

**Department 188 - Commission on Legal Counsel for Indigents
Senate Bill No. 2022**

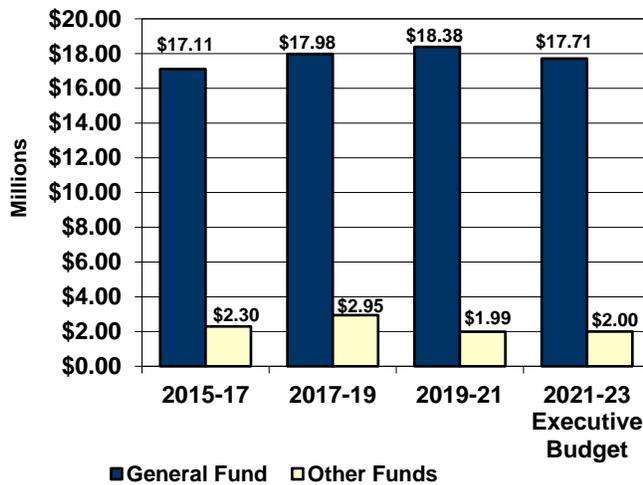
Executive Budget Comparison to Prior Biennium Appropriations

	FTE Positions	General Fund	Other Funds	Total
2021-23 Executive Budget	40.00	\$17,712,805	\$1,996,898	\$19,709,703
2019-21 Legislative Appropriations	40.00	18,384,627	1,990,035	20,374,662
Increase (Decrease)	0.00	(\$671,822)	\$6,863	(\$664,959)

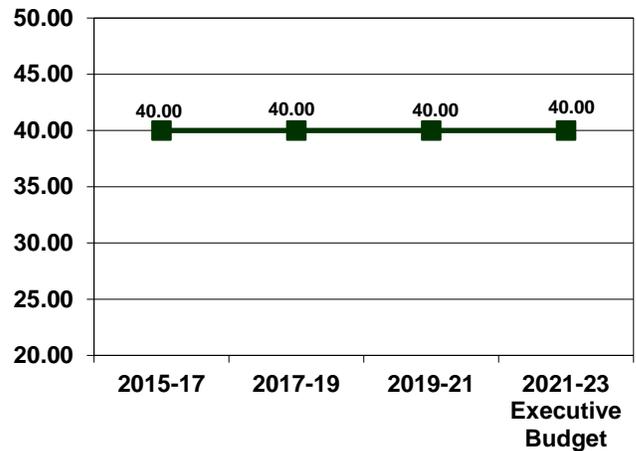
Ongoing and One-Time General Fund Appropriations

	Ongoing General Fund Appropriation	One-Time General Fund Appropriation	Total General Fund Appropriation
2021-23 Executive Budget	\$17,712,805	\$0	\$17,712,805
2019-21 Legislative Appropriations	18,384,627	0	18,384,627
Increase (Decrease)	(\$671,822)	\$0	(\$671,822)

Agency Funding



FTE Positions



Executive Budget Comparison to Base Level

	General Fund	Other Funds	Total
2021-23 Executive Budget	\$17,712,805	\$1,996,898	\$19,709,703
2021-23 Base Level	18,384,627	1,990,035	20,374,662
Increase (Decrease)	(\$671,822)	\$6,863	(\$664,959)

Attached as an appendix is a detailed comparison of the executive budget to the agency's base level appropriations.

Executive Budget Highlights

	General Fund	Other Funds	Total
1. Provides funding for state employee salary and benefit increases, of which \$204,468 is for salary increases, \$1,997 is for health insurance increases, and \$42,090 is for retirement contribution increases	\$241,692	\$6,863	\$248,555
2. Reduces funding for professional service fees to provide a total of \$9,235,136	(\$1,310,565)	\$0	(\$1,310,565)
3. Adds funding for Microsoft Office 365 license expenses	\$5,949	\$0	\$5,949

**Other Sections Recommended to be Added in the Executive Budget
(As Detailed in the Attached Appendix)**

There are no other sections for this agency.

Continuing Appropriations

Indigent defense administration fund - North Dakota Century Code Sections 29-07-01.1 and 29-26-22 - Funding is from a \$35 nonrefundable fee for court-appointed defense services and from a \$100 court administration fee in all criminal cases except infractions. The first \$750,000 collected is used for indigent defense services, the next \$460,000 is used for court facilities, and additional amounts are deposited equally into the two funds.

Deficiency Appropriation

There are no deficiency appropriations for this agency.

Significant Audit Findings

The operational audit for the Commission on Legal Counsel for Indigents conducted by the State Auditor's office for the period ending June 30, 2019, identified no significant audit findings.

Major Related Legislation

House Bill No. 1035 - Relating to the Uniform Juvenile Court Act, including requiring the Commission on Legal Counsel for Indigents to pay reasonable compensation for services and related expenses for counsel provided related to the care of a child. The commission is required to pay the witness fees, mileage, and travel expenses of witnesses subpoenaed by counsel employed by or contracted with the commission.

Commission on Legal Counsel for Indigents - Budget No. 188
Senate Bill No. 2022
Base Level Funding Changes

	Executive Budget Recommendation			
	FTE	General	Other	Total
	Positions	Fund	Funds	
2021-23 Biennium Base Level	40.00	\$18,384,627	\$1,990,035	\$20,374,662
2021-23 Ongoing Funding Changes				
Base payroll changes		\$391,102		\$391,102
Salary increase		198,822	\$5,646	204,468
Health insurance increase		1,942	55	1,997
Retirement contribution increase		40,928	1,162	42,090
Reduces funding for professional service fees		(1,310,565)		(1,310,565)
Adds funding for Microsoft Office 365 license expenses		5,949		5,949
Total ongoing funding changes	0.00	(\$671,822)	\$6,863	(\$664,959)
One-time funding items				
No one-time funding items				\$0
Total one-time funding changes	0.00	\$0	\$0	\$0
Total Changes to Base Level Funding	0.00	(\$671,822)	\$6,863	(\$664,959)
2021-23 Total Funding	40.00	\$17,712,805	\$1,996,898	\$19,709,703
<i>Total ongoing changes as a percentage of base level</i>	<i>0.0%</i>	<i>(3.7%)</i>	<i>0.3%</i>	<i>(3.3%)</i>
<i>Total changes as a percentage of base level</i>	<i>0.0%</i>	<i>(3.7%)</i>	<i>0.3%</i>	<i>(3.3%)</i>

Other Sections in Commission on Legal Counsel for Indigents - Budget No. 188

Executive Budget Recommendation

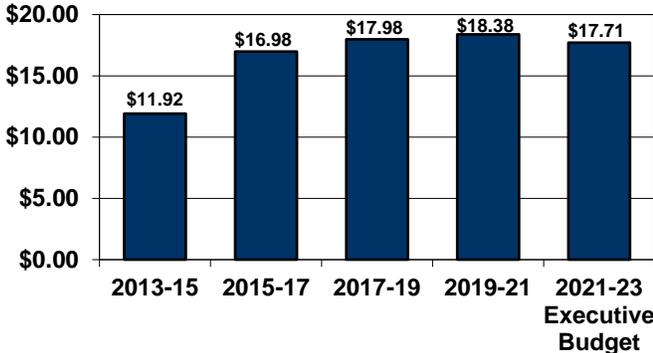
There are no other sections for this agency.

Department 188 - Commission on Legal Counsel for Indigents

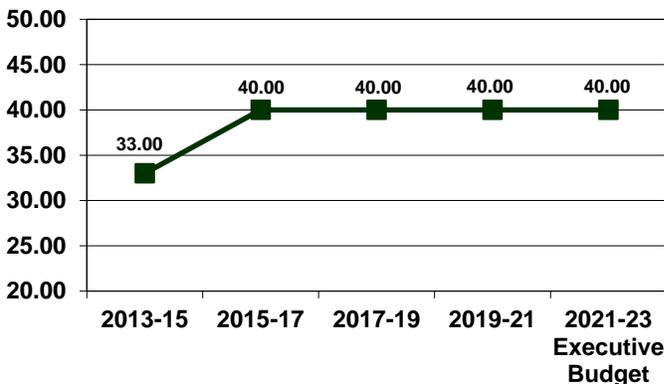
Historical Appropriations Information

Ongoing General Fund Appropriations Since 2013-15

Ongoing General Fund Appropriations (in Millions)



FTE Positions



Ongoing General Fund Appropriations					
	2013-15	2015-17	2017-19	2019-21	2021-23 Executive Budget
Ongoing general fund appropriations	\$11,923,410	\$16,982,909	\$17,983,876	\$18,384,627	\$17,712,805
Increase (decrease) from previous biennium	N/A	\$5,059,499	\$1,000,967	\$400,751	(\$671,822)
Percentage increase (decrease) from previous biennium	N/A	42.4%	5.9%	2.2%	(3.7%)
Cumulative percentage increase (decrease) from 2013-15 biennium	N/A	42.4%	50.8%	54.2%	48.6%

Major Increases (Decreases) in Ongoing General Fund Appropriations

2015-17 Biennium

- 1. Added funding for 1 FTE attorney position and 1 FTE administrative position and related operating expenses to establish a Watford City office \$539,555
- 2. Added funding to convert 5 temporary employees to FTE positions \$720,794
- 3. Added funding for increased costs of legal fees, contract fees, case-specific fees, and other costs related to increased caseloads \$4,200,000

2017-19 Biennium

- 1. Increased funding for operating expenses \$130,919
- 2. Increased funding for professional fees due to increased caseloads to provide a total of \$10,227,500 for professional fees \$500,000

2019-21 Biennium

- 1. No major changes identified

2021-23 Biennium (Executive Budget Recommendation)

- 1. Reduces funding for professional service fees to provide a total of \$9,235,136 (\$1,310,565)

**GOVERNOR'S RECOMMENDATION FOR THE
COMMISSION ON LEGAL COUNSEL FOR INDIGENTS
AS SUBMITTED BY THE
OFFICE OF MANAGEMENT AND BUDGET**

SECTION 1. APPROPRIATION. The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from other income, to the commission on legal counsel for indigents for the purpose of defraying the expenses of the commission on legal counsel for indigents, for the biennium beginning July 1, 2021 and ending June 30, 2023, as follows:

	<u>Base Level</u>	Adjustments or <u>Enhancements</u>	<u>Appropriation</u>
Commission on Legal Counsel	\$20,374,662	(\$664,959)	\$19,709,703
Total All Funds	\$20,374,662	(\$664,959)	\$19,709,703
Less Estimated Income	<u>1,990,035</u>	<u>6,863</u>	<u>1,996,898</u>
Total General Fund	\$18,384,627	(\$671,822)	\$17,712,805
Full-time Equivalent Positions	40.00	0.00	40.00