

**Agency Budget Comparison**

The following table compares the 2023 biennium appropriated budget and the adopted budget for the 2025 biennium by type of expenditure and source of funding.

Agency Budget Comparison				
Budget Item	Appropriated Budget 22-23	Legislative Budget 24-25	Biennium Change	Biennium % Change
Personal Services	54,246,508	64,545,033	10,298,525	18.98 %
Operating Expenses	24,660,991	28,467,320	3,806,329	15.43 %
Equipment & Intangible Assets	0	100,000	100,000	0.00 %
<b>Total Expenditures</b>	<b>\$78,907,499</b>	<b>\$93,112,353</b>	<b>\$14,204,854</b>	<b>18.00 %</b>
General Fund	78,907,499	93,112,353	14,204,854	18.00 %
<b>Total Funds</b>	<b>\$78,907,499</b>	<b>\$93,112,353</b>	<b>\$14,204,854</b>	<b>18.00 %</b>
<b>Total Ongoing</b>	<b>\$78,907,499</b>	<b>\$90,619,747</b>	<b>\$11,712,248</b>	<b>14.84 %</b>
<b>Total OTO</b>	<b>\$0</b>	<b>\$2,492,606</b>	<b>\$2,492,606</b>	<b>100.00 %</b>

**Agency Description**

The mission of the statewide public defender system is to provide effective professional legal services with equal access to quality client-centered representation.

**Agency Highlights**

<p><b>Office of State Public Defender Major Budget Highlights</b></p>
<p>The legislature adopted the 2025 biennium budget for the Office of State Public Defender at 18.0% or \$14.2 million higher than the 2023 biennium. Significant changes adopted by the legislature include:</p> <ul style="list-style-type: none"> <li>• \$7.5 million for statewide present law adjustments to personal services, fixed costs, and inflation with \$6.2 million for personal service increases</li> <li>• \$1.9 million for the addition of 8.00 FTE attorney positions</li> <li>• \$1.5 million to continue services on case backlogs in the Yellowstone County area</li> <li>• \$1.1 million of lease cost increases</li> <li>• \$880,000 in general fund resulting from the passage of other legislation</li> <li>• \$600,000 for increases in contracted services</li> <li>• \$450,000 for information technology purchases, upgrades, and maintenance</li> </ul>
<p>NOTE:</p>
<p>The agency's budget for the 2023 biennium in the tables above is overstated by \$1.0 million due to an accounting error which recorded a fiscal transfer in both FY 2022 and FY 2023. The accurate 2025 biennium increase is 19.4% or \$15.2 million.</p>

**Agency Actuals and Budget Comparison**

The following table compares FY 2022 actual expenditures, FY 2022 and FY 2023 appropriations, and the adopted budget for FY 2024 and FY 2025 by type of expenditure and source of funding.

Agency Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2022	Approp. Fiscal 2022	Approp. Fiscal 2023	Legislative Fiscal 2024	Legislative Fiscal 2025
FTE	0.00	302.44	302.44	310.44	310.44
Personal Services	25,993,463	26,046,737	28,199,771	32,186,621	32,358,412
Operating Expenses	13,158,852	13,408,861	11,252,130	14,155,253	14,312,067
Equipment & Intangible Assets	0	0	0	50,000	50,000
<b>Total Expenditures</b>	<b>\$39,152,315</b>	<b>\$39,455,598</b>	<b>\$39,451,901</b>	<b>\$46,391,874</b>	<b>\$46,720,479</b>
General Fund	39,152,315	39,455,598	39,451,901	46,391,874	46,720,479
<b>Total Funds</b>	<b>\$39,152,315</b>	<b>\$39,455,598</b>	<b>\$39,451,901</b>	<b>\$46,391,874</b>	<b>\$46,720,479</b>
<b>Total Ongoing</b>	<b>\$39,152,315</b>	<b>\$39,455,598</b>	<b>\$39,451,901</b>	<b>\$45,145,571</b>	<b>\$45,474,176</b>
<b>Total OTO</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$1,246,303</b>	<b>\$1,246,303</b>

**Summary of Legislative Action**

The 2025 biennium budget for the Office of State Public Defender is an increase of 19.4% or nearly \$15.2 million when compared to the FY 2023 base budget appropriation. Important budgetary initiatives adopted by the legislature in addition to statewide present law adjustments include:

- \$1.9 million for the addition of 8.00 FTE attorney positions in the Public Defender Division to help reduce current caseload and reduce the reliance on contracted attorney services which have a higher associated cost. Five of these attorney positions cannot be utilized without the OPD first requiring all management personnel with a BAR license to accept 25% of a typical caseload. This restriction does not include the director or division administrators, some of which are exempt from taking on caseloads according to statute
- \$1.5 million to continue addressing the case backlog in the Yellowstone County area by raising contracting rates and supporting additional contracted solutions which was started with ARPA federal funding in the 2023 biennium
- \$1.1 million of lease cost increases associated with multiple different OPD locations across the state. The legislature is interested in whether or not OPD can consolidate into fewer office locations in the future
- \$600,000 in biennial general fund for increases in contracted services. Appropriations are evenly split between the Public Defender Division and the Conflict Defender Division with the restriction that the OPD will not assign contracted attorneys for cases seeking a death penalty before first attempting to use internal staff
- \$350,000 was provided by the legislature to enhance development and implementation of a new case management system. Improvements were started during the 2021 biennium but not completed in full due to a lack of available appropriations
- \$150,00 to hold annual meetings
- \$100,000 for the OPD to utilize a consistent computer hardware replacement schedule based on employee retention

**Funding**

The following table shows adopted agency funding for all sources of authority.

Total Office of State Public Defender Funding by Source of Authority 2025 Biennium Budget Request - Office of State Public Defender						
Funds	HB2 Ongoing	HB2 OTO	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds
General Fund	90,619,747	2,492,606	0	0	93,112,353	100.00 %
State Special Total	0	0	0	0	0	0.00 %
Federal Special Total	0	0	0	0	0	0.00 %
Proprietary Total	0	0	0	0	0	0.00 %
Other Total	0	0	0	0	0	0.00 %
<b>Total All Funds</b>	<b>\$90,619,747</b>	<b>\$2,492,606</b>	<b>\$0</b>	<b>\$0</b>	<b>\$93,112,353</b>	
<b>Percent - Total All Sources</b>	<b>97.32 %</b>	<b>2.68 %</b>	<b>0.00 %</b>	<b>0.00 %</b>		

The OPD budget is funded exclusively with general fund. The agency has no proprietary programs or statutory appropriations.

**Budget Summary by Category**

The following table summarizes the total budget by base, present law adjustments, and new proposals. For a description of these categories, please see the glossary.

Budget Summary by Category								
Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2024	Budget Fiscal 2025	Biennium Fiscal 24-25	Percent of Budget	Budget Fiscal 2024	Budget Fiscal 2025	Biennium Fiscal 24-25	Percent of Budget
2023 Base Budget	39,451,901	39,451,901	78,903,802	84.74 %	39,451,901	39,451,901	78,903,802	84.74 %
SWPL Adjustments	3,707,507	3,939,748	7,647,255	8.21 %	3,707,507	3,939,748	7,647,255	8.21 %
PL Adjustments	747,136	823,916	1,571,052	1.69 %	747,136	823,916	1,571,052	1.69 %
New Proposals	2,485,330	2,504,914	4,990,244	5.36 %	2,485,330	2,504,914	4,990,244	5.36 %
<b>Total Budget</b>	<b>\$46,391,874</b>	<b>\$46,720,479</b>	<b>\$93,112,353</b>		<b>\$46,391,874</b>	<b>\$46,720,479</b>	<b>\$93,112,353</b>	

**Other Legislation**

HB 3 - This bill provides \$4.5 million in supplemental appropriations to the Conflict Defender Division for FY 2023. This supplemental is needed due to high contracted attorney services resulting from position vacancies and to support costs for capital cases in the current biennium.

HB 16 - This bill provides \$300,000 to the Office of State Public Defender for implementation of HB 16. This bill increases the statutory timeframe for holding an Emergency Protective Services (EPS) hearing from 3 days to 5 days. This appropriation will be ongoing for the 2027 biennium.

HB 424 - This bill provides \$2.5 million in supplemental appropriations to the Office of State Public Defender for FY 2023. Drivers behind this second supplemental include paying down contractor costs that accumulated during COVID-19, retirement payouts in FY 2023, and the inability to fully access restricted authority.

**Executive Budget Comparison**

The following table compares the legislative budget for the biennium to the budget requested by the Governor by type of expenditure and source of funding.

Executive Budget Comparison								
Budget Item	Approp. Fiscal 2023	Executive Budget Fiscal 2024	Legislative Budget Fiscal 2024	Leg — Exec. Difference Fiscal 2024	Executive Budget Fiscal 2025	Legislative Budget Fiscal 2025	Leg — Exec. Difference Fiscal 2025	Biennium Difference Fiscal 24-25
FTE	302.44	322.44	310.44	(12.00)	322.44	310.44	(12.00)	(12.00)
Personal Services	28,199,771	33,548,026	32,186,621	(1,361,405)	33,729,539	32,358,412	(1,371,127)	(2,732,532)
Operating Expenses	11,252,130	14,600,497	14,155,253	(445,244)	14,952,386	14,312,067	(640,319)	(1,085,563)
Equipment & Intangible Assets	0	75,000	50,000	(25,000)	40,000	50,000	10,000	(15,000)
Debt Service	0	0	0	0	0	0	0	0
<b>Total Costs</b>	<b>\$39,451,901</b>	<b>\$48,223,523</b>	<b>\$46,391,874</b>	<b>(\$1,831,649)</b>	<b>\$48,721,925</b>	<b>\$46,720,479</b>	<b>(\$2,001,446)</b>	<b>(\$3,833,095)</b>
General Fund	39,451,901	48,223,523	46,391,874	(1,831,649)	48,721,925	46,720,479	(2,001,446)	(3,833,095)
Federal Spec. Rev. Funds	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
<b>Total Funds</b>	<b>\$39,451,901</b>	<b>\$48,223,523</b>	<b>\$46,391,874</b>	<b>(\$1,831,649)</b>	<b>\$48,721,925</b>	<b>\$46,720,479</b>	<b>(\$2,001,446)</b>	<b>(\$3,833,095)</b>
<b>Total Ongoing</b>	<b>\$39,451,901</b>	<b>\$48,048,523</b>	<b>\$45,145,571</b>	<b>(\$2,902,952)</b>	<b>\$48,546,925</b>	<b>\$45,474,176</b>	<b>(\$3,072,749)</b>	<b>(\$5,975,701)</b>
<b>Total OTO</b>	<b>\$0</b>	<b>\$175,000</b>	<b>\$1,246,303</b>	<b>\$1,071,303</b>	<b>\$175,000</b>	<b>\$1,246,303</b>	<b>\$1,071,303</b>	<b>\$2,142,606</b>

The 2025 biennium budget for the Office of State Public Defender adopted by the legislature is approximately \$3.8 million below the budget requested by the executive. This difference includes ongoing appropriations that are \$6.0 million lower and one-time-only appropriations that are \$2.1 million higher than the executive's request. These differences include:

- (\$2.7 million) – The legislature adopted funding for 8.00 of the 20.00 new FTE requested in order to reduce caseload and reliance on contractors
  - The executive requested 11 attorneys, 6 criminal investigators, 2 administrative assistants, and a project manager
  - The legislature funded 8 of the attorney positions
- (\$1.5 million) – The legislature did not adopt a contingent rapid response funding request intended to provide flexibility to the agency
- (\$840,000) – The legislature adopted restricted and one-time-only contracted defender rate increases at a portion of the executive's request
- (\$250,000) – The legislature adopted one-time-only funding for annual meetings but did not adopt a training budget
- (\$200,000) - The legislature adopted a reduction to the statewide present law adjustment for inflation
- (\$15,000) – The legislature adopted a reduced budget for a computer replacement cycle
- \$0 – The legislature did not adopt the transition to the new state management training center but left the funding in the budget
- \$5,107 – The legislature adopted an increase for the costs of the state accounting, budgeting, and human resources system (SABHRS) budget
- \$660,000 – The legislature adopted lease increases

**Language and Statutory Authority**

*The legislature adopted the following language in HB 2:*

"The Central Services Division includes a one-time-only reduction in FY 2024 and FY 2025 for a suspension of insurance premium payments to the Risk Management and Tort Defense Division's proprietary fund."

"It is the intent of the Legislature that the appropriations for Additional Authority for Contracted Defenders will not be utilized for contractors eligible and qualified to provide defendants with adequate counsel in cases in which the state has indicated it will seek the death penalty without attempting to fully staff cases with employees."

"The appropriation for Funding to Reduce Necessary Attorney Gap is restricted by the requirement that all management personnel who are members of the Montana Bar, except the director and division administrators, perform at least 25% of the average caseload of line attorneys."

"The Conflict Defender Division includes an increase in general fund of \$87,533 in FY 2024 and \$112,620 in FY 2025. The increase was provided to offset inflationary impacts. The Office of the State Public Defender may allocate this increase in funding among programs when developing 2025 biennium operating plans."

*Additionally, the legislature adopted the following HB 2 language, contingent on the passage and approval of other bills, and the adjustments to HB 2 appropriations are included as decision packages and incorporated in the tables in the fiscal report:*

"If HB 37 is passed and approved and SB 148 is not passed and approved, the Office of State Public Defender is increased by \$618,341 general fund in FY 2024 and \$618,341 general fund in FY 2025. If SB 148 is passed and approved and HB 37 is not passed and approved, the Office of State Public Defender is increased by \$407,590 general fund in FY 2024 and \$407,590 general fund in FY 2025. If both HB 37 and SB 148 are passed and approved, the Office of State Public Defender is increased by \$618,341 general fund in FY 2024 and \$618,341 general fund in FY 2025."

"If HB 38 is passed and approved, the Office of State Public Defender is increased by \$19,135 general fund in FY 2024 and \$19,135 general fund in FY 2025."

"If HB 111 is passed and approved, the Office of State Public Defender is reduced by \$19,620 general fund in FY 2024 and \$19,620 general fund in FY 2025."

"If HB 112 is passed and approved, the Office of State Public Defender is increased by \$3,692 general fund in FY 2024 and \$3,692 general fund in FY 2025."

"If HB 132 is passed and approved by the Legislature, Legislative Audit is void."

"If HB 555 is passed and approved, the Office of State Public Defender is increased by \$31,428 general fund in FY 2024."

"If SB 11 is passed and approved, the Office of State Public Defender is increased by \$1,250 general fund in FY 2024 and \$1,250 general fund in FY 2025."

"If SB 13 is passed and approved, the Office of State Public Defender is increased by \$10,000 general fund in FY 2024 and \$10,000 general fund in FY 2025."

"If SB 19 is passed and approved, the Office of State Public Defender is increased by \$95,850 general fund in FY 2024 and \$95,850 general fund in FY 2025."

"If SB 469 is passed and approved, the Office of State Public Defender is increased by \$262,416 general fund in FY 2024 and \$262,416 general fund in FY 2025."

**Program Budget Comparison**

The following table compares the 2023 biennium appropriated budget and the adopted budget for the 2025 biennium by type of expenditure and source of funding.

Program Budget Comparison				
Budget Item	Appropriated Budget 22-23	Legislative Budget 24-25	Biennium Change	Biennium % Change
Personal Services	41,079,621	49,737,880	8,658,259	21.08 %
Operating Expenses	7,259,522	8,358,764	1,099,242	15.14 %
<b>Total Expenditures</b>	<b>\$48,339,143</b>	<b>\$58,096,644</b>	<b>\$9,757,501</b>	<b>20.19 %</b>
General Fund	48,339,143	58,096,644	9,757,501	20.19 %
<b>Total Funds</b>	<b>\$48,339,143</b>	<b>\$58,096,644</b>	<b>\$9,757,501</b>	<b>20.19 %</b>
<b>Total Ongoing</b>	<b>\$48,339,143</b>	<b>\$55,946,644</b>	<b>\$7,607,501</b>	<b>15.74 %</b>
<b>Total OTO</b>	<b>\$0</b>	<b>\$2,150,000</b>	<b>\$2,150,000</b>	<b>100.00 %</b>

**Program Description**

The Public Defender Division oversees services to qualifying clients by providing effective assistance of counsel to indigent criminal defendants and other persons in certain civil cases who are entitled by law to assistance of counsel.

**Program Highlights**

<b>Public Defender Division Major Budget Highlights</b>
<p>The 2025 biennium budget adopted by the legislature for the Public Defender Division is nearly 20.2% or \$9.8 million higher than the 2023 biennium. Significant biennial proposals include:</p> <ul style="list-style-type: none"> <li>• \$4.9 million for statewide present law adjustments to personal services</li> <li>• \$1.9 million for 8.00 FTE attorney positions</li> <li>• \$1.5 million to continue backlog reduction</li> <li>• \$350,000 to enhance the current case management system</li> <li>• \$300,000 in restricted biennial general fund for increases in contracted services</li> </ul>
NOTE:
<p>The division's budget for the 2023 biennium in the tables above is overstated by \$414,000 due to an accounting error which recorded a fiscal transfer in both FY 2022 and FY 2023. The accurate 2025 biennium increase is 21.2% or \$10.2 million.</p>

**Program Actuals and Budget Comparison**

The following table compares FY 2022 actual expenditures, FY 2022 and FY 2023 appropriations, and the adopted budget for FY 2024 and FY 2025 by type of expenditure and source of funding.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2022	Approp. Fiscal 2022	Approp. Fiscal 2023	Legislative Fiscal 2024	Legislative Fiscal 2025
FTE	0.00	231.94	231.94	239.94	239.94
Personal Services	19,649,587	19,650,457	21,429,164	24,802,199	24,935,681
Operating Expenses	4,220,041	4,287,216	2,972,306	4,182,307	4,176,457
<b>Total Expenditures</b>	<b>\$23,869,628</b>	<b>\$23,937,673</b>	<b>\$24,401,470</b>	<b>\$28,984,506</b>	<b>\$29,112,138</b>
General Fund	23,869,628	23,937,673	24,401,470	28,984,506	29,112,138
<b>Total Funds</b>	<b>\$23,869,628</b>	<b>\$23,937,673</b>	<b>\$24,401,470</b>	<b>\$28,984,506</b>	<b>\$29,112,138</b>
<b>Total Ongoing</b>	<b>\$23,869,628</b>	<b>\$23,937,673</b>	<b>\$24,401,470</b>	<b>\$27,909,506</b>	<b>\$28,037,138</b>
<b>Total OTO</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$1,075,000</b>	<b>\$1,075,000</b>

**Funding**

The following table shows proposed agency funding for all sources of authority.

Office of State Public Defender, 01-Public Defender Division Funding by Source of Authority					
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds
01100 General Fund	58,096,644	0	0	58,096,644	100.00 %
<b>State Special Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.00 %</b>
<b>Federal Special Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.00 %</b>
<b>Proprietary Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.00 %</b>
<b>Total All Funds</b>	<b>\$58,096,644</b>	<b>\$0</b>	<b>\$0</b>	<b>\$58,096,644</b>	

The Public Defender Division is funded exclusively with general fund.

**Budget Summary by Category**

The following table summarizes the total budget by base, present law adjustments, and new proposals. For a description of these categories, please see the glossary.

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2024	Budget Fiscal 2025	Biennium Fiscal 24-25	Percent of Budget	Budget Fiscal 2024	Budget Fiscal 2025	Biennium Fiscal 24-25	Percent of Budget
2023 Base Budget	24,401,470	24,401,470	48,802,940	84.00 %	24,401,470	24,401,470	48,802,940	84.00 %
SWPL Adjustments	2,444,170	2,573,348	5,017,518	8.64 %	2,444,170	2,573,348	5,017,518	8.64 %
PL Adjustments	175,000	175,000	350,000	0.60 %	175,000	175,000	350,000	0.60 %
New Proposals	1,963,866	1,962,320	3,926,186	6.76 %	1,963,866	1,962,320	3,926,186	6.76 %
<b>Total Budget</b>	<b>\$28,984,506</b>	<b>\$29,112,138</b>	<b>\$58,096,644</b>		<b>\$28,984,506</b>	<b>\$29,112,138</b>	<b>\$58,096,644</b>	

**Present Law Adjustments**

The "Present Law" Adjustments table shows the changes from the base appropriation to the adopted budget. "Statewide Present Law" adjustments (DP 1, DP 2, DP 3) are standard categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies.

Present Law Adjustments										
-----Fiscal 2024-----					-----Fiscal 2025-----					
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 1 - Personal Services	0.00	2,405,082	0	0	2,405,082	0.00	2,531,880	0	0	2,531,880
DP 3 - Inflation Deflation	0.00	39,088	0	0	39,088	0.00	41,468	0	0	41,468
DP 13 - Extend and Enhance OPD Case Mgmt System (BIEN/OTO)	0.00	175,000	0	0	175,000	0.00	175,000	0	0	175,000
<b>Grand Total All Present Law Adjustments</b>	<b>0.00</b>	<b>\$2,619,170</b>	<b>\$0</b>	<b>\$0</b>	<b>\$2,619,170</b>	<b>0.00</b>	<b>\$2,748,348</b>	<b>\$0</b>	<b>\$0</b>	<b>\$2,748,348</b>

\*"Total Funds" amount includes funding from sources other than General Fund, State Special, or Federal Special (i.e. Proprietary).

DP 1 - Personal Services -

The legislature adopted adjustments to the present law personal services budget for expected changes, management decisions, and budget modifications.

DP 3 - Inflation Deflation -

The legislature adopted adjustments to reflect budgetary changes generated from the application of inflation and deflation factors to specific expenditure accounts. Affected accounts include: other services, supplies and materials, communications, in-state motor pool and motor pool leased vehicles, and repair and maintenance.

DP 13 - Extend and Enhance OPD Case Mgmt System (BIEN/OTO) -

The legislature adopted one-time-only funding to enhance and extend the life of the current case management system. This appropriation will provide the needed resources to accomplish the agency goals during the build and implementation of the upgrades.

New Proposals

The "New Proposals" table shows new changes to spending.

New Proposals	-----Fiscal 2024-----					-----Fiscal 2025-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 7 - Yellowstone County - Continue Funding (RST/BIEN/OTO)	0.00	750,000	0	0	750,000	0.00	750,000	0	0	750,000
DP 14 - Additional Authority for Contracted Defenders (RST/BIEN/OTO)	0.00	150,000	0	0	150,000	0.00	150,000	0	0	150,000
DP 90 - Funding to Reduce Necessary Attorney Gap (RST)	5.00	604,971	0	0	604,971	5.00	609,148	0	0	609,148
DP 91 - Attorney Increases	3.00	362,982	0	0	362,982	3.00	365,489	0	0	365,489
DP 333 - Adjustment to Inflation	0.00	(32,764)	0	0	(32,764)	0.00	(40,994)	0	0	(40,994)
DP 1400 - HB 38	0.00	19,135	0	0	19,135	0.00	19,135	0	0	19,135
DP 1402 - HB 112	0.00	3,692	0	0	3,692	0.00	3,692	0	0	3,692
DP 1405 - SB 13	0.00	10,000	0	0	10,000	0.00	10,000	0	0	10,000
DP 1406 - SB 19	0.00	95,850	0	0	95,850	0.00	95,850	0	0	95,850
<b>Total</b>	<b>8.00</b>	<b>\$1,963,866</b>	<b>\$0</b>	<b>\$0</b>	<b>\$1,963,866</b>	<b>8.00</b>	<b>\$1,962,320</b>	<b>\$0</b>	<b>\$0</b>	<b>\$1,962,320</b>

\*\*\*Total Funds" amount includes funding from sources other than General Fund, State Special, or Federal Special (i.e. Proprietary).

DP 7 - Yellowstone County - Continue Funding (RST/BIEN/OTO) -

The legislature adopted one-time-only funding to continue legal coverage in Billings and Yellowstone County to address the backlog in cases. This request will backfill funding from the FY 2022-2023 ARPA dollars targeted for the same purpose. This appropriation is restricted to its designated use.

DP 14 - Additional Authority for Contracted Defenders (RST/BIEN/OTO) -

The legislature adopted a restricted one-time-only adjustment to contracted services. The agency is required to ensure that the appropriation will not be utilized for contractors eligible and qualified for death penalty cases without first making use of qualified and available staff employees.

DP 90 - Funding to Reduce Necessary Attorney Gap (RST) -

The legislature adopted an increase of 5.00 FTE. The staffing increase is intended to manage current caseloads and case weights and reduce reliance on contract attorneys. Positions include five attorneys. This appropriation is restricted by the requirement that all management personnel who are members of the Montana Bar, except the director and division administrators, perform at least 25% of a typical caseload for line attorneys.

DP 91 - Attorney Increases -

The legislature adopted the addition of 3.00 FTE as attorney positions.

DP 333 - Adjustment to Inflation -

The legislature adopted an adjustment to inflation included in DP 3.

DP 1400 - HB 38 -

The legislature adopted contingency language to increase appropriations if HB 38 was passed and approved, and this decision package implements this language. HB 38 makes theft of a light vehicle a felony crime and increases the fine amount for light vehicle theft from \$10,000 to \$50,000. This change will lead to increased attorney time for the Office of State Public Defender associated with defending a felony theft versus a misdemeanor theft.

DP 1402 - HB 112 -

The legislature adopted contingency language to increase appropriations if HB 112 was passed and approved, and this decision package implements this language. HB 112 increases terms of incarceration and fines pertaining to human trafficking. Changing fines will have no impact on the Office of State Public Defender, but a longer incarceration penalty of 100 years would result in an increased number of jury trials requiring additional contracted public defenders.

DP 1405 - SB 13 -

The legislature adopted contingency language to increase appropriations if SB 13 was passed and approved, and this decision package implements this language. SB 13 allows for oral fluid to be used to test for the presence of drugs. A new form of testing for establishing intoxication levels will need to be vetted by the courts for reliability and admissibility. The Office of State Public Defender receives additional authority to hire scientific experts to litigate the new oral fluid methodology until this new process is vetted.

DP 1406 - SB 19 -

The legislature adopted contingency language to increase appropriations if SB 19 was passed and approved and this decision package implements this language. SB 19 revises the sentencing laws for disorderly conduct by adding new jailable obstruction charges for first offenses resulting in an increase to caseload.

**Program Budget Comparison**

The following table compares the 2023 biennium appropriated budget and the adopted budget for the 2025 biennium by type of expenditure and source of funding.

Program Budget Comparison				
Budget Item	Appropriated Budget 22-23	Legislative Budget 24-25	Biennium Change	Biennium % Change
Personal Services	3,400,112	3,766,462	366,350	10.77 %
Operating Expenses	1,488,404	1,532,513	44,109	2.96 %
<b>Total Expenditures</b>	<b>\$4,888,516</b>	<b>\$5,298,975</b>	<b>\$410,459</b>	<b>8.40 %</b>
General Fund	4,888,516	5,298,975	410,459	8.40 %
<b>Total Funds</b>	<b>\$4,888,516</b>	<b>\$5,298,975</b>	<b>\$410,459</b>	<b>8.40 %</b>
<b>Total Ongoing</b>	<b>\$4,888,516</b>	<b>\$5,298,975</b>	<b>\$410,459</b>	<b>8.40 %</b>
<b>Total OTO</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.00 %</b>

**Program Description**

The Appellate Defender Division provides appellate services to qualifying clients and practices almost exclusively before the Montana Supreme Court and the United States Supreme Court. Most of the workforce is comprised of attorneys providing legal services. Legal assistants comprise the remaining portion of the workforce.

**Program Highlights**

<b>Appellate Defender Division Major Budget Highlights</b>
The legislature adopted a 2025 biennium budget for the Appellate Defender Division that is 8.4% or \$410,000 higher than the 2023 biennium budget. Increases are entirely attributed to statewide present law adjustments to personal services and inflation.
NOTE:
The division's budget for the 2023 biennium in the tables above is overstated by \$117,000 due to an accounting error which recorded a fiscal transfer in both FY 2022 and FY 2023. The accurate 2025 biennium increase is 11.1% or \$527,000.

**Program Actuals and Budget Comparison**

The following table compares FY 2022 actual expenditures, FY 2022 and FY 2023 appropriations, and the adopted budget for FY 2024 and FY 2025 by type of expenditure and source of funding.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2022	Approp. Fiscal 2022	Approp. Fiscal 2023	Legislative Fiscal 2024	Legislative Fiscal 2025
FTE	0.00	16.50	16.50	16.50	16.50
Personal Services	1,678,607	1,726,850	1,673,262	1,876,896	1,889,566
Operating Expenses	721,920	751,644	736,760	762,761	769,752
<b>Total Expenditures</b>	<b>\$2,400,527</b>	<b>\$2,478,494</b>	<b>\$2,410,022</b>	<b>\$2,639,657</b>	<b>\$2,659,318</b>
General Fund	2,400,527	2,478,494	2,410,022	2,639,657	2,659,318
<b>Total Funds</b>	<b>\$2,400,527</b>	<b>\$2,478,494</b>	<b>\$2,410,022</b>	<b>\$2,639,657</b>	<b>\$2,659,318</b>
<b>Total Ongoing</b>	<b>\$2,400,527</b>	<b>\$2,478,494</b>	<b>\$2,410,022</b>	<b>\$2,639,657</b>	<b>\$2,659,318</b>
<b>Total OTO</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**Funding**

The following table shows proposed agency funding for all sources of authority.

Office of State Public Defender, 02-Appellate Defender Division Funding by Source of Authority					
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds
01100 General Fund	5,298,975	0	0	5,298,975	100.00 %
<b>State Special Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.00 %</b>
<b>Federal Special Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.00 %</b>
<b>Proprietary Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.00 %</b>
<b>Total All Funds</b>	<b>\$5,298,975</b>	<b>\$0</b>	<b>\$0</b>	<b>\$5,298,975</b>	

The Appellate Defender Division is funded exclusively with general fund.

**Budget Summary by Category**

The following table summarizes the total budget by base, present law adjustments, and new proposals. For a description of these categories, please see the glossary.

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2024	Budget Fiscal 2025	Biennium Fiscal 24-25	Percent of Budget	Budget Fiscal 2024	Budget Fiscal 2025	Biennium Fiscal 24-25	Percent of Budget
2023 Base Budget	2,410,022	2,410,022	4,820,044	90.96 %	2,410,022	2,410,022	4,820,044	90.96 %
SWPL Adjustments	241,146	264,081	505,227	9.53 %	241,146	264,081	505,227	9.53 %
PL Adjustments	0	0	0	0.00 %	0	0	0	0.00 %
New Proposals	(11,511)	(14,785)	(26,296)	(0.50)%	(11,511)	(14,785)	(26,296)	(0.50)%
<b>Total Budget</b>	<b>\$2,639,657</b>	<b>\$2,659,318</b>	<b>\$5,298,975</b>		<b>\$2,639,657</b>	<b>\$2,659,318</b>	<b>\$5,298,975</b>	

**Present Law Adjustments**

The "Present Law" Adjustments table shows the changes from the base appropriation to the adopted budget. "Statewide Present Law" adjustments (DP 1, DP 2, DP 3) are standard categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies.

	-----Fiscal 2024-----					-----Fiscal 2025-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 1 - Personal Services	0.00	203,634	0	0	203,634	0.00	216,304	0	0	216,304
DP 3 - Inflation Deflation	0.00	37,512	0	0	37,512	0.00	47,777	0	0	47,777
<b>Grand Total All Present Law Adjustments</b>	<b>0.00</b>	<b>\$241,146</b>	<b>\$0</b>	<b>\$0</b>	<b>\$241,146</b>	<b>0.00</b>	<b>\$264,081</b>	<b>\$0</b>	<b>\$0</b>	<b>\$264,081</b>

\*\*Total Funds" amount includes funding from sources other than General Fund, State Special, or Federal Special (i.e. Proprietary).

DP 1 - Personal Services -

The legislature adopted adjustments to the present law personal services budget for expected changes, management decisions, and budget modifications.

DP 3 - Inflation Deflation -

The legislature adopted adjustments to reflect budgetary changes generated from the application of inflation and deflation factors to specific expenditure accounts. Affected accounts include: other services, supplies and materials, communications, in-state motor pool and motor pool leased vehicles, and repair and maintenance.

**New Proposals**

The "New Proposals" table shows new changes to spending.

	-----Fiscal 2024-----					-----Fiscal 2025-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 333 - Adjustment to Inflation	0.00	(11,511)	0	0	(11,511)	0.00	(14,785)	0	0	(14,785)
<b>Total</b>	<b>0.00</b>	<b>(\$11,511)</b>	<b>\$0</b>	<b>\$0</b>	<b>(\$11,511)</b>	<b>0.00</b>	<b>(\$14,785)</b>	<b>\$0</b>	<b>\$0</b>	<b>(\$14,785)</b>

\*\*Total Funds" amount includes funding from sources other than General Fund, State Special, or Federal Special (i.e. Proprietary).

DP 333 - Adjustment to Inflation -

The legislature adopted an adjustment to inflation included in DP 3.

**Program Budget Comparison**

The following table compares the 2023 biennium appropriated budget and the adopted budget for the 2025 biennium by type of expenditure and source of funding.

Program Budget Comparison				
Budget Item	Appropriated Budget 22-23	Legislative Budget 24-25	Biennium Change	Biennium % Change
Personal Services	5,759,050	6,361,653	602,603	10.46 %
Operating Expenses	12,444,599	13,888,422	1,443,823	11.60 %
<b>Total Expenditures</b>	<b>\$18,203,649</b>	<b>\$20,250,075</b>	<b>\$2,046,426</b>	<b>11.24 %</b>
General Fund	18,203,649	20,250,075	2,046,426	11.24 %
<b>Total Funds</b>	<b>\$18,203,649</b>	<b>\$20,250,075</b>	<b>\$2,046,426</b>	<b>11.24 %</b>
<b>Total Ongoing</b>	<b>\$18,203,649</b>	<b>\$19,950,075</b>	<b>\$1,746,426</b>	<b>9.59 %</b>
<b>Total OTO</b>	<b>\$0</b>	<b>\$300,000</b>	<b>\$300,000</b>	<b>100.00 %</b>

**Program Description**

The Conflict Defender Division oversees services to qualifying clients by providing effective assistance of counsel to indigent criminal defendants and other persons in certain civil cases. This division represents only those clients in circumstances where, because of a conflict of interest, the Public Defender Division is unable to provide representation.

**Program Highlights**

<b>Conflict Defender Division Major Budget Highlights</b>
<p>The Conflict Defender Division's 2025 biennium budget adopted by the legislature is \$2.0 million or 11.2% higher than the 2023 biennium. Significant biennial proposals include:</p> <ul style="list-style-type: none"> <li>• \$815,000 general fund for legal representation for children involved with child abuse and neglect cases as per SB 14</li> <li>• \$737,000 in statewide present law adjustments to inflation partially offset by reductions of \$237,000 in personal services</li> <li>• \$300,000 in restricted biennial general fund for increases in contracted services</li> </ul>
NOTE:
<p>The division's budget for the 2023 biennium in the tables above is overstated by \$33,000 due to an accounting error which recorded a fiscal transfer in both FY 2022 and FY 2023. The accurate 2025 biennium increase is 11.4% or \$2.1 million.</p>

**Program Actuals and Budget Comparison**

The following table compares FY 2022 actual expenditures, FY 2022 and FY 2023 appropriations, and the adopted budget for FY 2024 and FY 2025 by type of expenditure and source of funding.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2022	Approp. Fiscal 2022	Approp. Fiscal 2023	Legislative Fiscal 2024	Legislative Fiscal 2025
FTE	0.00	29.50	29.50	29.50	29.50
Personal Services	2,453,745	2,459,588	3,299,462	3,173,298	3,188,355
Operating Expenses	6,371,896	6,426,570	6,018,029	6,894,023	6,994,399
<b>Total Expenditures</b>	<b>\$8,825,641</b>	<b>\$8,886,158</b>	<b>\$9,317,491</b>	<b>\$10,067,321</b>	<b>\$10,182,754</b>
General Fund	8,825,641	8,886,158	9,317,491	10,067,321	10,182,754
<b>Total Funds</b>	<b>\$8,825,641</b>	<b>\$8,886,158</b>	<b>\$9,317,491</b>	<b>\$10,067,321</b>	<b>\$10,182,754</b>
<b>Total Ongoing</b>	<b>\$8,825,641</b>	<b>\$8,886,158</b>	<b>\$9,317,491</b>	<b>\$9,917,321</b>	<b>\$10,032,754</b>
<b>Total OTO</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$150,000</b>	<b>\$150,000</b>

**Funding**

The following table shows proposed agency funding for all sources of authority.

Office of State Public Defender, 03-Conflict Defender Division Funding by Source of Authority						
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds	
01100 General Fund	20,250,075	0	0	20,250,075	100.00 %	
<b>State Special Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.00 %</b>	
<b>Federal Special Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.00 %</b>	
<b>Proprietary Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.00 %</b>	
<b>Total All Funds</b>	<b>\$20,250,075</b>	<b>\$0</b>	<b>\$0</b>	<b>\$20,250,075</b>		

The Conflict Defender Division is funded exclusively with general fund.

**Budget Summary by Category**

The following table summarizes the total budget by base, present law adjustments, and new proposals. For a description of these categories, please see the glossary.

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2024	Budget Fiscal 2025	Biennium Fiscal 24-25	Percent of Budget	Budget Fiscal 2024	Budget Fiscal 2025	Biennium Fiscal 24-25	Percent of Budget
2023 Base Budget	9,317,491	9,317,491	18,634,982	92.02 %	9,317,491	9,317,491	18,634,982	92.02 %
SWPL Adjustments	186,196	303,143	489,339	2.42 %	186,196	303,143	489,339	2.42 %
PL Adjustments	0	0	0	0.00 %	0	0	0	0.00 %
New Proposals	563,634	562,120	1,125,754	5.56 %	563,634	562,120	1,125,754	5.56 %
<b>Total Budget</b>	<b>\$10,067,321</b>	<b>\$10,182,754</b>	<b>\$20,250,075</b>		<b>\$10,067,321</b>	<b>\$10,182,754</b>	<b>\$20,250,075</b>	

**Present Law Adjustments**

The "Present Law" Adjustments table shows the changes from the base appropriation to the adopted budget. "Statewide Present Law" adjustments (DP 1, DP 2, DP 3) are standard categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies.

	-----Fiscal 2024-----					-----Fiscal 2025-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 1 - Personal Services	0.00	(126,164)	0	0	(126,164)	0.00	(111,107)	0	0	(111,107)
DP 3 - Inflation Deflation	0.00	312,360	0	0	312,360	0.00	414,250	0	0	414,250
<b>Grand Total All Present Law Adjustments</b>	<b>0.00</b>	<b>\$186,196</b>	<b>\$0</b>	<b>\$0</b>	<b>\$186,196</b>	<b>0.00</b>	<b>\$303,143</b>	<b>\$0</b>	<b>\$0</b>	<b>\$303,143</b>

\*"Total Funds" amount includes funding from sources other than General Fund, State Special, or Federal Special (i.e. Proprietary).

DP 1 - Personal Services -

The legislature adopted adjustments to the present law personal services budget for expected changes, management decisions, and budget modifications.

DP 3 - Inflation Deflation -

The legislature adopted adjustments to reflect budgetary changes generated from the application of inflation and deflation factors to specific expenditure accounts. Affected accounts include: other services, supplies and materials, communications, in-state motor pool and motor pool leased vehicles, and repair and maintenance.

**New Proposals**

The "New Proposals" table shows new changes to spending.

	-----Fiscal 2024-----					-----Fiscal 2025-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 14 - Additional Authority for Contracted Defenders (RST/BIEN/OTO)	0.00	150,000	0	0	150,000	0.00	150,000	0	0	150,000
DP 333 - Adjustment to Inflation	0.00	(81,489)	0	0	(81,489)	0.00	(108,090)	0	0	(108,090)
DP 1407 - SB 148	0.00	407,590	0	0	407,590	0.00	407,590	0	0	407,590
DP 3333 - Additional Adjustment to Inflation	0.00	87,533	0	0	87,533	0.00	112,620	0	0	112,620
<b>Total</b>	<b>0.00</b>	<b>\$563,634</b>	<b>\$0</b>	<b>\$0</b>	<b>\$563,634</b>	<b>0.00</b>	<b>\$562,120</b>	<b>\$0</b>	<b>\$0</b>	<b>\$562,120</b>

\*"Total Funds" amount includes funding from sources other than General Fund, State Special, or Federal Special (i.e. Proprietary).

DP 14 - Additional Authority for Contracted Defenders (RST/BIEN/OTO) -

The legislature adopted a restricted one-time-only adjustment to contracted services. The agency is required to ensure that the appropriation will not be utilized for contractors eligible and qualified for death penalty cases without first making use of qualified and available staff employees.

DP 333 - Adjustment to Inflation -

The legislature adopted an adjustment to inflation included in DP 3.

DP 1407 - SB 148 -

The legislature adopted contingency language to increase appropriations if SB 148 was passed and approved and this decision package implements this language. SB 148 requires legal representation for children involved with child abuse and neglect cases which are eligible for federal Title IV-E reimbursement. The Office of State Public Defender currently assigns in-house attorneys to represent parents, and thus, additional child appointments required in the bill would be assigned to contracted attorneys.

DP 3333 - Additional Adjustment to Inflation -

The legislature adopted an additional adjustment to inflation included in DP 3.

**Program Budget Comparison**

The following table compares the 2023 biennium appropriated budget and the adopted budget for the 2025 biennium by type of expenditure and source of funding.

Program Budget Comparison				
Budget Item	Appropriated Budget 22-23	Legislative Budget 24-25	Biennium Change	Biennium % Change
Personal Services	4,007,725	4,679,038	671,313	16.75 %
Operating Expenses	3,468,466	4,687,621	1,219,155	35.15 %
Equipment & Intangible Assets	0	100,000	100,000	0.00 %
<b>Total Expenditures</b>	<b>\$7,476,191</b>	<b>\$9,466,659</b>	<b>\$1,990,468</b>	<b>26.62 %</b>
General Fund	7,476,191	9,466,659	1,990,468	26.62 %
<b>Total Funds</b>	<b>\$7,476,191</b>	<b>\$9,466,659</b>	<b>\$1,990,468</b>	<b>26.62 %</b>
<b>Total Ongoing</b>	<b>\$7,476,191</b>	<b>\$9,424,053</b>	<b>\$1,947,862</b>	<b>26.05 %</b>
<b>Total OTO</b>	<b>\$0</b>	<b>\$42,606</b>	<b>\$42,606</b>	<b>100.00 %</b>

**Program Description**

Central Services Division provides management of non-legal services, i.e., accounting, budgeting, IT, payroll, contracting, quality, and performance controls to all programs. The oversight of the eligibility determination process, including verification of all hardship cases, is also a responsibility of this division.

**Program Highlights**

<b>Central Services Division Major Budget Highlights</b>
<p>The 2025 biennium budget adopted by the legislature for the Central Services Division is nearly 26.6% or \$2.0 million higher than the 2023 biennium. Increases include:</p> <ul style="list-style-type: none"> <li>• Statewide present law adjustments of \$1.5 million                             <ul style="list-style-type: none"> <li>◦ \$1.1 million for personal service adjustments</li> <li>◦ \$210,000 for fixed costs</li> <li>◦ \$190,000 for inflation adjustments</li> </ul> </li> <li>• \$1.1 million for lease increases</li> <li>• \$150,000 to fund annual meetings</li> <li>• \$100,000 to establish an ongoing computer replacement schedule</li> </ul>
<b>NOTE:</b>
<p>The division's budget for the 2023 biennium in the tables above is overstated by \$394,000 due to an accounting error which recorded a fiscal transfer in both FY 2022 and FY 2023. The accurate 2025 biennium increase is 33.7% or \$2.4 million.</p>

**Program Actuals and Budget Comparison**

The following table compares FY 2022 actual expenditures, FY 2022 and FY 2023 appropriations, and the adopted budget for FY 2024 and FY 2025 by type of expenditure and source of funding.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2022	Approp. Fiscal 2022	Approp. Fiscal 2023	Legislative Fiscal 2024	Legislative Fiscal 2025
FTE	0.00	24.50	24.50	24.50	24.50
Personal Services	2,211,524	2,209,842	1,797,883	2,334,228	2,344,810
Operating Expenses	1,844,995	1,943,431	1,525,035	2,316,162	2,371,459
Equipment & Intangible Assets	0	0	0	50,000	50,000
<b>Total Expenditures</b>	<b>\$4,056,519</b>	<b>\$4,153,273</b>	<b>\$3,322,918</b>	<b>\$4,700,390</b>	<b>\$4,766,269</b>
General Fund	4,056,519	4,153,273	3,322,918	4,700,390	4,766,269
<b>Total Funds</b>	<b>\$4,056,519</b>	<b>\$4,153,273</b>	<b>\$3,322,918</b>	<b>\$4,700,390</b>	<b>\$4,766,269</b>
<b>Total Ongoing</b>	<b>\$4,056,519</b>	<b>\$4,153,273</b>	<b>\$3,322,918</b>	<b>\$4,679,087</b>	<b>\$4,744,966</b>
<b>Total OTO</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$21,303</b>	<b>\$21,303</b>

**Funding**

The following table shows proposed agency funding for all sources of authority.

Office of State Public Defender, 04-Central Services Division Funding by Source of Authority						
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds	
01100 General Fund	9,466,659	0	0	9,466,659	100.00 %	
<b>State Special Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.00 %</b>	
<b>Federal Special Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.00 %</b>	
<b>Proprietary Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.00 %</b>	
<b>Total All Funds</b>	<b>\$9,466,659</b>	<b>\$0</b>	<b>\$0</b>	<b>\$9,466,659</b>		

The Central Services Division is funded exclusively with general fund.

**Budget Summary by Category**

The following table summarizes the total budget by base, present law adjustments, and new proposals. For a description of these categories, please see the glossary.

Budget Summary by Category								
Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2024	Budget Fiscal 2025	Biennium Fiscal 24-25	Percent of Budget	Budget Fiscal 2024	Budget Fiscal 2025	Biennium Fiscal 24-25	Percent of Budget
2023 Base Budget	3,322,918	3,322,918	6,645,836	70.20 %	3,322,918	3,322,918	6,645,836	70.20 %
SWPL Adjustments	835,995	799,176	1,635,171	17.27 %	835,995	799,176	1,635,171	17.27 %
PL Adjustments	572,136	648,916	1,221,052	12.90 %	572,136	648,916	1,221,052	12.90 %
New Proposals	(30,659)	(4,741)	(35,400)	(0.37)%	(30,659)	(4,741)	(35,400)	(0.37)%
<b>Total Budget</b>	<b>\$4,700,390</b>	<b>\$4,766,269</b>	<b>\$9,466,659</b>		<b>\$4,700,390</b>	<b>\$4,766,269</b>	<b>\$9,466,659</b>	

**Present Law Adjustments**

The "Present Law" Adjustments table shows the changes from the base appropriation to the adopted budget. "Statewide Present Law" adjustments (DP 1, DP 2, DP 3) are standard categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies.

Present Law Adjustments										
	-----Fiscal 2024-----					-----Fiscal 2025-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 1 - Personal Services	0.00	555,965	0	0	555,965	0.00	566,547	0	0	566,547
DP 2 - Fixed Costs	0.00	143,110	0	0	143,110	0.00	67,282	0	0	67,282
DP 3 - Inflation Deflation	0.00	136,920	0	0	136,920	0.00	165,347	0	0	165,347
DP 6 - Consistent Computer Hardware Replacement Funding (RST/OTO)	0.00	50,000	0	0	50,000	0.00	50,000	0	0	50,000
DP 11 - Lease Increase for PLA	0.00	519,044	0	0	519,044	0.00	596,901	0	0	596,901
DP 20 - SABHRS Rate Adjustment	0.00	3,092	0	0	3,092	0.00	2,015	0	0	2,015
DP 222 - RMTD Adjustment	0.00	103,697	0	0	103,697	0.00	103,697	0	0	103,697
DP 223 - RMTD Adjustment (OTO)	0.00	(103,697)	0	0	(103,697)	0.00	(103,697)	0	0	(103,697)
<b>Grand Total All Present Law Adjustments</b>	<b>0.00</b>	<b>\$1,408,131</b>	<b>\$0</b>	<b>\$0</b>	<b>\$1,408,131</b>	<b>0.00</b>	<b>\$1,448,092</b>	<b>\$0</b>	<b>\$0</b>	<b>\$1,448,092</b>

\*\*"Total Funds" amount includes funding from sources other than General Fund, State Special, or Federal Special (i.e. Proprietary).

DP 1 - Personal Services -

The legislature adopted adjustments to the present law personal services budget for expected changes, management decisions, and budget modifications.

DP 2 - Fixed Costs -

The legislature adopted adjustments to provide the funding required for fixed costs assessed by other agencies within state government for the services they provide. Examples include: warrant writer, motor pool, information technology services, etc.

DP 3 - Inflation Deflation -

The legislature adopted adjustments to reflect budgetary changes generated from the application of inflation and deflation factors to specific expenditure accounts. Affected accounts include: other services, supplies and materials, communications, in-state motor pool and motor pool leased vehicles, and repair and maintenance.

DP 6 - Consistent Computer Hardware Replacement Funding (RST/OTO) -

The legislature adopted one-time-only restricted adjustments to establish a computer replacement cycle in the Office of Public Defender. This appropriation is restricted to its designated use.

DP 11 - Lease Increase for PLA -

The legislature adopted adjustments for the costs of office leases.

DP 20 - SABHRS Rate Adjustment -

The legislature adopted an increase to proposed SABHRS rates.

DP 222 - RMTD Adjustment -

The legislature adopted an adjustment to the insurance premiums paid to the Risk Management and Tort Defense Division proprietary fund. This decision package eliminates the reduction included in DP 2. This change is necessary to designate the reduction as one-time-only in the budgeting system.

DP 223 - RMTD Adjustment (OTO) -

The legislature adopted an adjustment to the insurance premiums paid to the Risk Management and Tort Defense Division proprietary fund. This decision package designates the reduction as one-time-only.

**New Proposals**

The "New Proposals" table shows new changes to spending.

New Proposals	Fiscal 2024					Fiscal 2025				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 5 - Annual Meetings (RST/OTO)	0.00	75,000	0	0	75,000	0.00	75,000	0	0	75,000
DP 333 - Adjustment to Inflation	0.00	(49,302)	0	0	(49,302)	0.00	(61,371)	0	0	(61,371)
DP 1401 - HB 111	0.00	(19,620)	0	0	(19,620)	0.00	(19,620)	0	0	(19,620)
DP 1403 - HB 555	0.00	31,428	0	0	31,428	0.00	0	0	0	0
DP 1404 - SB 11	0.00	1,250	0	0	1,250	0.00	1,250	0	0	1,250
DP 1408 - HB 132	0.00	(69,415)	0	0	(69,415)	0.00	0	0	0	0
<b>Total</b>	<b>0.00</b>	<b>(\$30,659)</b>	<b>\$0</b>	<b>\$0</b>	<b>(\$30,659)</b>	<b>0.00</b>	<b>(\$4,741)</b>	<b>\$0</b>	<b>\$0</b>	<b>(\$4,741)</b>

\*\*Total Funds" amount includes funding from sources other than General Fund, State Special, or Federal Special (i.e. Proprietary).

DP 5 - Annual Meetings (RST/OTO) -

The legislature adopted a restricted one-time-only adjustment to fund annual meetings.

DP 333 - Adjustment to Inflation -

The legislature adopted an adjustment to inflation included in DP 3.

DP 1401 - HB 111 -

The legislature adopted contingency language to decrease appropriations if HB 111 was passed and approved, and this decision package implements this language. HB 111 makes dependency and neglect (DN) and disabled and involuntary commitment (DI) cases automatically eligible for public defender services resulting in reduced assessment costs.

DP 1403 - HB 555 -

The legislature adopted contingency language to increase appropriations if HB 555 was passed and approved, and this decision package implements this language. HB 555 establishes specific standards for the qualification and training of attorneys providing public defender services to a child in an abuse and neglect case. The Office of State Public Defender estimates training is needed for 40 public defender attorneys and 100 contractors. Costs associated with training expenses qualify for federal Title IV-E reimbursement.

DP 1404 - SB 11 -

The legislature adopted contingency language to increase appropriations if SB 11 was passed and approved, and this decision package implements this language. SB 11 seeks the development of a criminal justice data warehouse to receive, store, secure, and maintain data from contributing entities. Additional resources are provided to the Office of State Public Defender to cover travel expenses.

DP 1408 - HB 132 -

The legislature adopted contingency language to reduce appropriations if HB 132 was passed and approved and this decision package implements this language. HB 132 modifies the timing of legislative audits, providing for a transition from biennial audits, to allowing the auditor to select agencies for auditing based on certain considerations.