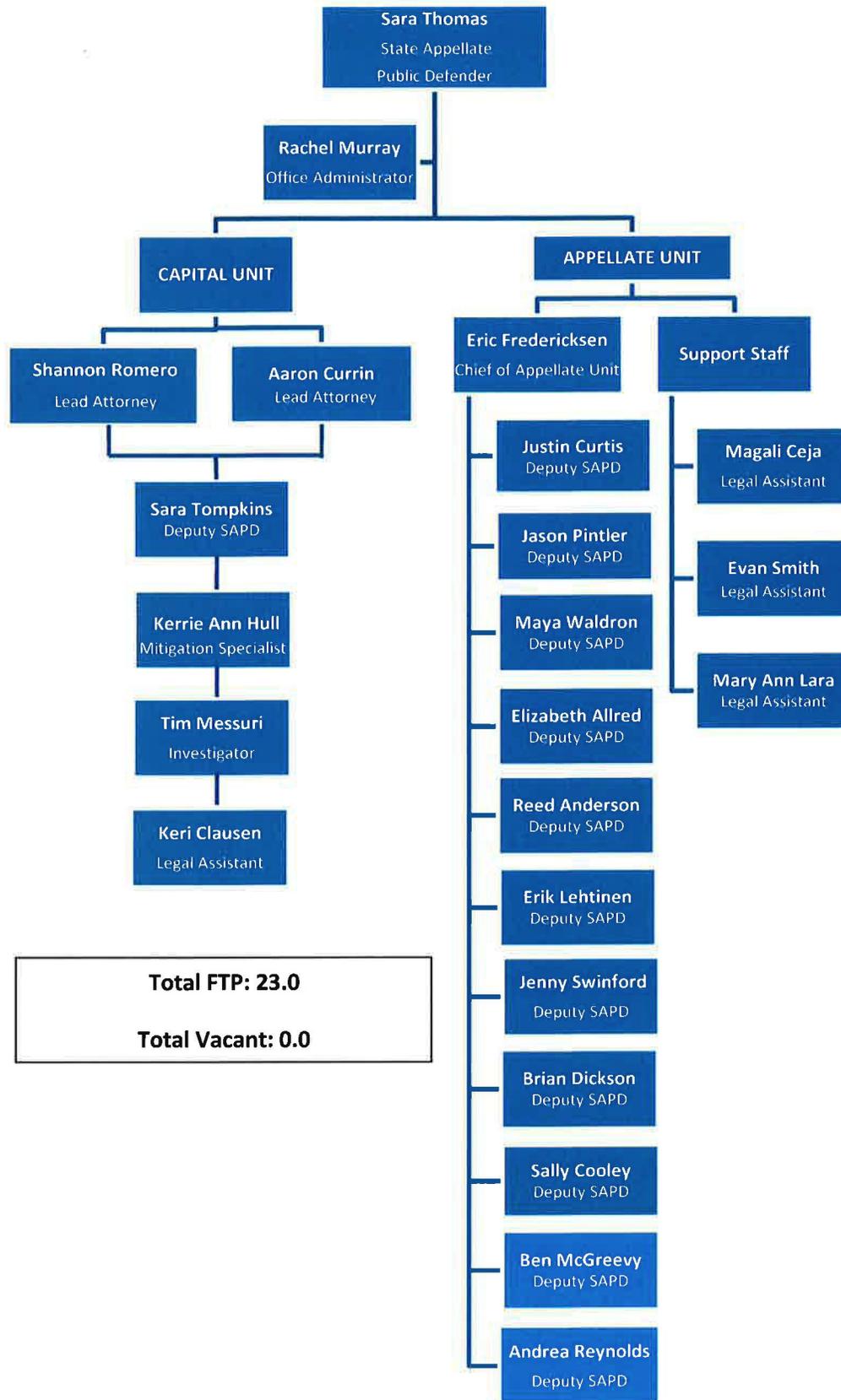
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In accordance with 67-3503, Idaho Code, I certify the attached forms properly state the receipts and expenditures of the department (agency, office, or institution) for the fiscal years indicated. The summary of expenditures by major program, fund source, and standard class is indicated below.

Signature of Department Director :  Date: 10/12/16

Function/Activity	FY 2016 Total Appropriation	FY 2016 Total Expenditures	FY 2017 Original Appropriation	FY 2017 Estimated Expenditures	FY 2018 Total Request
Appellate Public Defender	2,173,900	1,996,100	2,359,200	2,359,200	2,584,900
Capital and Conflict Representation	302,400	251,900	302,400	302,400	302,400
<b>Total</b>	2,476,300	2,248,000	2,661,600	2,661,600	2,887,300
By Fund Source	Total Appropriation	Actual Expenditures	Original Appropriation	Estimated Expenditures	Total Request
G 0001-00 General Revenue Fund	2,451,300	2,247,700	2,636,600	2,636,600	2,862,300
O 0349-00 Miscellaneous Revenue	25,000	300	25,000	25,000	25,000
<b>Total</b>	2,476,300	2,248,000	2,661,600	2,661,600	2,887,300
By Object	Total Appropriation	Actual Expenditures	Original Appropriation	Estimated Expenditures	Total Request
Personnel Costs	1,971,100	1,887,600	2,111,500	2,111,500	2,287,200
Operating Expenditures	505,200	350,800	550,100	550,100	600,100
Capital Outlay	0	9,600	0	0	0
Trustee And Benefit Payments	0	0	0	0	0
Lump Sum	0	0	0	0	0
<b>Total</b>	2,476,300	2,248,000	2,661,600	2,661,600	2,887,300
<b>FTP Total</b>	23.00	23.00	23.00	23.00	23.00

443 - STATE APPELLATE PUBLIC DEFENDER'S OFFICE



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**FY 2018 Agency Budget - Request****Line Item Report****Agency: 443 Appellate Public Defender, State**

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Decision Unit	Priority	Agency Request		
		FTP	General	Total
<b>Appellate Public Defender</b>				
12.01 SAPD Employee Retention Plan	0	0.00	196,200	196,200
12.02 Evidentiary Hearing Costs for Hall v. State of Idaho	0	0.00	48,300	48,300
		<b>0.00</b>	<b>244,500</b>	<b>244,500</b>

# FY 2018 Agency Budget - Request

# Detail Report

Agency: 443 - Appellate Public Defender, State

Function: 01 - Appellate Public Defender

		FTP	Personnel Cost	Operating Expense	Capital Outlay	Trustee/ Benefit	Lump Sum	Total
<b>FY 2016 Total Appropriation</b>								
1.00 FY 2016 Total Appropriation								
HB 271								
	0001-00	General	23.00	1,971,100	177,800	0	0	2,148,900
	0349-00	Other	0.00	0	25,000	0	0	25,000
	<b>Total</b>		<b>23.00</b>	<b>1,971,100</b>	<b>202,800</b>	<b>0</b>	<b>0</b>	<b>2,173,900</b>
1.21 Net Object Transfers								
	0001-00	General	0.00	(4,300)	(6,200)	10,500	0	0
	<b>Total</b>		<b>0.00</b>	<b>(4,300)</b>	<b>(6,200)</b>	<b>10,500</b>	<b>0</b>	<b>0</b>
1.61 Reverted Appropriation Balances								
	0001-00	General	0.00	(79,200)	(73,000)	(900)	0	(153,100)
	0349-00	Other	0.00	0	(24,700)	0	0	(24,700)
	<b>Total</b>		<b>0.00</b>	<b>(79,200)</b>	<b>(97,700)</b>	<b>(900)</b>	<b>0</b>	<b>(177,800)</b>
<b>FY 2016 Actual Expenditures</b>								
	0001-00	General	23.00	1,887,600	98,600	9,600	0	1,995,800
	0349-00	Other	0.00	0	300	0	0	300
	<b>Total</b>		<b>23.00</b>	<b>1,887,600</b>	<b>98,900</b>	<b>9,600</b>	<b>0</b>	<b>1,996,100</b>
<b>FY 2017 Original Appropriation</b>								
3.00 FY 2017 Original Appropriation								
HB 600								
	0001-00	General	23.00	2,045,600	217,700	0	0	2,263,300
	OT 0001-00	General	0.00	65,900	5,000	0	0	70,900
	0349-00	Other	0.00	0	25,000	0	0	25,000
	<b>Total</b>		<b>23.00</b>	<b>2,111,500</b>	<b>247,700</b>	<b>0</b>	<b>0</b>	<b>2,359,200</b>
<b>FY 2017 Total Appropriation</b>								
	0001-00	General	23.00	2,045,600	217,700	0	0	2,263,300
	OT 0001-00	General	0.00	65,900	5,000	0	0	70,900
	0349-00	Other	0.00	0	25,000	0	0	25,000
	<b>Total</b>		<b>23.00</b>	<b>2,111,500</b>	<b>247,700</b>	<b>0</b>	<b>0</b>	<b>2,359,200</b>
<b>FY 2017 Estimated Expenditures</b>								
	0001-00	General	23.00	2,045,600	217,700	0	0	2,263,300
	OT 0001-00	General	0.00	65,900	5,000	0	0	70,900
	0349-00	Other	0.00	0	25,000	0	0	25,000
	<b>Total</b>		<b>23.00</b>	<b>2,111,500</b>	<b>247,700</b>	<b>0</b>	<b>0</b>	<b>2,359,200</b>

# FY 2018 Agency Budget - Request

# Detail Report

Agency: 443 - Appellate Public Defender, State

Function: 01 - Appellate Public Defender

	FTP	Personnel Cost	Operating Expense	Capital Outlay	Trustee/ Benefit	Lump Sum	Total
<b>Base Adjustments</b>							
8.41 Removal of One-Time Expenditures							
OT 0001-00 General	0.00	(65,900)	(5,000)	0	0	0	(70,900)
<b>Total</b>	<b>0.00</b>	<b>(65,900)</b>	<b>(5,000)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>(70,900)</b>
<b>FY 2018 Base</b>							
0001-00 General	23.00	2,045,600	217,700	0	0	0	2,263,300
OT 0001-00 General	0.00	0	0	0	0	0	0
0349-00 Other	0.00	0	25,000	0	0	0	25,000
<b>Total</b>	<b>23.00</b>	<b>2,045,600</b>	<b>242,700</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2,288,300</b>
<b>Program Maintenance</b>							
10.11 Change in Health Benefit Costs							
0001-00 General	0.00	28,100	0	0	0	0	28,100
<b>Total</b>	<b>0.00</b>	<b>28,100</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>28,100</b>
10.12 Change in Variable Benefit Costs							
0001-00 General	0.00	(400)	0	0	0	0	(400)
<b>Total</b>	<b>0.00</b>	<b>(400)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>(400)</b>
10.21 General Inflation Adjustments							
This decision unit represents a request for general inflationary adjustments.							
0001-00 General	0.00	0	3,100	0	0	0	3,100
<b>Total</b>	<b>0.00</b>	<b>0</b>	<b>3,100</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3,100</b>
10.23 Contract Inflation							
This decision unit represents an increase in contractual inflationary adjustments.							
0001-00 General	0.00	0	3,600	0	0	0	3,600
<b>Total</b>	<b>0.00</b>	<b>0</b>	<b>3,600</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3,600</b>
10.61 Salary Multiplier - Regular Employees							
0001-00 General	0.00	17,600	0	0	0	0	17,600
<b>Total</b>	<b>0.00</b>	<b>17,600</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>17,600</b>
10.62 Salary Multiplier - Group and Temporary							
0001-00 General	0.00	100	0	0	0	0	100
<b>Total</b>	<b>0.00</b>	<b>100</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>100</b>

# FY 2018 Agency Budget - Request

# Detail Report

Agency: 443 - Appellate Public Defender, State

Function: 01 - Appellate Public Defender

	FTP	Personnel Cost	Operating Expense	Capital Outlay	Trustee/Benefit	Lump Sum	Total
<b>FY 2018 Total Maintenance</b>							
0001-00 General	23.00	2,091,000	224,400	0	0	0	2,315,400
OT 0001-00 General	0.00	0	0	0	0	0	0
0349-00 Other	0.00	0	25,000	0	0	0	25,000
<b>Total</b>	<b>23.00</b>	<b>2,091,000</b>	<b>249,400</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2,340,400</b>
<b>Line Items</b>							
12.01 SAPD Employee Retention Plan							
This decision unit request is for ongoing general fund for personnel costs related to salary parity for public defenders. This request is to provide equal compensation with prosecutors of the Attorney General's Office Criminal Division.							
0001-00 General	0.00	196,200	0	0	0	0	196,200
<b>Total</b>	<b>0.00</b>	<b>196,200</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>196,200</b>
12.02 Evidentiary Hearing Costs for Hall v. State of Idaho							
This decision unit request is for one-time funding in operating expense for the evidentiary hearing costs for Hall v. State of Idaho							
OT 0001-00 General	0.00	0	48,300	0	0	0	48,300
<b>Total</b>	<b>0.00</b>	<b>0</b>	<b>48,300</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>48,300</b>
<b>FY 2018 Total</b>							
0001-00 General	23.00	2,287,200	224,400	0	0	0	2,511,600
OT 0001-00 General	0.00	0	48,300	0	0	0	48,300
0349-00 Other	0.00	0	25,000	0	0	0	25,000
<b>Total</b>	<b>23.00</b>	<b>2,287,200</b>	<b>297,700</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2,584,900</b>

# FY 2018 Agency Budget - Request

# Detail Report

Agency: 443 - Appellate Public Defender, State

Function: 02 - Capital and Conflict Representation

		FTP	Personnel Cost	Operating Expense	Capital Outlay	Trustee/ Benefit	Lump Sum	Total
<b>FY 2016 Total Appropriation</b>								
1.00 FY 2016 Total Appropriation								
HB 271								
0001-00	General	0.00	0	302,400	0	0	0	302,400
	<b>Total</b>	<b>0.00</b>	<b>0</b>	<b>302,400</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>302,400</b>
1.61 Reverted Appropriation Balances								
0001-00	General	0.00	0	(50,500)	0	0	0	(50,500)
	<b>Total</b>	<b>0.00</b>	<b>0</b>	<b>(50,500)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>(50,500)</b>
<b>FY 2016 Actual Expenditures</b>								
0001-00	General	0.00	0	251,900	0	0	0	251,900
	<b>Total</b>	<b>0.00</b>	<b>0</b>	<b>251,900</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>251,900</b>
<b>FY 2017 Original Appropriation</b>								
3.00 FY 2017 Original Appropriation								
HB 600								
0001-00	General	0.00	0	302,400	0	0	0	302,400
	<b>Total</b>	<b>0.00</b>	<b>0</b>	<b>302,400</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>302,400</b>
<b>FY 2017 Total Appropriation</b>								
0001-00	General	0.00	0	302,400	0	0	0	302,400
	<b>Total</b>	<b>0.00</b>	<b>0</b>	<b>302,400</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>302,400</b>
<b>FY 2017 Estimated Expenditures</b>								
0001-00	General	0.00	0	302,400	0	0	0	302,400
	<b>Total</b>	<b>0.00</b>	<b>0</b>	<b>302,400</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>302,400</b>
<b>FY 2018 Base</b>								
0001-00	General	0.00	0	302,400	0	0	0	302,400
	<b>Total</b>	<b>0.00</b>	<b>0</b>	<b>302,400</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>302,400</b>
<b>FY 2018 Total Maintenance</b>								
0001-00	General	0.00	0	302,400	0	0	0	302,400
	<b>Total</b>	<b>0.00</b>	<b>0</b>	<b>302,400</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>302,400</b>
<b>FY 2018 Total</b>								
0001-00	General	0.00	0	302,400	0	0	0	302,400
	<b>Total</b>	<b>0.00</b>	<b>0</b>	<b>302,400</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>302,400</b>

**FY 2018 Executive Budget - History**

**DU Category Detail**

DU Category: 1.00

		<u>FTP</u>	<u>Personnel Cost</u>	<u>Operating Expense</u>	<u>Capital Outlay</u>	<u>Trustee/ Benefit</u>	<u>Lump Sum</u>	<u>Total</u>
<b>Agency: 443 - Appellate Public Defender, State</b>		<b>Analyst: Adam Jarvis</b>						
<b>Function: 01 - Appellate Public Defender</b>								
1.00 FY 2016 Total Appropriation								
HB 271								
0001-00	General	23.00	1,971,100	177,800	0	0	0	2,148,900
0349-00	Other	0.00	0	25,000	0	0	0	25,000
<b>Total</b>		<b>23.00</b>	<b>1,971,100</b>	<b>202,800</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2,173,900</b>
1.21 Net Object Transfers								
0001-00	General	0.00	(4,300)	(6,200)	10,500	0	0	0
<b>Total</b>		<b>0.00</b>	<b>(4,300)</b>	<b>(6,200)</b>	<b>10,500</b>	<b>0</b>	<b>0</b>	<b>0</b>
1.61 Reverted Appropriation Balances								
0001-00	General	0.00	(79,200)	(73,000)	(900)	0	0	(153,100)
0349-00	Other	0.00	0	(24,700)	0	0	0	(24,700)
<b>Total</b>		<b>0.00</b>	<b>(79,200)</b>	<b>(97,700)</b>	<b>(900)</b>	<b>0</b>	<b>0</b>	<b>(177,800)</b>

<b>Agency: 443 - Appellate Public Defender, State</b>		<b>Analyst: Adam Jarvis</b>						
<b>Function: 02 - Capital and Conflict Representation</b>								
1.00 FY 2016 Total Appropriation								
HB 271								
0001-00	General	0.00	0	302,400	0	0	0	302,400
<b>Total</b>		<b>0.00</b>	<b>0</b>	<b>302,400</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>302,400</b>
1.61 Reverted Appropriation Balances								
0001-00	General	0.00	0	(50,500)	0	0	0	(50,500)
<b>Total</b>		<b>0.00</b>	<b>0</b>	<b>(50,500)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>(50,500)</b>

**FY 2018 Executive Budget - History**

**DU Category Detail**

DU Category: 1.00

	<u>FTP</u>	<u>Personnel Cost</u>	<u>Operating Expense</u>	<u>Capital Outlay</u>	<u>Trustee/ Benefit</u>	<u>Lump Sum</u>	<u>Total</u>
<b>Report Totals</b>							
<b>General Funds</b>							
Ongoing	23.00	1,887,600	350,500	9,600	0	0	2,247,700
<b>Total</b>	<b>23.00</b>	<b>1,887,600</b>	<b>350,500</b>	<b>9,600</b>	<b>0</b>	<b>0</b>	<b>2,247,700</b>
<b>All Funds</b>							
Ongoing	23.00	1,887,600	350,800	9,600	0	0	2,248,000
<b>Total</b>	<b>23.00</b>	<b>1,887,600</b>	<b>350,800</b>	<b>9,600</b>	<b>0</b>	<b>0</b>	<b>2,248,000</b>

# FY 2018 Agency Budget - Request

# DU Summary Report

Agency: 443 Appellate Public Defender, State

		FTP	Personnel Cost	Operating Expense	Capital Outlay	Trustee/ Benefit	Lump Sum	Total
<b>FY 2016 Total Appropriation</b>								
0001-00	General	23.00	1,971,100	480,200	0	0	0	2,451,300
0349-00	Other	0.00	0	25,000	0	0	0	25,000
		<b>23.00</b>	<b>1,971,100</b>	<b>505,200</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2,476,300</b>
<b>FY 2016 Actual Expenditures</b>								
0001-00	General	23.00	1,887,600	350,500	9,600	0	0	2,247,700
0349-00	Other	0.00	0	300	0	0	0	300
		<b>23.00</b>	<b>1,887,600</b>	<b>350,800</b>	<b>9,600</b>	<b>0</b>	<b>0</b>	<b>2,248,000</b>
<b>FY 2017 Original Appropriation</b>								
0001-00	General	23.00	2,045,600	520,100	0	0	0	2,565,700
OT 0001-00	General	0.00	65,900	5,000	0	0	0	70,900
0349-00	Other	0.00	0	25,000	0	0	0	25,000
		<b>23.00</b>	<b>2,111,500</b>	<b>550,100</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2,661,600</b>
<b>Appropriation Adjustments</b>								
<b>FY 2017 Total Appropriation</b>								
0001-00	General	23.00	2,045,600	520,100	0	0	0	2,565,700
OT 0001-00	General	0.00	65,900	5,000	0	0	0	70,900
0349-00	Other	0.00	0	25,000	0	0	0	25,000
		<b>23.00</b>	<b>2,111,500</b>	<b>550,100</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2,661,600</b>
<b>Expenditure Adjustments</b>								
<b>FY 2017 Estimated Expenditures</b>								
0001-00	General	23.00	2,045,600	520,100	0	0	0	2,565,700
OT 0001-00	General	0.00	65,900	5,000	0	0	0	70,900
0349-00	Other	0.00	0	25,000	0	0	0	25,000
		<b>23.00</b>	<b>2,111,500</b>	<b>550,100</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2,661,600</b>
<b>Base Adjustments</b>								
OT 0001-00	General	0.00	(65,900)	(5,000)	0	0	0	(70,900)
		<b>0.00</b>	<b>(65,900)</b>	<b>(5,000)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>(70,900)</b>
<b>FY 2018 Base</b>								
0001-00	General	23.00	2,045,600	520,100	0	0	0	2,565,700
OT 0001-00	General	0.00	0	0	0	0	0	0
0349-00	Other	0.00	0	25,000	0	0	0	25,000
		<b>23.00</b>	<b>2,045,600</b>	<b>545,100</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2,590,700</b>
<b>Employee Benefit Costs</b>								
0001-00	General	0.00	27,700	0	0	0	0	27,700
		<b>0.00</b>	<b>27,700</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>27,700</b>
<b>Inflationary Adjustments</b>								
0001-00	General	0.00	0	6,700	0	0	0	6,700
		<b>0.00</b>	<b>0</b>	<b>6,700</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>6,700</b>

# FY 2018 Agency Budget - Request

# DU Summary Report

Agency: 443 Appellate Public Defender, State

		FTP	Personnel Cost	Operating Expense	Capital Outlay	Trustee/ Benefit	Lump Sum	Total
<b>Change In Employee Compensation</b>								
0001-00	General	0.00	17,700	0	0	0	0	17,700
		<b>0.00</b>	<b>17,700</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>17,700</b>
<b>FY 2018 Total Maintenance</b>								
0001-00	General	23.00	2,091,000	526,800	0	0	0	2,617,800
OT 0001-00	General	0.00	0	0	0	0	0	0
0349-00	Other	0.00	0	25,000	0	0	0	25,000
		<b>23.00</b>	<b>2,091,000</b>	<b>551,800</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2,642,800</b>
<b>Line Items</b>								
0001-00	General	0.00	196,200	0	0	0	0	196,200
OT 0001-00	General	0.00	0	48,300	0	0	0	48,300
		<b>0.00</b>	<b>196,200</b>	<b>48,300</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>244,500</b>
<b>FY 2018 Total</b>								
0001-00	General	23.00	2,287,200	526,800	0	0	0	2,814,000
OT 0001-00	General	0.00	0	48,300	0	0	0	48,300
0349-00	Other	0.00	0	25,000	0	0	0	25,000
		<b>23.00</b>	<b>2,287,200</b>	<b>600,100</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2,887,300</b>





**FORM B12: ANALYSIS OF FUND BALANCES**

Request for Fiscal Year : 2018

Agency/Department: State Appellate Public Defender

Agency Number: 443

Original Request Date: September 1, 2016 or Revision Request Date: October 12, 2016

Page      of     

Sources and Uses: Miscellaneous Fund receipts reflect donations from participating agencies and departments related to the Idaho Criminal Justice Commission (ICJC) that was created by a 2005 Governor's Executive Order.

FUND NAME:	Miscellaneous Fund	FUND CODE:	0349-00	FY 2014 Actual	FY 2015 Actual	FY 2016 Actual	FY 2017 Estimate	FY 2018 Estimate
<b>1. Beginning Free Fund Balance</b>				0	0	0	24,700	24,700
2. Encumbrances as of July 1				0	0	0	0	0
2a. Reappropriation (Legislative Carryover)				NA	NA	NA	0	0
<b>3. Beginning Cash Balance</b>				0	0	0	24,700	24,700
4. Revenues (from Form B-11)				0	0	25,000	0	0
5. Non-Revenue Receipts and Other Adjustments				0	0	0	0	0
6. Statutory Transfers in:		Fund or Reference:		0	0	0	0	0
7. Operating Transfers in:		Fund or Reference:		0	0	0	0	0
<b>8. Total Available for Year</b>				0	0	25,000	24,700	24,700
9. Statutory Transfers Out:		Fund or Reference:		0	0	0	0	0
10. Operating Transfers Out:		Fund or Reference:		0	0	0	0	0
11. Non-Expenditure Disbursements and Other Adjustments				0	0	0	0	0
12. Cash Expenditures for Prior Year Encumbrances				0	0	0	0	0
13. Original Appropriation				0	0	25,000	0	0
14. Prior Year Reappropriations, Supplementals, Rescissions				0	0	0	0	0
15. Non-cogs, Receipts to Appropriation, etc				0	0	0	0	0
16. Reversions				0	0	(24,700)	0	0
17. Current Year Reappropriation				0	0	0	0	0
18. Reserve for Current Year Encumbrances				0	0	0	0	0
19. Current Year Cash Expenditures				0	0	300	0	0
<b>20. Ending Cash Balance</b>				0	0	24,700	24,700	24,700
21. Prior Year Encumbrances as of June 30				0	0	0	0	0
22. Current Year Encumbrances as of June 30				0	0	0	0	0
22a. Current Year Reappropriation				NA	NA	0	0	0
23. Borrowing Limit				0	0	0	0	0
<b>24. Ending Free Fund Balance</b>				0	0	24,700	24,700	24,700
<b>25. Budgetary Basis Expenditures (CY Cash Exp + CY Enc)</b>				0	0	300	0	0
<b>26. Outstanding Loans (if this fund is part of a loan program)</b>								

Notes:

**FORM B8.1: PROGRAM REQUEST BY DECISION UNIT**

Agency/Department: State Appellate Public Defender  
 Function/Division: State Appellate Public Defender  
 Activity/Program: 01

Request for Fiscal Year : 2018  
 Agency Number: 443  
 Function/Activity Number: SGDA  
 Budget Unit: 01

Original Request Date: September 1, 2016  
 Revision Request Date: October 12, 2016

Page: \_\_\_\_\_ of \_\_\_\_\_

**Decision Unit Number:** 12.01      **Descriptive Title:** SAPD Employee Retention Plan

Description	General	Dedicated	Federal	Other	Total
FULL TIME POSITIONS (FTP)					
PERSONNEL COSTS:					
1. Salaries	143,400				\$143,400
2. Benefits	52,800				\$52,800
3. Group Position Funding					
<b>TOTAL PERSONNEL COSTS:</b>	<b>\$196,200</b>				<b>\$196,200</b>
OPERATING EXPENDITURES by summary object:					
1.					
2.					
3.					
<b>TOTAL OPERATING EXPENDITURES:</b>					
CAPITAL OUTLAY by summary object:					
1.					
2.					
3.					
<b>TOTAL CAPITAL OUTLAY:</b>					
<b>T/B PAYMENTS:</b>					
<b>LUMP SUM:</b>					
<b>GRAND TOTAL</b>	<b>\$196,200</b>				<b>\$196,200</b>

Attach as many pages as necessary to respond to the following questions:

1. What is being requested and why? What is the agency staffing level for this activity and how much funding, by source, is in the base?

The State Appellate Public Defender (SAPD) is requesting a \$196,200 increased personnel cost to implement its Employee Retention Plan, which results in close to salary parity with the Appellate Unit of the Attorney General’s Office. The request includes a \$143,400 total increase in base salary for a total of 15 attorneys at the SAPD. The total increase also includes \$52,800 for variable benefits.

2. What resources are necessary to implement this request?

- a. List by position: position titles, pay grades, full or part-time status, benefit eligibility, anticipated dates of hire and terms of service.
- b. Note any existing agency human resources that will be redirected to this new effort and how existing operations will be impacted.
- c. List any additional operating funds and capital items needed.

There will be no additional resources necessary to implement this request.

3. Provide additional detail about the request, including one-time versus ongoing. Include a description of major revenue assumptions, for example, whether there is a new customer base, fee structure changes, or anticipated grant awards.

This is a one-time request for an increase in the personnel budget of the SAPD. This past year, the Idaho Legislature passed HB 504, reiterating its unyielding commitment to public defense reform in the State of Idaho. The 2016 legislation recognized “[t]here should be reasonable equity between defending attorneys and prosecuting attorneys with respect to resources, staff and facilities.” I.C. § 19-850(1)(a). Historically, Idaho has observed that public defenders should be compensated equally with its prosecutors. See I.C. § 19-860 (“[T]he compensation paid to such public defender shall not be less than the compensation paid to the county prosecutor for that portion of his practice devoted to criminal law.”). Despite this there is a large salary disparity between deputy attorneys at the SAPD and deputy attorneys in the Criminal Division of the Attorney General’s office with similar experience causing the SAPD increased difficulty in retaining its experienced personnel.

4. Who is being served by this request and what are the expected impacts of the funding requested? If this request is not funded who and what are impacted?

This increase will provide compensation paid to Deputy State Appellate Public Defenders (SAPD) equal to that paid to the Deputy Attorney Generals in the Appellate Unit of the Criminal Division with similar experience.

The average salary for a Deputy Attorney General (DAG) who does criminal appellate work is \$75,453.49, while the average salary for a Deputy SAPD doing the same work is \$62,510.93. Overall, the average salary for DAGs is nearly \$13,000 per year more than Deputy SAPDs. Currently, eight of the twelve Deputy SAPD's, including one member of the capital unit, make less than the lowest paid appellate unit DAG, who has less than one year of experience in that unit. Similarly, the AG’s Criminal Appellate Unit Chief salary is over 14% higher than the salary for the same position at the SAPD.

This salary disparity and low compensation has impacted the SAPD’s ability to hire and retain experienced appellate attorneys. On average, the SAPD loses two or three experienced attorneys per year to employment in both the private sector as well as to other public agencies. In the last two years, three of the six attorneys leaving the SAPD for other employment had at least 10 years of experience, most of which was accrued in public defense. The other three attorneys had significant experience and the ability to handle substantive, intensive criminal appeals. As the SAPD continues to lose experienced attorneys who are able to handle complex cases, its ability to meet its constitutional obligations is impacted.

In order to reduce the large salary disparity and increased the retention of qualified, experienced attorneys, the SAPD seeks to increase its personnel budget so that Deputy SAPD salaries are comparable to those of DAGs with similar expertise and experience.

**FORM B8.1: PROGRAM REQUEST BY DECISION UNIT**

Agency/Department: State Appellate Public Defender  
 Function/Division: State Appellate Public Defender  
 Activity/Program: 01

Request for Fiscal Year : 2018  
 Agency Number: 443  
 Function/Activity Number: SGDA  
 Budget Unit: 01

Original Request Date: September 1, 2016  
 Revision Request Date: October 12, 2016

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Decision Unit Number: <b>12.02</b>		Descriptive Title: <b>One Time Evidentiary Hearing Costs for Hall v. State of Idaho</b>				
Description	General	Dedicated	Federal	Other	Total	
FULL TIME POSITIONS (FTP) PERSONNEL COSTS: 1. Salaries 2. Benefits 3. Group Position Funding						
<b>TOTAL PERSONNEL COSTS:</b>						
OPERATING EXPENDITURES by summary object: 1. Miscellaneous Expense 2. 3.	48,300				\$48,300	
<b>TOTAL OPERATING EXPENDITURES:</b>	<b>\$48,300</b>				<b>\$48,300</b>	
CAPITAL OUTLAY by summary object: 1. 2. 3.						
<b>TOTAL CAPITAL OUTLAY:</b>						
<b>T/B PAYMENTS:</b>						
<b>LUMP SUM:</b>						
<b>GRAND TOTAL</b>	<b>\$48,300</b>				<b>\$48,300</b>	

Attach as many pages as necessary to respond to the following questions:

1. What is being requested and why? What is the agency staffing level for this activity and how much funding, by source, is in the base?

Funding is being requested for capital case expenditures that will exceed the annual allocation of \$94,900.

o The SAPD receives \$94,900 annually for capital case expenditures. For FY2018, the SAPD anticipates that in addition to Mr. Hall's evidentiary hearing, it will also be responsible for paying Azad Abdullah's conflict counsel, John Kormanik, as well as the costs associated with an evidentiary hearing in Mr. Abdullah's capital successive petition for post-conviction relief case. Of the \$94,900, the SAPD anticipates \$50,000 will be spent on the Abdullah case, while the remaining \$44,900 will fund a portion of Mr. Hall's evidentiary hearing. The SAPD's request for an additional \$48,300 will be spent on Mr. Hall's evidentiary hearing. In addition, it is anticipated that the SAPD may receive a new capital case during FY2018, which will require the initial expenditure of approximately \$10,000 in investigative resources.

o It is not known what staffing will be needed for Mr. Abdullah's evidentiary hearing, aside from conflict counsel, John Kormanik. Based on limited discussions with Mr. Kormanik, it is the SAPD's understanding that he intends to hire experts and present the testimony of both lay and expert witnesses, at an evidentiary hearing. The evidentiary hearing will be limited in nature as it should be related to claims raised in the successive petition for post-conviction relief.

2. What resources are necessary to implement this request?

- List by position: position titles, pay grades, full or part-time status, benefit eligibility, anticipated dates of hire and terms of service.
- Note any existing agency human resources that will be redirected to this new effort and how existing operations will be impacted.
- List any additional operating funds and capital items needed.

Two attorneys (one lead and one second-chair), an investigator, a mitigation specialist, and an administrative assistant will be required to assist in getting ready for and presenting evidence at Mr. Hall's evidentiary hearing. These individuals are already full-time employees of the SAPD. These individuals will be focused on preparing for and presenting evidence at Mr. Hall's evidentiary hearing and will be unavailable to work on other matters for the entirety of the evidentiary hearing and at least a month in advance of the hearing. During this time, any capital case work not involving Mr. Hall will be assigned to the other lead attorney in the capital unit, with limited assistance and support from the administrative assistant.

3. Provide additional detail about the request, including one-time versus ongoing. Include a description of major revenue assumptions, for example, whether there is a new customer base, fee structure changes, or anticipated grant awards.

The request for an additional \$48,300 is a one-time expenditure to cover the costs associated with an evidentiary hearing in Mr. Hall's case, including lodging, transportation, expert fees and lay witness costs. An evidentiary hearing in Mr. Hall's case is a one-time event and it is not anticipated that another request for similar funding for an evidentiary hearing in this case will happen.

This request for additional funding also assumes that the SAPD will receive one new capital case in FY2018 and will need some funding to begin its investigative effort in that case.

4. Who is being served by this request and what are the expected impacts of the funding requested? If this request is not funded who and what are impacted?

The people of the State of Idaho, Azad Abdullah, Erick Hall, Mr. Abdullah's and Mr. Hall's crime victims, and the criminal justice system will all be served if this supplemental funding request is fulfilled. If granted, Mr. Hall's and Mr. Abdullah's evidentiary hearings will be fully funded and will proceed without delay, thereby serving the interests of the clients, crime victims and other stakeholders in ensuring that cases are resolved in a fair and efficient manner. Funding will also serve to fulfill the intentions behind the establishment of the Capital Crimes Defense Fund (CCDF) which relieves counties of the substantial financial burdens associated with the defense of capital cases.

If the requests are not funded, neither Mr. Abdullah's nor Mr. Hall's cases may proceed to an evidentiary hearing.



FORM B6: WAGE & SALARY RECONCILIATION

		Base Adjustments:							
8.31	Transfer Between Programs		0.00	0	0	0	0	0	
8.41	Removal of One-Time Expenditures		0.00	(54,400)	0	0	(11,500)	(65,900)	
8.51	Base Reduction		0.00	0	0	0	0	0	
<b>9.00</b>	<b>FY 2018 BASE</b>		<b>23.00</b>	<b>1,458,500</b>	<b>286,900</b>	<b>300,100</b>		<b>2,045,600</b>	
10.11	Change in Health Benefit Costs				28,100			28,100	
10.12	Change in Variable Benefits Costs					(400)		(400)	
	Subtotal CEC Base:	Indicator Code	23.00	1,458,500	315,000	299,700		2,073,500	
10.51	Annualization			0	0	0		0	
10.61	CEC for Permanent Positions	1.00%		14,500		3,100		17,600	
10.62	CEC for Group Positions	1.00%		100		0		100	
10.63	CEC for Elected Officials & Commissioners			0		0		0	
<b>11.00</b>	<b>FY 2018 PROGRAM MAINTENANCE</b>		<b>23.00</b>	<b>1,473,100</b>	<b>315,000</b>	<b>302,800</b>		<b>2,091,000</b>	
	Line Items:								
12.01	SAPD Employee Retention Plan			143,400	0	52,800		196,200	
12.02								0	
12.03								0	
<b>13.00</b>	<b>FY 2018 TOTAL REQUEST</b>		<b>23.00</b>	<b>1,616,500</b>	<b>315,000</b>	<b>355,600</b>		<b>2,287,200</b>	

Form B4: Inflationary Adjustments

Agency: Public Defender, State Appellate

Agency Number: 443

FY 2018 Request

Function: State Appellate Public Defender

01

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Activity: \_\_\_\_\_'01\_\_\_\_\_

Original Submission \_\_\_\_ or Revision No. \_\_1\_\_

(1) Operating Expenditures Summary Object	(2) FY 2013 Actual	(3) FY 2014 Actual	(4) FY 2015 Actual	(5) FY 2016 Actual	FY 2015 to FY 2016		(8) FY 2017 Approp	(9) FY 2017 Exp. Adj.	(10) FY 2017 Est. Exp.
					(6) Change	(7) % Change			
Communication Costs	9,231	9,202	9,823	5,887	(3,936)	-40.07%	14,700	-	14,700
Employee Development Costs	8,304	9,977	40,353	12,270	(28,083)	-69.59%	30,700	-	30,700
General Services	35,114	36,660	41,142	27,369	(13,773)	-33.48%	68,500	-	68,500
Professional Services	328,736	290,165	133,268	19,431	(113,837)	-85.42%	48,700	-	48,700
Repair & Maintenance Services	5,182	60	349	1,897	1,547	442.85%	4,800	-	4,800
Administrative Services	51	750	30	1,879	1,848	6120.36%	4,700	-	4,700
Computer Services	24,612	9,444	62,499	3,690	(58,809)	-94.10%	9,200	-	9,200
Employee Travel Costs	1,835	2,573	5,141	5,379	237	4.62%	13,500	-	13,500
Administrative Supplies	3,784	4,772	4,925	4,567	(357)	-7.25%	11,400	-	11,400
Fuel & Lubricant Costs	-	-	-	34	34	#DIV/0!	100	-	100
Computer Supplies	6,696	4,343	7,153	4,466	(2,687)	-37.56%	11,200	-	11,200
Repair & Maintenance Supplies	69	-	25	-	(25)	-100.00%	-	-	-
Specific Use Supplies	-	-	90	-	(90)	-100.00%	-	-	-
Insurance	600	943	793	639	(154)	-19.42%	1,600	-	1,600
Rentals & Operating Leases	45,676	86,021	95,590	6,798	(88,791)	-92.89%	17,000	-	17,000
Miscellaneous Expenditures	4,110	3,996	4,232	4,627	395	9.33%	11,600	-	11,600
<b>Total</b>	<b>474,000</b>	<b>458,906</b>	<b>405,413</b>	<b>98,933</b>	<b>(306,481)</b>	<b>-75.60%</b>	<b>247,700</b>	<b>-</b>	<b>247,700</b>
<b>FundSource</b>									
General	474,000	458,906	405,413	98,602	(306,812)	-75.68%	222,700	-	222,700
Dedicated	-	-	-	331	331	#DIV/0!	25,000	-	25,000
Federal	-	-	-	-	-	#DIV/0!	-	-	-
<b>Total</b>	<b>474,000</b>	<b>458,906</b>	<b>405,413</b>	<b>98,933</b>	<b>(306,481)</b>	<b>-75.60%</b>	<b>247,700</b>	<b>-</b>	<b>247,700</b>

(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)
Part B: Operating Expenditures Summary Object	FY 2017 Est. Exp	Remove One Time Funding	SWCAP, Nondisc., Rent	FY 2018 Base	General Inflation (DU 10.21)	% Change	Medical Inflation (DU 10.22)	% Change	FY2018 Total
Communication Costs	14,700	-	-	14,700	3,100	21.09%	-	0.00%	17,800
Employee Development Costs	30,700	-	-	30,700	-	0.00%	-	0.00%	30,700
General Services	68,500	-	-	68,500	1,900	2.77%	-	0.00%	70,400
Professional Services	48,700	-	-	48,700	-	0.00%	-	0.00%	48,700
Repair & Maintenance Services	4,800	-	-	4,800	-	0.00%	-	0.00%	4,800
Administrative Services	4,700	-	-	4,700	-	0.00%	-	0.00%	4,700
Computer Services	9,200	-	-	9,200	-	0.00%	-	0.00%	9,200
Employee Travel Costs	13,500	-	-	13,500	-	0.00%	-	0.00%	13,500
Administrative Supplies	11,400	-	-	11,400	-	0.00%	-	0.00%	11,400
Fuel & Lubricant Costs	100	-	-	100	-	0.00%	-	0.00%	100
Computer Supplies	11,200	-	-	11,200	-	0.00%	-	0.00%	11,200
Repair & Maintenance Supplies	-	-	-	-	-	#DIV/0!	-	0.00%	-
Specific Use Supplies	-	-	-	-	-	#DIV/0!	-	0.00%	-
Insurance	1,600	-	-	1,600	-	0.00%	-	0.00%	1,600
Rentals & Operating Leases	17,000	-	-	17,000	1,700	10.00%	-	0.00%	18,700
Miscellaneous Expenditures	11,600	-	-	11,600	-	0.00%	-	0.00%	11,600
<b>Total</b>	<b>247,700</b>	-	-	<b>247,700</b>	<b>6,700</b>	<b>2.70%</b>	-	-	<b>254,400</b>
<b>FundSource</b>									
General	222,700	-	-	222,700	-	0.00%	-	0.00%	222,700
Dedicated	25,000	-	-	25,000	-	0.00%	-	0.00%	25,000
Federal	-	-	-	-	-	#DIV/0!	-	0.00%	-
<b>Total</b>	<b>247,700</b>	-	-	<b>247,700</b>	-	<b>0.00%</b>	-	-	<b>247,700</b>





**FIVE-YEAR FACILITY NEEDS PLAN, pursuant to IC 67-5708B**

**AGENCY INFORMATION**

<b>AGENCY NAME:</b>	Executive Office of the Governor		
<b>Division/Bureau:</b>	State Appellate Public Defender		
<b>Prepared By:</b>	Matt Orem	<b>E-mail Address:</b>	<a href="mailto:matt.orem@dfm.idaho.gov">matt.orem@dfm.idaho.gov</a>
<b>Telephone Number:</b>	854-3063	<b>Fax Number:</b>	208-334-2307
<b>DFM Analyst:</b>	Adam Jarvis	<b>LSO/BPA Analyst:</b>	Jared Hoskins
<b>Date Prepared:</b>	8/19/2016	<b>For Fiscal Year:</b>	<b>2018</b>

**FACILITY INFORMATION**

<b>Facility Name:</b>	Borah Building		
<b>City:</b>	Boise	<b>County:</b>	Ada
<b>Street Address:</b>	804 N. 8th St., Ste. 403		<b>Zip Code:</b> 83702
<b>Facility Ownership: (could be private or state-owned, use "X" to mark one):</b>	<b>Private Lease (use "X" to mark):</b>	<b>State Owned (use "X" to mark):</b>	<b>Lease Expires:</b> N/A

**FUNCTION/USE OF FACILITY:** Could be administrative use, client counseling, hearing rooms, field offices, etc. Address any specialized needs which require additional square feet.

SAPD administrative office

**COMMENTS:** Address reasons for expanding or relocating; amount of space leased to other state agencies, federal agencies, etc. & the amount of rent they pay for the use of your facility; or other comments which might be helpful.

The SAPD is currently temporarily housed in this space. In April of 2015 the SAPD was forced to leave its prior location because the owner of the building abandoned the building. The owner was not paying the utility bills or providing any services. As a result, health and safety issues arose. The Governor's office is allowing the SAPD to occupy this space until a suitable long-term space is available. The SAPD has signed a lease to move into the Idaho Water Center, in space leased by Water Resources. Before the SAPD can move into the Water Center, Water Resources has to complete tenant improvements.

**SURPLUS PROPERTY:** Facilities to be disposed of and funds re-utilized for building replacement or renovation of facilities. This could also include leased facilities if the leased facility is to be vacated prior to the expiration date of the lease.

FISCAL YR:	ACTUAL 2016	ESTIMATE 2017	REQUEST 2018	REQUEST 2019	REQUEST 2020	REQUEST 2021
Use "X" to mark the year facility would be surplus.						

**WORK AREAS:** Work areas are areas occupied by full-time employees, contractors, seasonal employees, auditors, etc. (3 people working in one building would be 3 work areas)

FISCAL YR:	ACTUAL 2016	ESTIMATE 2017	REQUEST 2018	REQUEST 2019	REQUEST 2020	REQUEST 2021
Total Number of Work Areas:	24	24	24	24	24	24
Full-Time Equivalent Positions:	23	23	23	23	23	23
Temp. Employees, Contractors, Auditors, etc.:	1	1	1	1	1	1

**SQUARE FEET:** Use "net rentable" sq ft if in a facility leased from a private party; use "usable" sq ft if in a State-owned facility. Typically, this will be the figure shown in the Lease Agreement if leased from a private party or in the MOU if state-owned.

FISCAL YR:	ACTUAL 2016	ESTIMATE 2017	REQUEST 2018	REQUEST 2019	REQUEST 2020	REQUEST 2021
Square Feet:	6,600	11,800	11,800	11,800	11,800	11,800

**FACILITY COST:** Include annual rent, plus any facility-related costs, such as utilities, janitorial service, property taxes or building maintenance which are not included in rent payment made to your Landlord. If improvements will need to be made to the facility and will be paid by the agency, this should be included as well. If the lease will be expiring and the future rent is not specified in the lease agreement, increase rent by 3%/yr. Increase all other facility-related costs by 3%/yr as well. Use "Calculation Sheet" tab below if necessary. Do not include telephone costs or rent discounts. If you anticipate moving to a new facility, you need to take into account any increase in sq ft leased and estimate a new market rate for the new facility. Do NOT use your old rate per sq ft – it may not be a realistic figure.

FISCAL YR:	ACTUAL 2016	ESTIMATE 2017	REQUEST 2018	REQUEST 2019	REQUEST 2020	REQUEST 2021
Total Facility Cost/Yr:	-	\$114,150.00	\$118,800.00	\$120,450.00	\$122,100.00	\$122,100.00

- IMPORTANT NOTES:**
1. Please fill in the white sections only! If you have any questions, please call Ruth @ 332-1933.
  2. Upon completion, please send to Ruth Swan-Brown at the Division of Public Works via email to [Ruth.Swan-Brown@adm.idaho.gov](mailto:Ruth.Swan-Brown@adm.idaho.gov).
  3. If you have five or more locations, please summarize the information on the Facility Information Summary Sheet and include this summary sheet with your submittal.
  4. Attach a hardcopy of this submittal, as well as the Facility Information Summary Sheet, if applicable, with your budget request.

**AGENCY NOTES:**

