

	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY AMD REQ	
	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	
	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
JUSTICE ADMINISTRATION						21000000
PGM: JUSTICE ADMIN COMM						21300000
EXECUTIVE DIR/SUPPORT SVCS						21300800
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
OTHER PROGRAMS						4200000
ASSISTANT PUBLIC DEFENDER SALARY						4204A00
PARITY						000000
SALARY RATE						
SALARY RATE.....		4,708,118			4,708,118	
=====						
SALARIES AND BENEFITS						010000
GENERAL REVENUE FUND -STATE		6,077,239			6,077,239	1000 1
=====						
TOTAL: ASSISTANT PUBLIC DEFENDER SALARY						4204A00
PARITY						
TOTAL ISSUE.....		6,077,239			6,077,239	
TOTAL SALARY RATE.....		4,708,118			4,708,118	
=====						

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AGENCY ISSUE NARRATIVE:

2016-2017 BUDGET YEAR NARRATIVE:

IT COMPONENT? NO

Amended 2016-17 Narrative after December 4, 2015

ASSISTANT PUBLIC DEFENDER COMPETITIVE PAY ISSUE

Public Defenders wish to achieve some level of competitive pay in salaries and benefits with attorneys in other governmental entities with similar experience and expertise. At a minimum, assistant public defenders (APDs) should be compensated comparably to other government attorneys in the judicial, legislative, and executive branches, where starting annual salaries may be \$10,000 higher than those of APDs and raises are automatic after 2 years. It is difficult to recruit and even more difficult to retain qualified attorneys when APD salaries are so low. Public Defender offices are in a costly cycle of recruiting and training attorneys, just to watch them leave for more lucrative work in another government agency or firms. The relative lack of experienced attorneys makes case assignments and case management challenging; skill and experience is needed before an attorney can competently represent defendants charged with serious and complex criminal offenses.

Public Defenders recognize it may take time to fully address these competitive pay inequities. Therefore, this issue requests a minimum \$2,000 a year increase for APD with 3 years or less of experience and minimum \$4,000 for APDs with 4 years or more years of experience plus fringe benefit costs. The data to calculate these costs was obtained using the state's personnel data system. Using the October 26, 2015, payroll information, 776 APDs had 3 years of experience or less and 789 had more than 4 years of experience. This data confirms that nearly half of our attorneys have less than 3

COL A12	COL A14	COL A15	COL A16	COL A14-A12	
AGY FIN REQ FY 2016-17	AGY AMD REQ FY 2016-17	AGY AMD N/R FY 2016-17	AGY AMD ANZ FY 2016-17	AGY AMD REQ FY 2016-17 OVER(UNDER) AGY FIN REQ FY 2016-17	CODES
POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
JUSTICE ADMINISTRATION					21000000
PGM: JUSTICE ADMIN COMM					21300000
<u>EXECUTIVE DIR/SUPPORT SVCS</u>					21300800
PUBLIC PROTECTION					12
<u>LEGAL REPRESENTATION</u>					<u>1203.00.00.00</u>
OTHER PROGRAMS					4200000
ASSISTANT PUBLIC DEFENDER SALARY PARITY					4204A00

years of experience. That is not a desirable situation, because a healthy criminal justice system depends on competent representation on both the prosecution and defense sides. Salary increases are needed to retain experienced attorneys.

The costs are calculated, effective July 1, 2016, as follows:  
 \$2,000 (minimum salary increase) + \$582 (fringe benefits) = \$2,582 X 776 = \$2,003,632  
 \$4,000 (minimum salary increase) + \$1,163 (fringe benefits) = \$5,163 X 789 = \$4,073,607

Total Issue: Annualized \$6,077,239 General Revenue Recurring Funds

Summary: This is a new issue.

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POSITION DETAIL OF SALARIES AND BENEFITS:

FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A14 - AGY AMD REQ FY 2016-17						
CHANGES TO CURRENTLY AUTHORIZED POSITIONS						
RA01 RATE & SALARY ADJ - BENEFITS NO FTE						
N0001 001	0.00	4,708,118	1,369,121	6,077,239	0.00	6,077,239
TOTALS FOR ISSUE BY FUND						
1000 GENERAL REVENUE FUND						6,077,239
	0.00	4,708,118	1,369,121	6,077,239		6,077,239

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COL A12		COL A14		COL A15		COL A16		COL A14-A12		CODES
AGY FIN REQ FY 2016-17	POS AMOUNT	AGY AMD REQ FY 2016-17	POS AMOUNT	AGY AMD N/R FY 2016-17	POS AMOUNT	AGY AMD ANZ FY 2016-17	POS AMOUNT	AGY AMD REQ FY 2016-17 OVER(UNDER)	AGY FIN REQ FY 2016-17	
JUSTICE ADMINISTRATION										21000000
PGM: JUSTICE ADMIN COMM										21300000
<u>EXECUTIVE DIR/SUPPORT SVCS</u>										21300800
PUBLIC PROTECTION										12
<u>LEGAL REPRESENTATION</u>										<u>1203.00.00.00</u>
TOTAL: LEGAL REPRESENTATION										<u>1203.00.00.00</u>
BY FUND TYPE										
GENERAL REVENUE FUND.....		6,077,239						6,077,239		1000
SALARY RATE.....		4,708,118						4,708,118		
=====										

	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
					AGY AMD REQ	
					FY 2016-17	
					OVER(UNDER)	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY FIN REQ	
	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	
POS	AMOUNT	POS	AMOUNT	POS	AMOUNT	CODES
JUSTICE ADMINISTRATION						21000000
PGM: JUSTICE ADMIN COMM						21300000
<u>EXECUTIVE DIR/SUPPORT SVCS</u>						21300800
GOV OPERATIONS/SUPPORT						16
<u>EXEC LEADERSHIP/SUPPRT SVC</u>						<u>1602.00.00.00</u>
PRICE LEVEL INCREASES						2300000
BUILDING RENTAL FOR PRIVATELY OWNED						
OFFICE SPACE						2301900
EXPENSES						040000
GENERAL REVENUE FUND -STATE	16,000	16,000		16,000		1000 1

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AGENCY ISSUE NARRATIVE:

2016-2017 BUDGET YEAR NARRATIVE: IT COMPONENT? NO

Issue Title: Building Rental for Privately Owned Office Space

The Justice Administrative Commission (JAC) leases workspace within the City Centre Building in downtown Tallahassee. The current lease expires December 31, 2016. JAC is requesting additional General Revenue funding for a building rental increase, due to an anticipated increase as a result of significant improvements to the property. JAC currently pays \$354,715 for 22,256 square feet of space, or approximately \$15.94 per square foot. JAC is requesting \$16,000 in additional funding for increased rent in FY 2016-17, and \$32,000 in increased rent in future years.

General Revenue Expenses Needed - \$16,000 (January 1, 2017 - June 30, 2017), \$32,000 annualized for 2017-18.

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TOTAL: EXECUTIVE DIR/SUPPORT SVCS						21300800
BY FUND TYPE						
GENERAL REVENUE FUND.....	16,000	6,093,239		16,000	6,077,239	1000
SALARY RATE.....		4,708,118			4,708,118	

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COL A12	COL A14	COL A15	COL A16	COL A14-A12	
AGY FIN REQ FY 2016-17 POS	AGY AMD REQ FY 2016-17 POS	AGY AMD N/R FY 2016-17 POS	AGY AMD ANZ FY 2016-17 POS	AGY AMD REQ FY 2016-17 OVER(UNDER) AGY FIN REQ FY 2016-17 POS	AMOUNT
					21000000
					21310000
					13
					<u>1304.00.00.00</u>
					1600000
					160E470
					060000
GENERAL REVENUE FUND	-STATE	85,519-		85,519-	1000 1

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AGENCY ISSUE NARRATIVE:

2016-2017 BUDGET YEAR NARRATIVE:

IT COMPONENT? YES

Amended 2016-17 Narrative after December 4, 2015

Guardian ad Litem (GAL) is requesting a budget realignment to move \$85,519 from the Operating Capital Outlay category (060000) to the Northwest Regional Data Center (NWRDC) category (210023). The increased data center costs are primarily attributed to a 5% requested budget increase from the NWRDC, a 15TB increase in server storage capacity and an agreement with NWRDC to share the cost of a managed network administrator position.

GAL ordered 15TB of additional storage for our servers because files that were once stored on data tapes are not stored directly on the servers. This additional memory added approximately \$34,000 to our annual data center costs.

When GAL transitioned to the NWRDC, it did not have an employee on staff with the specific knowledge or expertise needed to make changes to the network that was being set up at the NWRDC. Given the complexity of the transition and the instability of GAL's systems at the time, GAL negotiated a cost share agreement with the NWRDC in which both parties would share the cost of a Managed Network Administrator position. The person in that position is responsible for monitoring and managing the GAL hardware currently housed at the NWRDC. This change increased GAL's overall data center cost by approximately \$25,000.

Finally, the NWRDC submitted its Fiscal Year 2016-17 budget. In it, the NWRDC has requested a 5% increase in funding from GAL which will add approximately \$16,000 to our annual NWRDC costs. These increased data center costs can be covered by permanently moving funds from GAL's Operating Capital Outlay category to the NWRDC category. This request will have no fiscal impact.

Please see corresponding issue code 160E480.

Summary: This is a new issue.

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COL A12		COL A14		COL A15		COL A16		COL A14-A12		CODES
AGY FIN REQ FY 2016-17 POS	AMOUNT	AGY AMD REQ FY 2016-17 POS	AMOUNT	AGY AMD N/R FY 2016-17 POS	AMOUNT	AGY AMD ANZ FY 2016-17 POS	AMOUNT	AGY AMD REQ FY 2016-17 OVER(UNDER) AGY FIN REQ FY 2016-17 POS	AMOUNT	
JUSTICE ADMINISTRATION										21000000
PGM: STW/GUARDIAN AD LITEM										21310000
HEALTH AND HUMAN SERVICES										13
SERVICES/MOST VULNERABLE										<u>1304.00.00.00</u>
ADJUSTMENTS TO CURRENT YEAR										
ESTIMATED EXPENDITURES										1600000
REALIGNMENT OF AGENCY SPENDING										
AUTHORITY FOR DATA CENTER BILLING -										
ADD										160E480
DATA PROCESSING SERVICES										210000
NORTHWEST REGIONAL DC										210023
GENERAL REVENUE FUND										
-STATE			85,519						85,519	1000 1

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AGENCY ISSUE NARRATIVE:

2016-2017 BUDGET YEAR NARRATIVE:

IT COMPONENT? YES

Amended 2016-17 Narrative after December 4, 2015

Guardian ad Litem (GAL) is requesting a budget realignment to move \$85,519 from the Operating Capital Outlay category (060000) to the Northwest Regional Data Center (NWRDC) category (210023). The increased data center costs are primarily attributed to a 5% requested budget increase from the NWRDC, a 15TB increase in server storage capacity and an agreement with NWRDC to share the cost of a managed network administrator position.

GAL ordered 15TB of additional storage for our servers because files that were once stored on data tapes are not stored directly on the servers. This additional memory added approximately \$34,000 to our annual data center costs.

When GAL transitioned to the NWRDC, it did not have an employee on staff with the specific knowledge or expertise needed to make changes to the network that was being set up at the NWRDC. Given the complexity of the transition and the instability of GAL's systems at the time, GAL negotiated a cost share agreement with the NWRDC in which both parties would share the cost of a Managed Network Administrator position. The person in that position is responsible for monitoring and managing the GAL hardware currently housed at the NWRDC. This change increased GAL's overall data center cost by approximately \$25,000.

Finally, the NWRDC submitted its Fiscal Year 2016-17 budget. In it, the NWRDC has requested a 5% increase in funding from GAL which will add approximately \$16,000 to our annual NWRDC costs. These increased data center costs can be covered by permanently moving funds from GAL's Operating Capital Outlay category to the NWRDC category. This request will have no fiscal impact.

Please see corresponding issue code 160E470.

Summary: This is a new issue.

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COL A12		COL A14		COL A15		COL A16		COL A14-A12		CODES
AGY FIN REQ FY 2016-17 POS	AMOUNT	AGY AMD REQ FY 2016-17 POS	AMOUNT	AGY AMD N/R FY 2016-17 POS	AMOUNT	AGY AMD ANZ FY 2016-17 POS	AMOUNT	AGY AMD REQ FY 2016-17 OVER(UNDER) AGY FIN REQ FY 2016-17 POS	AMOUNT	
JUSTICE ADMINISTRATION										21000000
PGM: STW/GUARDIAN AD LITEM										21310000
HEALTH AND HUMAN SERVICES										13
SERVICES/MOST VULNERABLE										<u>1304.00.00.00</u>
ADJUSTMENTS TO CURRENT YEAR										
ESTIMATED EXPENDITURES										1600000
EQUIPMENT LEASES - ADD										160M030
SPECIAL CATEGORIES										100000
LEASE/PURCHASE/EQUIPMENT										105281
GENERAL REVENUE FUND		-STATE		30,000				30,000		1000 1

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AGENCY ISSUE NARRATIVE:

2016-2017 BUDGET YEAR NARRATIVE: IT COMPONENT? NO

Amended 2016-17 Narrative after December 4, 2015

Prior to the Department of Financial Services changing the FLAIR object codes, the excess copy charges on Guardian ad Litem's leased copy machine invoices were paid from category 040000 and the remaining balances on those invoices were paid from category 105281, using object codes 241003 and 442000 respectively. After the object code changes, Guardian ad Litem has had to charge 100% of each invoice to the Lease Purchase of Equipment category (105281) using object code 442000. Guardian ad Litem is requesting a budget realignment to move the funds from the Expenses category (040000) that were previously used to pay for excess copies on leased copy machines to the Lease Purchase of Equipment category (105281).

Please see corresponding "Deduct" issue code 160M040.

Summary: This is a new issue.

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EQUIPMENT LEASES - DEDUCT										160M040
EXPENSES										040000
GENERAL REVENUE FUND		-STATE		30,000-				30,000-		1000 1

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AGENCY ISSUE NARRATIVE:

2016-2017 BUDGET YEAR NARRATIVE: IT COMPONENT? NO

Amended 2016-17 Narrative after December 4, 2015

COL A12		COL A14		COL A15		COL A16		COL A14-A12		CODES
AGY FIN REQ FY 2016-17	POS AMOUNT	AGY AMD REQ FY 2016-17	POS AMOUNT	AGY AMD N/R FY 2016-17	POS AMOUNT	AGY AMD ANZ FY 2016-17	POS AMOUNT	AGY AMD REQ FY 2016-17 OVER(UNDER)	AGY FIN REQ FY 2016-17	
JUSTICE ADMINISTRATION										21000000
PGM: STW/GUARDIAN AD LITEM										21310000
HEALTH AND HUMAN SERVICES										13
SERVICES/MOST VULNERABLE										<u>1304.00.00.00</u>
ADJUSTMENTS TO CURRENT YEAR										
ESTIMATED EXPENDITURES										1600000
EQUIPMENT LEASES - DEDUCT										160M040

Prior to the Department of Financial Services changing the FLAIR object codes, the excess copy charges on Guardian ad Litem's leased copy machine invoices were paid from category 040000 and the remaining balances on those invoices were paid from category 105281, using object codes 241003 and 442000 respectively. After the object code changes, Guardian ad Litem has had to charge 100% of each invoice to the Lease Purchase of Equipment category (105281) using object code 442000. Guardian ad Litem is requesting a budget realignment to move the funds from the Expenses category (040000) that were previously used to pay for excess copies on leased copy machines to the Lease Purchase of Equipment category (105281).

Please see corresponding "Add" issue code 160M030.

Summary: This is a new issue.

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	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
					AGY AMD REQ	
					FY 2016-17	
					OVER(UNDER)	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY FIN REQ	
	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	
POS	AMOUNT	POS	AMOUNT	POS	AMOUNT	CODES
JUSTICE ADMINISTRATION						21000000
STATE ATTORNEYS						21500000
PGM: SA-1ST JUD CIRCUIT						21500100
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
AGENCY-WIDE INFORMATION TECHNOLOGY						3620000
COUNTY AGREEMENT FOR INFORMATION						
TECHNOLOGY PERSONNEL SERVICES						36224C0
SALARY RATE						000000
SALARY RATE.....		6,595			6,595	
=====						
SALARIES AND BENEFITS		.25			.25	010000
GRANTS AND DONATIONS TF -STATE			46,249			46,249 2339 1
=====						
TOTAL: COUNTY AGREEMENT FOR INFORMATION						36224C0
TECHNOLOGY PERSONNEL SERVICES						
TOTAL POSITIONS.....	.25				.25	
TOTAL ISSUE.....		46,249				46,249
TOTAL SALARY RATE.....		6,595			6,595	
=====						

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AGENCY ISSUE NARRATIVE:

2016-2017 BUDGET YEAR NARRATIVE:

IT COMPONENT? YES

Amended 2016-17 Narrative after December 4, 2015

The State Attorney Office in the First Judicial Circuit (SA01) has had a .75 FTE for a number of years that they have been unable to fill. Therefore they are requesting a .25 FTE to bring this to a whole 1.0 FTE in order to be able to hire someone.

If approved, the position would be hired as a Computer Operator II and would be funded by the "County IT" revenue source within the Grants and Donations Trust Fund (GDTF).

This Office does not have adequate budget authority in order to pay for the 1.0 FTE out of the Grants and Donations Trust Fund and has used the PAD and OAD transactions to request a total of \$46,249 in Salaries and Benefits budget authority.

Summary: This is a new issue.

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COL A12		COL A14		COL A15		COL A16		COL A14-A12		CODES
AGY FIN REQ FY 2016-17	POS	AGY AMD REQ FY 2016-17	POS	AGY AMD N/R FY 2016-17	POS	AGY AMD ANZ FY 2016-17	POS	AGY AMD REQ FY 2016-17 OVER(UNDER)	AGY FIN REQ FY 2016-17	
AMOUNT		AMOUNT		AMOUNT		AMOUNT		AMOUNT	AMOUNT	

JUSTICE ADMINISTRATION 21000000  
 STATE ATTORNEYS 21500000  
 PGM: SA-1ST JUD CIRCUIT 21500100  
 PUBLIC PROTECTION 12  
 LEGAL REPRESENTATION 1203.00.00.00  
 AGENCY-WIDE INFORMATION TECHNOLOGY 3620000  
 COUNTY AGREEMENT FOR INFORMATION TECHNOLOGY PERSONNEL SERVICES 36224C0

POSITION DETAIL OF SALARIES AND BENEFITS:

FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
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A14 - AGY AMD REQ FY 2016-17

CHANGES TO CURRENTLY AUTHORIZED POSITIONS  
 OTHER SALARY AMOUNT  
 2339 GRANTS AND DONATIONS TF

35,873  
 35,873  
 =====

NEW POSITIONS

6452 COMPUTER OPERATOR II  
 N0001 001

0.25 6,595 3,781 10,376 0.00 10,376

TOTALS FOR ISSUE BY FUND  
 2339 GRANTS AND DONATIONS TF

0.25 6,595 3,781 10,376 10,376  
 =====

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 TOTAL: LEGAL REPRESENTATION 1203.00.00.00

BY FUND TYPE .25 .25  
 TRUST FUNDS..... 46,249 46,249 2000  
 SALARY RATE..... 6,595 6,595  
 =====

	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY AMD REQ	
	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	
	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
						CODES
JUSTICE ADMINISTRATION						21000000
STATE ATTORNEYS						21500000
PGM: SA-4TH JUD CIRCUIT						21500400
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
ADJUSTMENTS TO CURRENT YEAR						
ESTIMATED EXPENDITURES						1600000
TRANSFER FUNDS BETWEEN CATEGORIES						
- ADD						160F010
SALARIES AND BENEFITS						010000
STATE ATTNYS REVENUE TF -STATE		173,000		173,000		2058 1

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AGENCY ISSUE NARRATIVE:

2016-2017 BUDGET YEAR NARRATIVE: IT COMPONENT? NO

The State Attorney Office, Fourth (4th) Judicial Circuit requests re-approval of a Fiscal Year 2015-16 budget transfer numbered 16-013-SA04X, B7020. This action transferred \$173,000 from the State Attorney Revenue Trust Fund, Other Personal Services (OPS) appropriation category to the Salaries and Benefits appropriation category in order to cover anticipated expenditures.

Reference corresponding issue code 160F020 for the amount to deduct from the OPS appropriation category.

POSITION DETAIL OF SALARIES AND BENEFITS:

	FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A12 - AGY FIN REQ FY 2016-17							
CHANGES TO CURRENTLY AUTHORIZED POSITIONS							
OTHER SALARY AMOUNT							
2058 STATE ATTNYS REVENUE TF							173,000
							173,000

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	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY AMD REQ	
	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	
	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
						CODES
JUSTICE ADMINISTRATION						21000000
STATE ATTORNEYS						21500000
PGM: SA-4TH JUD CIRCUIT						21500400
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
ADJUSTMENTS TO CURRENT YEAR						
ESTIMATED EXPENDITURES						1600000
TRANSFER FUNDS BETWEEN CATEGORIES						
- ADD						160F010

POSITION DETAIL OF SALARIES AND BENEFITS:

	FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A14 - AGY AMD REQ FY 2016-17							
CHANGES TO CURRENTLY AUTHORIZED POSITIONS							
OTHER SALARY AMOUNT							
2058 STATE ATTNYS REVENUE TF							173,000
							-----
							173,000
							=====

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TRANSFER FUNDS BETWEEN CATEGORIES							
- DEDUCT							160F020
OTHER PERSONAL SERVICES							030000
STATE ATTNYS REVENUE TF -STATE	173,000-	173,000-					2058 1
	=====	=====	=====	=====	=====		

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AGENCY ISSUE NARRATIVE:

2016-2017 BUDGET YEAR NARRATIVE: IT COMPONENT? NO

The State Attorney Office, Fourth (4th) Judicial Circuit requests re-approval of a Fiscal Year 2015-16 budget transfer numbered 16-013-SA04X, B7020. This action transferred \$173,000 from the State Attorney Revenue Trust Fund, Other Personal Services (OPS) appropriation category to the Salaries and Benefits appropriation category in order to cover anticipated expenditures.

Reference corresponding issue code 160F010 for the amount to add to the Salaries and Benefits appropriation category.

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	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY AMD REQ	
	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	
	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
						CODES
JUSTICE ADMINISTRATION						21000000
STATE ATTORNEYS						21500000
PGM: SA-4TH JUD CIRCUIT						21500400
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
ADJUSTMENTS TO CURRENT YEAR						
ESTIMATED EXPENDITURES						1600000
FUNDING SOURCE IDENTIFIER						
CORRECTION - ADD						160S300
SALARIES AND BENEFITS						010000
GRANTS AND DONATIONS TF -RECPNT		90,945			90,945	2339 9
SPECIAL CATEGORIES						100000
STATE ATTORNEY OPERATIONS						103225
GRANTS AND DONATIONS TF -RECPNT		4,529			4,529	2339 9
TOTAL: FUNDING SOURCE IDENTIFIER						160S300
CORRECTION - ADD						
TOTAL ISSUE.....		95,474			95,474	

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AGENCY ISSUE NARRATIVE:  
 2016-2017 BUDGET YEAR NARRATIVE:

IT COMPONENT? NO

Amended 2016-17 Narrative after December 4, 2015

The Office of the State Attorney, 4th Circuit needs to correct the Funding Source Identifiers (FSI) for \$90,945 in Salaries and Benefits and \$4,529 in Operations budget authority within the Grants and Donations Trust Fund. These amounts are improperly identified as Federal (FSI 3) and should be recorded as FSI 9 - Transfer - Recipient of Federal Funds to properly reflect the source of funds within this trust fund.

Please see companion "Deduct" issue code 160S400.

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	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY AMD REQ	
	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	
	POS	POS	POS	POS	POS	CODES
	AMOUNT	AMOUNT	AMOUNT	AMOUNT	AMOUNT	
JUSTICE ADMINISTRATION						21000000
STATE ATTORNEYS						21500000
PGM: SA-4TH JUD CIRCUIT						21500400
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
ADJUSTMENTS TO CURRENT YEAR						
ESTIMATED EXPENDITURES						1600000
FUNDING SOURCE IDENTIFIER						
CORRECTION - ADD						160S300

POSITION DETAIL OF SALARIES AND BENEFITS:

	FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A14 - AGY AMD REQ FY 2016-17							
CHANGES TO CURRENTLY AUTHORIZED POSITIONS							
OTHER SALARY AMOUNT							
2339 GRANTS AND DONATIONS TF							90,945
							90,945

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FUNDING SOURCE IDENTIFIER							
CORRECTION - DEDUCT							160S400
SALARIES AND BENEFITS							010000
GRANTS AND DONATIONS TF -FEDERL		90,945-				90,945-	2339 3
SPECIAL CATEGORIES							100000
STATE ATTORNEY OPERATIONS							103225
GRANTS AND DONATIONS TF -FEDERL		4,529-				4,529-	2339 3
TOTAL: FUNDING SOURCE IDENTIFIER							160S400
CORRECTION - DEDUCT							
TOTAL ISSUE.....		95,474-				95,474-	

COL A12		COL A14		COL A15		COL A16		COL A14-A12		CODES
AGY FIN REQ FY 2016-17	POS	AGY AMD REQ FY 2016-17	POS	AGY AMD N/R FY 2016-17	POS	AGY AMD ANZ FY 2016-17	POS	AGY AMD REQ FY 2016-17 OVER(UNDER)	AGY FIN REQ FY 2016-17	
AMOUNT		AMOUNT		AMOUNT		AMOUNT		AMOUNT	AMOUNT	

JUSTICE ADMINISTRATION 21000000  
 STATE ATTORNEYS 21500000  
 PGM: SA-4TH JUD CIRCUIT 21500400  
 PUBLIC PROTECTION 12  
 LEGAL REPRESENTATION 1203.00.00.00  
 ADJUSTMENTS TO CURRENT YEAR  
 ESTIMATED EXPENDITURES 1600000  
 FUNDING SOURCE IDENTIFIER  
 CORRECTION - DEDUCT 160S400

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AGENCY ISSUE NARRATIVE:

2016-2017 BUDGET YEAR NARRATIVE: IT COMPONENT? NO

Amended 2016-17 Narrative after December 4, 2015

The Office of the State Attorney, 4th Circuit needs to correct the Funding Source Identifiers (FSI) for \$90,945 in Salaries and Benefits and \$4,529 in Operations budget authority within the Grants and Donations Trust Fund. These amounts are improperly identified as Federal (FSI 3) and should be recorded as FSI 9 - Transfer - Recipient of Federal Funds to properly reflect the source of funds within this trust fund.

Please see companion "Add" issue code 160S300.

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POSITION DETAIL OF SALARIES AND BENEFITS:

FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
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A14 - AGY AMD REQ FY 2016-17

CHANGES TO CURRENTLY AUTHORIZED POSITIONS

OTHER SALARY AMOUNT  
 2339 GRANTS AND DONATIONS TF 90,945-  
 90,945-  
 =====

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	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY AMD REQ	
	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	
	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
						CODES
JUSTICE ADMINISTRATION						21000000
STATE ATTORNEYS						21500000
PGM: SA-4TH JUD CIRCUIT						21500400
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
EQUIPMENT NEEDS						2400000
ADDITIONAL EQUIPMENT - MOTOR						
VEHICLES						2402400
SPECIAL CATEGORIES						100000
ACQUISITION/MOTOR VEHICLES						100021
FORFEIT/INVES SUPPORT TF -STATE	40,000	40,000	40,000			2316 1

\*\*\*\*\*

AGENCY ISSUE NARRATIVE:

2016-2017 BUDGET YEAR NARRATIVE: IT COMPONENT? NO

The State Attorney's Office Fourth Judicial Circuit is requesting the addition of two vehicles to our fleet. Currently, we have two forfeited vehicles that we are utilizing, and we cannot use replacement authority to replace these two vehicles. The two vehicles listed below have met or will meet the Department of Management Services' (DMS) mileage replacement criteria in Fiscal Year (FY) 2016-17.

Replacing these vehicles is vital for our circuit's investigations and prosecution.

Asset #	Year	Make/Model	Vehicle Identification (VIN)	Actual Mileage 6/30/15	Estimated Mileage 6/30/16
Forfeiture:					
02935	2008	Honda Pilot	5FNYF18508B012637	130,755	142,755
03360	2006	Acura TL	19UUA66216A032261	113,535	125,535

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	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY AMD REQ	
	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	
	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
JUSTICE ADMINISTRATION						21000000
STATE ATTORNEYS						21500000
PGM: SA-4TH JUD CIRCUIT						21500400
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
WORKLOAD						3000000
GRANTS AND DONATIONS TRUST FUND						
AUTHORITY ADJUSTMENT						3005500
SALARY RATE						000000
SALARY RATE.....		238,928			238,928	
=====						
SALARIES AND BENEFITS						010000
		5.00			5.00	
GRANTS AND DONATIONS TF -FEDERL		340,994			340,994	2339 3
=====						
SPECIAL CATEGORIES						100000
STATE ATTORNEY OPERATIONS						103225
GRANTS AND DONATIONS TF -FEDERL		309,396			309,396	2339 3
=====						
TOTAL: GRANTS AND DONATIONS TRUST FUND						3005500
AUTHORITY ADJUSTMENT						
TOTAL POSITIONS.....		5.00			5.00	
TOTAL ISSUE.....		650,390			650,390	
TOTAL SALARY RATE.....		238,928			238,928	
=====						

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AGENCY ISSUE NARRATIVE:

2016-2017 BUDGET YEAR NARRATIVE:

IT COMPONENT? NO

Amended 2016-17 Narrative after December 4, 2015

The Office of the State Attorney, 4th Circuit was awarded the Bureau of Justice Assistance Fiscal Year 2015-16 Sexual Assault Kit Initiative Grant on September 10, 2015 in the amount of \$1,968,822. This grant is for three years, October 1, 2015 through September 30, 2018 and this agency is the lead agency for the grant.

As the lead agency, the State Attorney's Office will have two sub recipients: the Jacksonville Sheriff's Office and the Women's Center of Jacksonville. The grant funds two detectives at the Jacksonville Sheriff's Office and a victim advocate at the Women's Center of Jacksonville. The lead agency is required to reimburse the sub recipients for their grant approved expenses. The operations expense for Fiscal Year 2016-2017 will be \$309,396.

The State Attorney's Office will need to hire five employees to form the Sexual Assault Cold Case Unit. The salary and

	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY AMD REQ	
	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	
	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
						CODES
JUSTICE ADMINISTRATION						21000000
STATE ATTORNEYS						21500000
PGM: SA-4TH JUD CIRCUIT						21500400
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						<u>1203.00.00.00</u>
WORKLOAD						3000000
GRANTS AND DONATIONS TRUST FUND						
AUTHORITY ADJUSTMENT						3005500

benefits for these five employees will be reimbursed by the federal grant. The salary and benefit cost for Fiscal Year 2016-2017 will be \$340,994.

This agency does not have any excess budget authority within Grants and Donations Trust Fund to utilize these additional federal funds. If this issue is not approved, the State Attorney's Office will not be able to accomplish the goals set out in our approved grant award.

Summary: This is a new issue.

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POSITION DETAIL OF SALARIES AND BENEFITS:

	FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A14 - AGY AMD REQ FY 2016-17							
CHANGES TO CURRENTLY AUTHORIZED POSITIONS							
6553 VICTIM WITNESS COUNSELOR II							
N0003 001	1.00	36,448		16,622	53,070	0.00	53,070
TOTALS FOR ISSUE BY FUND							
2339 GRANTS AND DONATIONS TF							53,070
	1.00	36,448		16,622	53,070		53,070

COL A12		COL A14		COL A15		COL A16		COL A14-A12		CODES
AGY FIN REQ FY 2016-17	POS AMOUNT	AGY AMD REQ FY 2016-17	POS AMOUNT	AGY AMD N/R FY 2016-17	POS AMOUNT	AGY AMD ANZ FY 2016-17	POS AMOUNT	AGY AMD REQ FY 2016-17 OVER(UNDER)	AGY FIN REQ FY 2016-17	

JUSTICE ADMINISTRATION										21000000
STATE ATTORNEYS										21500000
PGM: SA-4TH JUD CIRCUIT										21500400
PUBLIC PROTECTION										12
LEGAL REPRESENTATION										<u>1203.00.00.00</u>
WORKLOAD										3000000
GRANTS AND DONATIONS TRUST FUND										
AUTHORITY ADJUSTMENT										3005500

POSITION DETAIL OF SALARIES AND BENEFITS:

FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A14 - AGY AMD REQ FY 2016-17						
NEW POSITIONS						
6522 PROSECUTION SUPPORT SPECIALIST II						
N0002 001	2.00	90,680		35,896	126,576	0.00
6662 INVESTIGATOR II						
N0004 001	1.00	46,800		18,166	64,966	0.00
6901 ASSISTANT STATE ATTORNEY-OVER MILLION						
N0001 001	1.00	65,000		31,382	96,382	0.00
TOTALS FOR ISSUE BY FUND						
2339 GRANTS AND DONATIONS TF						
	4.00	202,480		85,444	287,924	

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TOTAL: LEGAL REPRESENTATION							<u>1203.00.00.00</u>
BY FUND TYPE							
TRUST FUNDS.....	40,000	5.00	690,390	40,000	5.00	650,390	2000
SALARY RATE.....		238,928			238,928		

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	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY AMD REQ	
	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	
	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
						CODES
JUSTICE ADMINISTRATION						21000000
STATE ATTORNEYS						21500000
PGM: SA-12TH JUD CIRCUIT						21501200
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
AGENCY-WIDE INFORMATION TECHNOLOGY						3620000
COUNTY AGREEMENT FOR INFORMATION						
TECHNOLOGY PERSONNEL SERVICES						36224C0
SALARY RATE						000000
SALARY RATE.....		108,593			108,593	
=====						
SALARIES AND BENEFITS		2.00			2.00	010000
GRANTS AND DONATIONS TF -STATE			147,160			147,160 2339 1
=====						
TOTAL: COUNTY AGREEMENT FOR INFORMATION						36224C0
TECHNOLOGY PERSONNEL SERVICES						
TOTAL POSITIONS.....		2.00			2.00	
TOTAL ISSUE.....			147,160			147,160
TOTAL SALARY RATE.....		108,593			108,593	
=====						

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AGENCY ISSUE NARRATIVE:

2016-2017 BUDGET YEAR NARRATIVE: IT COMPONENT? YES

Amended 2016-17 Narrative after December 4, 2015

The office of the State Attorney, 12th Judicial Circuit (SAO 12) has received an approved annual budget with the Sarasota and Manatee County Board of County Commissioners to fund two (2) Information Technology positions, pursuant to Section 29.008(1)(f)2., Florida Statutes. Sarasota and Manatee Counties will be required to reimburse this office for the full cost of these employees' salaries, benefits and employer tax costs for a total annual amount of \$147,160 (\$73,580 each). The approved budget for this annual funding went into effect October 1, 2015.

In addition, two (2) Full-Time Equivalent (FTE) positions and corresponding rate are needed and will remain solely tied to the Grants and Donations Trust Fund to accommodate these Information Technology positions. The payment will be sourced from income of a revenue nature received from taxes and fees levied by Sarasota and Manatee County political subdivisions of the state of Florida, and is intended for the exclusive use of the State Attorney pursuant to section 215.22(2), Florida Statute. Therefore, these funds qualify for an exemption from the state appropriation and service charge referenced in section 215.20, Florida Statute.

This issue impacts all agency activities.

Summary: This is a new issue.

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	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY AMD REQ	
	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	
	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
JUSTICE ADMINISTRATION						21000000
STATE ATTORNEYS						21500000
PGM: SA-12TH JUD CIRCUIT						21501200
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						<u>1203.00.00.00</u>
AGENCY-WIDE INFORMATION TECHNOLOGY						3620000
COUNTY AGREEMENT FOR INFORMATION						
TECHNOLOGY PERSONNEL SERVICES						36224C0

POSITION DETAIL OF SALARIES AND BENEFITS:

	FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A14 - AGY AMD REQ FY 2016-17							
NEW POSITIONS							
6418 MULTIMEDIA SPECIALIST II							
N0001 001	2.00	108,593		38,567	147,160	0.00	147,160
TOTALS FOR ISSUE BY FUND							
2339 GRANTS AND DONATIONS TF							147,160
	2.00	108,593		38,567	147,160		147,160

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TOTAL: LEGAL REPRESENTATION							<u>1203.00.00.00</u>
BY FUND TYPE							
TRUST FUNDS.....	2.00	147,160			2.00	147,160	2000
SALARY RATE.....		108,593			108,593		

=====

	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
					AGY AMD REQ	
					FY 2016-17	
					OVER(UNDER)	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY FIN REQ	
	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	
POS	AMOUNT	POS	AMOUNT	POS	AMOUNT	CODES
JUSTICE ADMINISTRATION						21000000
STATE ATTORNEYS						21500000
PGM: SA-19TH JUD CIRCUIT						21501900
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
EQUIPMENT NEEDS						2400000
ADDITIONAL EQUIPMENT - MOTOR						
VEHICLES						2402400
SPECIAL CATEGORIES						100000
ACQUISITION/MOTOR VEHICLES						100021
GENERAL REVENUE FUND						
-STATE	26,000	26,000	26,000			1000 1

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AGENCY ISSUE NARRATIVE:

2016-2017 BUDGET YEAR NARRATIVE:

IT COMPONENT? NO

In order to fulfill the needs of our newly requested Gang and Gun Violence Prosecution Unit, we are requesting one (1) vehicle to be used when investigating crime scenes, gathering evidence and records, interviewing victims and witnesses, and for various other functions necessary in the preparation and prosecution of gang and gun violence cases.

We are requesting to purchase a new vehicle for use by the Assistant State Attorneys and the Investigator assigned to this new unit. They will be traveling throughout our four county circuit investigating crime scenes, gathering evidence and records, interviewing victims and witnesses, and for various other functions in the preparation and prosecution of gang and gun violence cases in the Nineteenth Judicial Circuit. We would like to request one (1) Mid-Size, 4-Door vehicle, State of FL Contract 25100000-15-1.

Non -approval Impact statement: Non-approval of this request will greatly hinder the investigation and subsequent prosecution of gang and gun violence crimes in this circuit.

Refer to issue code 3005310.

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	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY AMD REQ	
	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	
	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
JUSTICE ADMINISTRATION						21000000
STATE ATTORNEYS						21500000
PGM: SA-19TH JUD CIRCUIT						21501900
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
PROGRAM OR SERVICE-LEVEL						
INFORMATION TECHNOLOGY						3630000
SUPREME COURT MANDATE SC11-399						
FOR ELECTRONIC FILING						36301C0
SALARY RATE						000000
SALARY RATE.....	107,436	107,436				
SALARIES AND BENEFITS						010000
GENERAL REVENUE FUND -STATE	3.00	157,019	3.00	157,019		1000 1
SPECIAL CATEGORIES						100000
STATE ATTORNEY OPERATIONS						103225
GENERAL REVENUE FUND -STATE	11,835	11,835		8,274		1000 1
TOTAL: SUPREME COURT MANDATE SC11-399						36301C0
FOR ELECTRONIC FILING						
TOTAL POSITIONS.....	3.00	3.00				
TOTAL ISSUE.....	168,854	168,854		8,274		
TOTAL SALARY RATE.....	107,436	107,436				

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AGENCY ISSUE NARRATIVE:

2016-2017 BUDGET YEAR NARRATIVE:

IT COMPONENT? YES

This agency is requesting one (1) Information Systems Director and two (2) Automated Systems Specialists. These positions are necessary in order for our agency to be in total compliance with Supreme Court Mandate SC11-399. Due to the fact that we did not receive any additional funding to assist in compliance with the Supreme Court Mandate, we have been forced to utilize existing personnel in our attempts to fully comply with this Mandate. We currently do not have in-house positions or resources for the development, monitoring or implementation of the electronic filing program - which puts this circuit at a complete disadvantage. Funding of this issue will enable this agency to enhance our Information Technology (IT) systems to provide adequate information, comply with the Supreme Court mandate, and work towards becoming paperless in the future.

State Attorney Operations are requested to establish three (3) Full Time Equivalent (FTE) as per Standard #3, Modified for State Attorneys.

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COL A12		COL A14		COL A15		COL A16		COL A14-A12		CODES
AGY FIN REQ FY 2016-17	AGY AMD REQ FY 2016-17	AGY AMD N/R FY 2016-17	AGY AMD ANZ FY 2016-17	AGY FIN REQ FY 2016-17	AGY AMD REQ FY 2016-17	AGY AMD N/R FY 2016-17	AGY AMD ANZ FY 2016-17	AGY FIN REQ FY 2016-17	AGY AMD REQ FY 2016-17	
POS	AMOUNT	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT	

JUSTICE ADMINISTRATION 21000000  
 STATE ATTORNEYS 21500000  
 PGM: SA-19TH JUD CIRCUIT 21501900  
 PUBLIC PROTECTION 12  
 LEGAL REPRESENTATION 1203.00.00.00  
 PROGRAM OR SERVICE-LEVEL  
 INFORMATION TECHNOLOGY 3630000  
 SUPREME COURT MANDATE SC11-399  
 FOR ELECTRONIC FILING 36301C0

POSITION DETAIL OF SALARIES AND BENEFITS:

	FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A12 - AGY FIN REQ FY 2016-17							
NEW POSITIONS							
6421 AUTOMATED SYSTEMS SPECIALIST I N0002 001	2.00	60,616		31,414	92,030	0.00	92,030
6471 INFORMATION SYSTEMS DIRECTOR I N0001 001	1.00	46,820		18,169	64,989	0.00	64,989
TOTALS FOR ISSUE BY FUND							
1000 GENERAL REVENUE FUND							157,019
	3.00	107,436		49,583	157,019		157,019

A14 - AGY AMD REQ FY 2016-17

NEW POSITIONS							
6421 AUTOMATED SYSTEMS SPECIALIST I N0002 001	2.00	60,616		31,414	92,030	0.00	92,030
6471 INFORMATION SYSTEMS DIRECTOR I N0001 001	1.00	46,820		18,169	64,989	0.00	64,989



COL A12		COL A14		COL A15		COL A16		COL A14-A12		CODES
AGY FIN REQ FY 2016-17	POS AMOUNT	AGY AMD REQ FY 2016-17	POS AMOUNT	AGY AMD N/R FY 2016-17	POS AMOUNT	AGY AMD ANZ FY 2016-17	POS AMOUNT	AGY AMD REQ FY 2016-17 OVER(UNDER)	AGY FIN REQ FY 2016-17	

JUSTICE ADMINISTRATION 21000000  
 STATE ATTORNEYS 21500000  
 PGM: SA-19TH JUD CIRCUIT 21501900  
 PUBLIC PROTECTION 12  
 LEGAL REPRESENTATION 1203.00.00.00  
 PROGRAM OR SERVICE-LEVEL  
 INFORMATION TECHNOLOGY 3630000  
 SUPREME COURT MANDATE SC11-399  
 FOR ELECTRONIC FILING 36301C0

POSITION DETAIL OF SALARIES AND BENEFITS:

FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A14 - AGY AMD REQ FY 2016-17						
NEW POSITIONS						
TOTALS FOR ISSUE BY FUND						
1000 GENERAL REVENUE FUND						157,019
3.00	107,436		49,583	157,019		157,019

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 SALARY RATE ADJUSTMENTS 51R0000  
 INCREASE CURRENT AUTHORIZED RATE 51R0100  
 SALARY RATE 000000  
 SALARY RATE..... 583,016 583,016  
 \*\*\*\*\*

AGENCY ISSUE NARRATIVE:  
 2016-2017 BUDGET YEAR NARRATIVE:

IT COMPONENT? NO

Amended 2016-17 Narrative after December 4, 2015

Spanning the Fiscal Years 2008-2009 and 2009-10, the State Attorney's Office lost 583,016 in authorized salary rate due to various Legislative actions. Additionally, this agency lost General Revenue funding in several appropriation categories.

This rate is essential to support the increased reliance on trust fund authority due to General Revenue reductions. This

COL A12		COL A14		COL A15		COL A16		COL A14-A12		CODES
AGY FIN REQ FY 2016-17 POS	AMOUNT	AGY AMD REQ FY 2016-17 POS	AMOUNT	AGY AMD N/R FY 2016-17 POS	AMOUNT	AGY AMD ANZ FY 2016-17 POS	AMOUNT	AGY AMD REQ FY 2016-17 POS	AMOUNT	

JUSTICE ADMINISTRATION										21000000
STATE ATTORNEYS										21500000
PGM: SA-19TH JUD CIRCUIT										21501900
PUBLIC PROTECTION										12
LEGAL REPRESENTATION										<u>1203.00.00.00</u>
SALARY RATE ADJUSTMENTS										51R0000
INCREASE CURRENT AUTHORIZED RATE										51R0100

agency holds 28.00 positions vacant - reclassified to the minimum salary grade to afford our current staff. This increase in authorized salary rate has a zero cost associated with it; and having this authorized salary rate would afford this agency the additional flexibility necessary to attract and retain experienced attorneys and staff.

Summary: This is a new issue.

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POSITION DETAIL OF SALARIES AND BENEFITS:

	FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A14 - AGY AMD REQ FY 2016-17							
CHANGES TO CURRENTLY AUTHORIZED POSITIONS							
RA06 RATE ADJ - NO FTE - NO SALARY - NO BENEFITS							
N0001 001		583,016					
TOTAL SALARY RATE		583,016					

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TOTAL: LEGAL REPRESENTATION							<u>1203.00.00.00</u>
BY FUND TYPE							
GENERAL REVENUE FUND.....	3.00	194,854	194,854	34,274			1000
SALARY RATE.....	107,436	690,452			583,016		

	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY AMD REQ	
	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	
	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
						CODES
JUSTICE ADMINISTRATION						21000000
STATE ATTORNEYS						21500000
PGM: SA-20TH JUD CIRCUIT						21502000
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
ADJUSTMENTS TO CURRENT YEAR						
ESTIMATED EXPENDITURES						1600000
FUNDING SOURCE IDENTIFIER						
CORRECTION - ADD						160S300
SALARIES AND BENEFITS						010000
GRANTS AND DONATIONS TF -RECPNT	28,980	28,985			5	2339 9
OTHER PERSONAL SERVICES						030000
GRANTS AND DONATIONS TF -STATE	10,925	10,925				2339 1
TOTAL: FUNDING SOURCE IDENTIFIER						160S300
CORRECTION - ADD						
TOTAL ISSUE.....	39,905	39,910			5	

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AGENCY ISSUE NARRATIVE:

2016-2017 BUDGET YEAR NARRATIVE: IT COMPONENT? NO

The Office of the State Attorney's, 20th Circuit needs to realign Salaries and Benefits and Other Personal Services in the Grants and Donations Trust Fund to properly reflect the source of funds for the agency.

Note: The Other Salary Amount (OAD) transaction was used to request this FSI realignment.

Please see companion "Deduct" issue code 160S400.

Amended FY 2016-17 Narrative after December 4, 2015

The Office of the State Attorney's, 20th Circuit needs to realign Salaries and Benefits and Other Personal Services in the Grants and Donations Trust Fund to properly reflect the source of funds for the agency.

Note: The Other Salary Amount (OAD) transaction was used to request this FSI realignment.

Please see companion "Deduct" issue code 160S400.

Summary: TECHNICAL CORRECTION: The amount in this issue has been amended to account for a \$5 increase in Grants and Donations Trust Fund, Salaries and Benefits FSI 3 funding which was appropriated via issues 1001420 "ADJUSTMENT FOR

COL A12		COL A14		COL A15		COL A16		COL A14-A12		CODES
AGY FIN REQ FY 2016-17	POS AMOUNT	AGY AMD REQ FY 2016-17	POS AMOUNT	AGY AMD N/R FY 2016-17	POS AMOUNT	AGY AMD ANZ FY 2016-17	POS AMOUNT	AGY AMD REQ FY 2016-17 OVER(UNDER)	AGY FIN REQ FY 2016-17	

JUSTICE ADMINISTRATION 21000000  
 STATE ATTORNEYS 21500000  
 PGM: SA-20TH JUD CIRCUIT 21502000  
 PUBLIC PROTECTION 12  
 LEGAL REPRESENTATION 1203.00.00.00  
 ADJUSTMENTS TO CURRENT YEAR  
 ESTIMATED EXPENDITURES 1600000  
 FUNDING SOURCE IDENTIFIER  
 CORRECTION - ADD 160S300

FISCAL YEAR 2015-16 NORMAL COST AND UNFUNDED ACTUARIAL LIABILITY (UAL)" and 1001430 "HEALTH INSURANCE SUBSIDY - RETIREES FOR FY 2015-16."

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POSITION DETAIL OF SALARIES AND BENEFITS:

FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A12 - AGY FIN REQ FY 2016-17						
CHANGES TO CURRENTLY AUTHORIZED POSITIONS						
OTHER SALARY AMOUNT						
2339 GRANTS AND DONATIONS TF						28,980
						-----
						28,980
						=====

A14 - AGY AMD REQ FY 2016-17

CHANGES TO CURRENTLY AUTHORIZED POSITIONS  
 OTHER SALARY AMOUNT  
 2339 GRANTS AND DONATIONS TF 28,985  
 -----  
 28,985  
 =====

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	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY AMD REQ	
	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	
	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
JUSTICE ADMINISTRATION						21000000
STATE ATTORNEYS						21500000
PGM: SA-20TH JUD CIRCUIT						21502000
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
ADJUSTMENTS TO CURRENT YEAR						
ESTIMATED EXPENDITURES						1600000
FUNDING SOURCE IDENTIFIER						
CORRECTION - DEDUCT						160S400
SALARIES AND BENEFITS						010000
GRANTS AND DONATIONS TF	-STATE	26,245-	26,245-			2339 1
	-FEDERL	2,735-	2,740-			5- 2339 3
TOTAL GRANTS AND DONATIONS TF		28,980-	28,985-			5- 2339
TOTAL APPRO.....		28,980-	28,985-			5-
OTHER PERSONAL SERVICES						030000
GRANTS AND DONATIONS TF	-RECPNT	10,925-	10,925-			2339 9
TOTAL: FUNDING SOURCE IDENTIFIER						160S400
CORRECTION - DEDUCT						
TOTAL ISSUE.....		39,905-	39,910-			5-

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AGENCY ISSUE NARRATIVE:

2016-2017 BUDGET YEAR NARRATIVE: IT COMPONENT? NO

The Office of the State Attorney's, 20th Circuit needs to realign Salaries and Benefits and Other Personal Services in the Grants and Donations Trust Fund to properly reflect the source of funds for the agency.

Note: The Other Salary Amount (OAD) transaction was used to request this FSI realignment.

Please see companion "Add" issue code 160S300.

Amended FY 2016-17 Narrative after December 4, 2015

The Office of the State Attorney's, 20th Circuit needs to realign Salaries and Benefits and Other Personal Services in the Grants and Donations Trust Fund to properly reflect the source of funds for the agency.

Note: The Other Salary Amount (OAD) transaction was used to request this FSI realignment.



COL A12		COL A14		COL A15		COL A16		COL A14-A12		CODES
AGY FIN REQ FY 2016-17	POS	AGY AMD REQ FY 2016-17	POS	AGY AMD N/R FY 2016-17	POS	AGY AMD ANZ FY 2016-17	POS	AGY AMD REQ FY 2016-17 OVER(UNDER)	AGY FIN REQ FY 2016-17	
AMOUNT		AMOUNT		AMOUNT		AMOUNT		AMOUNT	AMOUNT	

JUSTICE ADMINISTRATION 21000000  
 STATE ATTORNEYS 21500000  
 PGM: SA-20TH JUD CIRCUIT 21502000  
 PUBLIC PROTECTION 12  
 LEGAL REPRESENTATION 1203.00.00.00  
 ADJUSTMENTS TO CURRENT YEAR  
 ESTIMATED EXPENDITURES 1600000  
 FUNDING SOURCE IDENTIFIER  
 CORRECTION - DEDUCT 160S400

POSITION DETAIL OF SALARIES AND BENEFITS:

FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
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A14 - AGY AMD REQ FY 2016-17

CHANGES TO CURRENTLY AUTHORIZED POSITIONS  
 OTHER SALARY AMOUNT  
 2339 GRANTS AND DONATIONS TF

28,985-  
 -----  
 28,985-  
 =====

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REAPPROVAL OF VIOLENCE AGAINST  
 WOMEN ACT (VAWA) PROGRAM 1604030  
 SALARIES AND BENEFITS 010000

GRANTS AND DONATIONS TF -RECPNT 22,210 22,210 2339 9  
 =====

COL A12		COL A14		COL A15		COL A16		COL A14-A12		CODES
AGY FIN REQ FY 2016-17 POS	AMOUNT	AGY AMD REQ FY 2016-17 POS	AMOUNT	AGY AMD N/R FY 2016-17 POS	AMOUNT	AGY AMD ANZ FY 2016-17 POS	AMOUNT	AGY AMD REQ FY 2016-17 POS	AMOUNT	

JUSTICE ADMINISTRATION										21000000
STATE ATTORNEYS										21500000
PGM: SA-20TH JUD CIRCUIT										21502000
PUBLIC PROTECTION										12
LEGAL REPRESENTATION										1203.00.00.00
ADJUSTMENTS TO CURRENT YEAR										
ESTIMATED EXPENDITURES										1600000
REAPPROVAL OF VIOLENCE AGAINST										
WOMEN ACT (VAWA) PROGRAM										1604030

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POSITION DETAIL OF SALARIES AND BENEFITS:

FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
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A12 - AGY FIN REQ FY 2016-17

CHANGES TO CURRENTLY AUTHORIZED POSITIONS  
 OTHER SALARY AMOUNT  
 2339 GRANTS AND DONATIONS TF

22,210

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 22,210

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A14 - AGY AMD REQ FY 2016-17

CHANGES TO CURRENTLY AUTHORIZED POSITIONS  
 OTHER SALARY AMOUNT  
 2339 GRANTS AND DONATIONS TF

22,210

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 22,210

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	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
					AGY AMD REQ	
					FY 2016-17	
					OVER(UNDER)	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY FIN REQ	
	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	
POS	AMOUNT	POS	AMOUNT	POS	AMOUNT	CODES
JUSTICE ADMINISTRATION						21000000
STATE ATTORNEYS						21500000
PGM: SA-20TH JUD CIRCUIT						21502000
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
WORKLOAD						3000000
EARLY CASE RESOLUTION DIVISION						3000590
SALARY RATE						000000
SALARY RATE.....		78,000			78,000	
=====						
SALARIES AND BENEFITS						010000
		2.00			2.00	
GRANTS AND DONATIONS TF -STATE			120,804			2339 1
					120,804	
=====						
TOTAL: EARLY CASE RESOLUTION DIVISION						3000590
TOTAL POSITIONS.....		2.00			2.00	
TOTAL ISSUE.....			120,804			120,804
TOTAL SALARY RATE.....		78,000			78,000	
=====						

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AGENCY ISSUE NARRATIVE:  
 2016-2017 BUDGET YEAR NARRATIVE: IT COMPONENT? NO

Amended 2016-17 Narrative after December 4, 2015

The State Attorney's Office in the Twentieth Judicial Circuit continually takes an active role in the community to best serve the citizens of Southwest Florida. A cohesive judicial system that works together to create efficient and effective practices is a priority of the State Attorney's Office. This agency is the key component in bringing together Law Enforcement agencies within our judicial system to establish best practices to meet our citizens judicial needs. The following agencies were brought together to discuss the best "judicial practices", Deputy County Manager, Public Defender, Court Administration, Probation, and the Clerk's Office. Each agency plays a unique role in the judicial system and coordination of various roles is vital to the process. In discussing the various roles that each agency has it was apparent that certain aspects of the judicial system were outdated and needed to be streamlined and improved. It was agreed that improvements were needed to eliminate or reduce the time defendants were waiting in jail; this would reduce jail costs and negate the need to build additional jail facilities.

Other agencies may have elected to acquire these services through state means, however as we partner with Lee County to address these issues, we elected to pursue the funding through Lee County as well. Lee County Board of Commissioners overwhelmingly agreed to fund this initiative and provided funding for one prosecutor and one support staff for ERC - Early Resolution Court. Funding started on October 1, 2015 with the beginning of the new county fiscal year and will be recurring funding.

Summary: This is a new issue.

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	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY AMD REQ	
	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	
	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
						CODES
JUSTICE ADMINISTRATION						21000000
STATE ATTORNEYS						21500000
PGM: SA-20TH JUD CIRCUIT						21502000
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
WORKLOAD						3000000
EARLY CASE RESOLUTION DIVISION						3000590

POSITION DETAIL OF SALARIES AND BENEFITS:

	FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A14 - AGY AMD REQ FY 2016-17							
NEW POSITIONS							
6112 LEGAL ASSISTANT/SECRETARY II							
N0002 001	1.00	25,000		14,916	39,916	0.00	39,916
6901 ASSISTANT STATE ATTORNEY-OVER MILLION							
N0001 001	1.00	53,000		27,888	80,888	0.00	80,888
TOTALS FOR ISSUE BY FUND							
2339 GRANTS AND DONATIONS TF							120,804
	2.00	78,000		42,804	120,804		120,804

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OTHER PROGRAMS							4200000
DRUG COURT DIVERSION PROGRAM							4200360
SALARY RATE							000000
SALARY RATE.....		53,000			53,000		
SALARIES AND BENEFITS							010000
GRANTS AND DONATIONS TF -STATE	1.00				1.00		80,888
		80,888					2339 1
TOTAL: DRUG COURT DIVERSION PROGRAM							4200360
TOTAL POSITIONS.....	1.00				1.00		
TOTAL ISSUE.....		80,888				80,888	
TOTAL SALARY RATE.....		53,000			53,000		

COL A12		COL A14		COL A15		COL A16		COL A14-A12		CODES
AGY FIN REQ FY 2016-17 POS	AMOUNT	AGY AMD REQ FY 2016-17 POS	AMOUNT	AGY AMD N/R FY 2016-17 POS	AMOUNT	AGY AMD ANZ FY 2016-17 POS	AMOUNT	AGY AMD REQ FY 2016-17 OVER(UNDER) AGY FIN REQ FY 2016-17 POS	AMOUNT	
JUSTICE ADMINISTRATION										21000000
STATE ATTORNEYS										21500000
PGM: SA-20TH JUD CIRCUIT										21502000
PUBLIC PROTECTION										12
LEGAL REPRESENTATION										<u>1203.00.00.00</u>
OTHER PROGRAMS										4200000
DRUG COURT DIVERSION PROGRAM										4200360

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AGENCY ISSUE NARRATIVE:  
 2016-2017 BUDGET YEAR NARRATIVE:

IT COMPONENT? NO

Amended 2016-17 Narrative after December 4, 2015

The State Attorney's Office in the Twentieth Judicial Circuit continually takes an active role in the community to best serve the citizens of Southwest Florida. A cohesive judicial system that works together to create efficient and effective practices is a priority of the State Attorney's Office. This agency is the key component in bringing together Law Enforcement agencies within our judicial system to establish best practices to meet our citizens judicial needs. The following agencies were brought together to discuss the best "judicial practices", Deputy County Manager, Public Defender, Court Administration, Probation, and the Clerk's Office. Each agency plays a unique role in the judicial system and coordination of various roles is vital to the process. In discussing the various roles that each agency has it was apparent that certain aspects of the judicial system were outdated and needed to be streamlined and improved. One concern was providing adequate treatment for those that had drug addiction issues; this provides better care and reduces the recidivism rate of these violators, again reducing jail overcrowding.

There is an existing program that Lee County provides three staff members to the State Attorney's Office. This agreement had been in place for 9 years, with new legislation and increased population the need to expand the program was critical. Expanding the Drug Court by 150 cases will have a dramatic impact on the community, first by getting the violators the correct type of treatment and reducing the recidivism rate of these offenders. This also reduced the jail population which was crowded with individuals that should not have been there to begin with.

Other agencies may have elected to acquire these services through state means, however as we partner with Lee County to address these issues, we elected to pursue the funding through Lee County as well. Lee County Board of Commissioners overwhelmingly agreed to fund this initiative and provided funding for one additional prosecutor for Drug Court. Funding started on October 1, 2015 with the beginning of the new county fiscal year and will be recurring funding.

Summary: This is a new issue.

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COL A12		COL A14		COL A15		COL A16		COL A14-A12		CODES
AGY FIN REQ FY 2016-17 POS	AMOUNT	AGY AMD REQ FY 2016-17 POS	AMOUNT	AGY AMD N/R FY 2016-17 POS	AMOUNT	AGY AMD ANZ FY 2016-17 POS	AMOUNT	AGY AMD REQ FY 2016-17 OVER(UNDER) AGY FIN REQ FY 2016-17 POS	AMOUNT	

JUSTICE ADMINISTRATION										21000000
STATE ATTORNEYS										21500000
PGM: SA-20TH JUD CIRCUIT										21502000
PUBLIC PROTECTION										12
LEGAL REPRESENTATION										1203.00.00.00
OTHER PROGRAMS										4200000
DRUG COURT DIVERSION PROGRAM										4200360

POSITION DETAIL OF SALARIES AND BENEFITS:

	FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A14 - AGY AMD REQ FY 2016-17							
NEW POSITIONS							
6901 ASSISTANT STATE ATTORNEY-OVER MILLION							
N0001 001	1.00	53,000		27,888	80,888	0.00	80,888
TOTALS FOR ISSUE BY FUND							
2339 GRANTS AND DONATIONS TF							80,888
	1.00	53,000		27,888	80,888		80,888

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TOTAL: LEGAL REPRESENTATION							1203.00.00.00
BY FUND TYPE							
TRUST FUNDS.....	22,210	3.00	223,902		3.00	201,692	2000
SALARY RATE.....		131,000			131,000		

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	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY AMD REQ	
	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	
	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-2ND JUD CIRCUIT						21600200
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
WORKLOAD						3000000
UNITED STATES SUPREME COURT GRAHAM AND MILLER MANDATE - JUVENILE						
MITIGATION AND SENTENCING ADVOCACY						3009020
SALARY RATE						000000
SALARY RATE.....	68,119	68,119				
SALARIES AND BENEFITS						010000
GENERAL REVENUE FUND -STATE	2.00	107,471	2.00	107,471		1000 1
SPECIAL CATEGORIES						100000
PUBLIC DEFENDER OPERATIONS						103226
GENERAL REVENUE FUND -STATE	8,071	8,071	5,150			1000 1
TOTAL: UNITED STATES SUPREME COURT GRAHAM AND MILLER MANDATE - JUVENILE MITIGATION AND SENTENCING ADVOCACY						3009020
TOTAL POSITIONS.....	2.00	2.00				
TOTAL ISSUE.....	115,542	115,542	5,150			
TOTAL SALARY RATE.....	68,119	68,119				

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AGENCY ISSUE NARRATIVE:

2016-2017 BUDGET YEAR NARRATIVE:

IT COMPONENT? NO

In March, 2015, the Supreme Court of Florida decided several important cases allowing for re-sentencing of juveniles sentenced to life or sentenced to a term of years that is equivalent to life. Henry v. State, 160 So.3d 393 (Fla. 2015), Falcon v. State, 162 So. 3d 954 (Fla. 2015) and Gridine v. State, 2015 WL 123954 (March 19, 2015). Essentially, the Court ruled that juveniles sentenced to life without parole or the equivalent of life without parole are entitled to individualized re-sentencing hearings. Further, the court held that sections 921.1401, 921.1402, and 775.082, Florida Statutes (2014), apply retroactively and should govern the re-sentencing hearings and review hearings that could occur at 15 year and 25 year intervals, depending on the nature of the conviction. A review of local case management data and statewide Department of Corrections records has identified more than 1,700 people who were juveniles when sentenced and who may qualify for re-sentencing under the new statute either now or in the foreseeable future, some of whom have been in prison for more than 20 years. Many of these individuals are immediately entitled to re-sentencing and/or review. It

	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ FY 2016-17	AGY AMD REQ FY 2016-17	AGY AMD N/R FY 2016-17	AGY AMD ANZ FY 2016-17	AGY AMD REQ FY 2016-17 OVER(UNDER) AGY FIN REQ FY 2016-17	CODES
	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT	
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
<u>PGM: PD-2ND JUD CIRCUIT</u>						21600200
PUBLIC PROTECTION						12
<u>LEGAL REPRESENTATION</u>						<u>1203.00.00.00</u>
WORKLOAD						3000000
UNITED STATES SUPREME COURT GRAHAM AND MILLER MANDATE - JUVENILE						3009020
MITIGATION AND SENTENCING ADVOCACY						

is also anticipated another important decision will be decided shortly that may allow for re-sentencing for juveniles sentenced to life under the parole system. See Atwell v. State, 128 So.3d 167 (Fla. 4th DCA 2013)(review granted 160 So.3d 892), which will mean additional clients will be entitled to re-sentencing. The 2nd Judicial Circuit has identified five (5) individuals entitled to immediate action at the trial level and potentially another sixty (60) individuals who may become eligible for relief. Our office also has approximately 12 current appellate cases with Miller/Graham issues, and expects a significant additional number of appeals in the year ahead.

This issue has significant statewide impact for Public Defenders due to the novelty and complexity of the legal and procedural issues. Florida law requires the Court to look at the following factors in determining the appropriate sentence: (1) the nature and circumstances of the offense; (2) the effect of the crime on the victim's family and community; (3) the defendant's age, maturity, intellectual capacity, and emotional health; (4) the defendant's background; (5) the effect of immaturity, impetuosity, or failure to appreciate risks and consequences on defendant's participation in the offense; (6) the extent of defendant's participation in the offense; (7) the effect of familial pressure or peer pressure on the defendant's actions; (8) the nature and extent of defendant's prior criminal history; (9) the effect of characteristics attributable to defendant's youth; and (10) the possibility of rehabilitating the defendant, section 921.1401(2). It is, essentially, de novo review of the original sentence. This is true even in those cases where the then-juvenile entered a voluntary plea to the charges. In order to represent these clients adequately, an entire life history must be gathered, evaluations must be conducted, interviews of family and friends undertaken, records gathered, and interviews with teachers, neighbors, program caseworkers, correctional staff, and other people who may assist in understanding and presenting the client's life story and present information the court must consider in the re-sentencing.

We have identified a need for one (1) experienced attorney and one (1) mitigation specialist who are capable of handling homicide cases to be dedicated to this specialized work. In addition to the necessary General Revenue funding, there is a need for increased Due Process funding to ensure Public Defenders can re-develop an attorney/client relationship, make extensive client visits, obtain mental evaluations and testimony by expert witnesses, conduct criminal defense and mitigation investigations, obtain records (corrections, mental health, school, medical), and obtain transcripts of prior hearings. We have estimated a need of \$5,000 for each trial level case.

This funding must be recurring; a one-year appropriation will not be sufficient. There are many individuals who qualify, or are expected to soon qualify, for re-sentencing. The cases are complex and must not be litigated in haste. Additionally, once the initial round of re-sentencing hearings is complete, there are a number of clients who will be entitled to sentence reviews under section 921.1402. Interviews will be undertaken, psychological and sociological evaluations conducted, and history of incarceration and potential and extent of rehabilitation reviewed. Release plans will also have to be designed and proposed to include housing, employment, and other re-entry services.

COL A12		COL A14		COL A15		COL A16		COL A14-A12		CODES
AGY FIN REQ FY 2016-17 POS	AMOUNT	AGY AMD REQ FY 2016-17 POS	AMOUNT	AGY AMD N/R FY 2016-17 POS	AMOUNT	AGY AMD ANZ FY 2016-17 POS	AMOUNT	AGY AMD REQ FY 2016-17 POS	AMOUNT	
JUSTICE ADMINISTRATION										21000000
PUBLIC DEFENDERS										21600000
PGM: PD-2ND JUD CIRCUIT										21600200
PUBLIC PROTECTION										12
LEGAL REPRESENTATION										<u>1203.00.00.00</u>
WORKLOAD										3000000
UNITED STATES SUPREME COURT GRAHAM AND MILLER MANDATE - JUVENILE										
MITIGATION AND SENTENCING ADVOCACY										3009020

Amended 2016-17 Narrative after December 4, 2015

In March, 2015, the Supreme Court of Florida decided several important cases allowing for re-sentencing of juveniles sentenced to life or sentenced to a term of years that is equivalent to life. Henry v. State, 160 So.3d 393 (Fla. 2015), Falcon v. State, 162 So. 3d 954 (Fla. 2015) and Gridine v. State, 2015 WL 123954 (March 19, 2015). Essentially the Court ruled that juveniles sentenced to life without parole or the equivalent of life without parole are entitled to individualized re-sentencing hearings. Further the court held that sections 921.1401, 921.1402, and 775.082, Florida Statutes (2014) apply retroactively and should govern the re-sentencing hearings and review hearings that could occur at 15 year and 25 year intervals, depending on the nature of the conviction. A review of local case management data and statewide Department of Corrections records has identified more than 1,700 people who were juveniles when sentenced and who may qualify for re-sentencing under the new statute either now or in the foreseeable future, some of whom have been in prison for more than 20 years. Many of these individuals are immediately entitled to re-sentencing and/or review. It is also anticipated another important decision will be decided shortly that may allow for re-sentencing for juveniles sentenced to life under the parole system. See Atwell v. State, 128 So.3d 167 (Fla. 4th DCA 2013)(review granted 160 So.3d 892), which will mean additional clients will be entitled to re-sentencing. The 2nd Judicial Circuit has identified five (5) individuals entitled to immediate action at the trial level and potentially another sixty (60) individuals who may become eligible for relief.

This issue has significant statewide impact for Public Defenders due to the novelty and complexity of the legal and procedural issues. Florida law requires the Court to look at the following factors in determining the appropriate sentence: (1) the nature and circumstances of the offense; (2) the effect of the crime on the victim's family and community; (3) the defendant's age, maturity, intellectual capacity, and emotional health; (4) the defendant's background; (5) the effect of immaturity, impetuosity, or failure to appreciate risks and consequences on defendant's participation in the offense; (6) the extent of defendant's participation in the offense; (7) the effect of familial pressure or peer pressure on the defendant's actions; (8) the nature and extent of defendant's prior criminal history; (9) the effect of characteristics attributable to defendant's youth; and (10) the possibility of rehabilitating the defendant, section 921.1401(2). It is, essentially, a de novo review of the original sentence. This is true even in those cases where the then-juvenile entered a voluntary plea to the charges. In order to represent these clients adequately, an entire life history must be gathered, evaluations must be conducted, interviews of family and friends undertaken, records gathered, and interviews with teachers, neighbors, program caseworkers, correctional staff, and other people who may assist in understanding and presenting the client's life story and present information the court must consider in the re-sentencing.

	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY AMD REQ	
	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	
	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
						CODES
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-2ND JUD CIRCUIT						21600200
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
WORKLOAD						3000000
UNITED STATES SUPREME COURT GRAHAM AND MILLER MANDATE - JUVENILE MITIGATION AND SENTENCING ADVOCACY						3009020

We have identified a need for one (1) experienced attorney and one (1) mitigation specialist who are capable of handling homicide cases to be dedicated to this specialized work. In addition to the necessary General Revenue funding, there is a need for increased Due Process funding to ensure Public Defenders can re-develop an attorney/client relationship, make extensive client visits, obtain mental evaluations and testimony by expert witnesses, conduct criminal defense and mitigation investigations, obtain records (corrections, mental health, school, medical), and obtain transcripts of prior hearings. We have estimated a need of \$1,500 for each case.

This funding must be recurring; a one-year appropriation will not be sufficient. There are many individuals who qualify, or are expected to soon qualify, for re-sentencing. The cases are complex and must not be litigated in haste. Additionally, once the initial round of re-sentencing hearings is complete, there are a number of clients who will be entitled to sentence reviews under section 921.1402. Interviews will be undertaken, psychological and sociological evaluations conducted, and history of incarceration and potential and extent of rehabilitation reviewed. Release plans will also have to be designed and proposed to include housing, employment, and other re-entry services.

Summary: The narrative for this issue has been revised.

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POSITION DETAIL OF SALARIES AND BENEFITS:

	FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A12 - AGY FIN REQ FY 2016-17							
NEW POSITIONS							
5642 MITIGATION SPECIALIST N0002 001	1.00	29,034		15,517	44,551	0.00	44,551
5901 ASST PUBLIC DEFENDER N0001 001	1.00	39,085		23,835	62,920	0.00	62,920



COL A12	COL A14	COL A15	COL A16	COL A14-A12	CODES
AGY FIN REQ FY 2016-17 POS AMOUNT	AGY AMD REQ FY 2016-17 POS AMOUNT	AGY AMD N/R FY 2016-17 POS AMOUNT	AGY AMD ANZ FY 2016-17 POS AMOUNT	AGY AMD REQ FY 2016-17 OVER(UNDER) AGY FIN REQ FY 2016-17 POS AMOUNT	
JUSTICE ADMINISTRATION					21000000
PUBLIC DEFENDERS					21600000
PGM: PD-2ND JUD CIRCUIT					21600200
PUBLIC PROTECTION					12
LEGAL REPRESENTATION					1203.00.00.00
WORKLOAD					3000000
UNITED STATES SUPREME COURT GRAHAM AND MILLER MANDATE - JUVENILE					
MITIGATION AND SENTENCING ADVOCACY					3009020

POSITION DETAIL OF SALARIES AND BENEFITS:

FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A12 - AGY FIN REQ FY 2016-17						
NEW POSITIONS						
TOTALS FOR ISSUE BY FUND						
1000 GENERAL REVENUE FUND						
2.00	68,119		39,352	107,471		107,471

A14 - AGY AMD REQ FY 2016-17

NEW POSITIONS

5642 MITIGATION SPECIALIST  
 N0002 001  
 5901 ASST PUBLIC DEFENDER  
 N0001 001

1.00	29,034		15,517	44,551	0.00	44,551
1.00	39,085		23,835	62,920	0.00	62,920

TOTALS FOR ISSUE BY FUND  
 1000 GENERAL REVENUE FUND

2.00	68,119		39,352	107,471		107,471
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	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY AMD REQ	
	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	
	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-2ND JUD CIRCUIT						21600200
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
PROGRAM OR SERVICE-LEVEL						
INFORMATION TECHNOLOGY						3630000
SUPREME COURT MANDATE SC11-399						
FOR ELECTRONIC FILING						36301C0
SALARY RATE						000000
SALARY RATE.....	25,000	25,000				
SALARIES AND BENEFITS						010000
GENERAL REVENUE FUND -STATE	1.00	39,916	1.00	39,916		1000 1
SPECIAL CATEGORIES						100000
PUBLIC DEFENDER OPERATIONS						103226
GENERAL REVENUE FUND -STATE		3,426		3,426		2,392
TOTAL: SUPREME COURT MANDATE SC11-399						36301C0
FOR ELECTRONIC FILING						
TOTAL POSITIONS.....	1.00		1.00			
TOTAL ISSUE.....		43,342		43,342		2,392
TOTAL SALARY RATE.....	25,000		25,000			

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AGENCY ISSUE NARRATIVE:

2016-2017 BUDGET YEAR NARRATIVE:

IT COMPONENT? YES

On June 21, 2012 the Florida Supreme Court (No. SC11-399), adopted the proposed amendments to the Florida Rules of Court which implemented mandatory electronic filing procedures for all documents filed in Florida Courts. The filing requirements became effective on October 1, 2013. Transitioning our daily operations to accept documents by electronic format has been an arduous task for each office in our circuit, most notably our two largest counties, Leon and Gadsden. Previously, the State Attorney's Office provided these documents in paper form through inter-office delivery. Those documents were collated and labeled with the assigned APD, which made distributing these documents a modest task. Since this mandate, our office had to hire a full-time clerk to maintain the e-service inbox and to manage the deluge of e-filing transmissions.

During a four week study of our e-service process in Leon County, our e-service clerk handled approximately 3,000 emails

	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY AMD REQ	
	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	
	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
						CODES
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-2ND JUD CIRCUIT						21600200
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
PROGRAM OR SERVICE-LEVEL						
INFORMATION TECHNOLOGY						3630000
SUPREME COURT MANDATE SC11-399						
FOR ELECTRONIC FILING						36301C0

and printed out over 13,000 pages of documents. The operational process set in place directs the e-service clerk to assign labels/tags to each email. This ensures we are meeting our office's best practice guidelines, uploading the documents to our CMS imaging module, collating the printouts and then distributing to the attorneys. This process is very tedious and takes a tremendous amount of time.

Presently, our office's case management system is not equipped to convert to a paperless system. Although we have the capability to upload digital files and view those files from a desktop computer, we are many years and several dollars away from being able to develop the basic infrastructure and technology to rid us of the need for print production. Having to hire a full-time technician to oversee this process was an unexpected cost to our office and had a tremendous effect on our budget. Therefore, the Office of Public Defender, Second Judicial Circuit is requesting funding for one (1) Support Staff at the \$25,000 plus benefits to continue to fund this position.

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POSITION DETAIL OF SALARIES AND BENEFITS:

	FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A12 - AGY FIN REQ FY 2016-17							
NEW POSITIONS							
5005 STAFF SUPPORT TECHNICIAN							
N0001 001	1.00	25,000		14,916	39,916	0.00	39,916
TOTALS FOR ISSUE BY FUND							
1000 GENERAL REVENUE FUND							39,916
	1.00	25,000		14,916	39,916		39,916

	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY AMD REQ	
	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	
	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
						CODES
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-2ND JUD CIRCUIT						21600200
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						<u>1203.00.00.00</u>
PROGRAM OR SERVICE-LEVEL						
INFORMATION TECHNOLOGY						3630000
SUPREME COURT MANDATE SC11-399						
FOR ELECTRONIC FILING						36301C0

POSITION DETAIL OF SALARIES AND BENEFITS:

	FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A14 - AGY AMD REQ FY 2016-17							
NEW POSITIONS							
5005 STAFF SUPPORT TECHNICIAN							
N0001 001	1.00	25,000		14,916	39,916	0.00	39,916
TOTALS FOR ISSUE BY FUND							
1000 GENERAL REVENUE FUND							39,916
	1.00	25,000		14,916	39,916		39,916

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TOTAL: LEGAL REPRESENTATION							<u>1203.00.00.00</u>
BY FUND TYPE							
GENERAL REVENUE FUND.....	3.00	158,884	3.00	158,884	7,542		1000
SALARY RATE.....	93,119	93,119					

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	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
					AGY AMD REQ	
					FY 2016-17	
					OVER(UNDER)	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY FIN REQ	
	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	
POS	AMOUNT	POS	AMOUNT	POS	AMOUNT	CODES
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-5TH JUD CIRCUIT						21600500
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
ADJUSTMENTS TO CURRENT YEAR						
ESTIMATED EXPENDITURES						1600000
REAPPROVAL OF SALARY RATE TRANSFER						
BETWEEN BUDGET ENTITIES						160A020
SALARY RATE						000000
SALARY RATE.....		50,000			50,000	

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AGENCY ISSUE NARRATIVE:  
 2016-2017 BUDGET YEAR NARRATIVE:

IT COMPONENT? NO

Amended 2016-17 Narrative after December 4, 2015

The Public Defenders in the Fifth and Sixteenth Judicial Circuits are requesting the re-approval of Fiscal Year 2015-16 Budget Amendment numbered 16-032-PD16, P028 approved 11/23/15. The Public Defender, 16th Circuit has agreed to assist the Public Defender, 5th Circuit with a salary rate shortfall via a permanent transfer of 50,000 in rate.

Summary: This is a new issue.

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POSITION DETAIL OF SALARIES AND BENEFITS:

	FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A14 - AGY AMD REQ FY 2016-17							
CHANGES TO CURRENTLY AUTHORIZED POSITIONS							
RA06 RATE ADJ - NO FTE - NO SALARY - NO BENEFITS							
N0001 001		50,000					
TOTAL SALARY RATE		50,000					

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	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
					AGY AMD REQ	
					FY 2016-17	
					OVER(UNDER)	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY FIN REQ	
	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	
POS	AMOUNT	POS	AMOUNT	POS	AMOUNT	CODES
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-5TH JUD CIRCUIT						21600500
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
WORKLOAD						3000000
EARLY CASE RESOLUTION DIVISION						3000590
SALARY RATE						000000
SALARY RATE.....		126,938			126,938	
=====						
SALARIES AND BENEFITS						010000
		3.50			3.50	
GRANTS AND DONATIONS TF -STATE			201,015			2339 1
=====						
TOTAL: EARLY CASE RESOLUTION DIVISION						3000590
TOTAL POSITIONS.....		3.50			3.50	
TOTAL ISSUE.....			201,015			201,015
TOTAL SALARY RATE.....		126,938			126,938	
=====						

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AGENCY ISSUE NARRATIVE:

2016-2017 BUDGET YEAR NARRATIVE:

IT COMPONENT? YES

Amended 2016-17 Narrative after December 4, 2015

The Florida Supreme Court ruled to require the Public Defender and State Attorney to staff all first appearance hearings. In 2009 by Authority of Florida Statute 29.008(2), the State Attorney and Public Defender in the Fifth Judicial Circuit entered into interlocal agreements (with the two largest counties within the circuit) Marion and Lake Counties to fund Early Resolution programs. The goal of the program is to resolve criminal cases at the initial phase of the proceedings, thereby reducing jail overcrowding and providing some relief to front line attorneys burdened with excessive caseloads. The early intervention team expedite cases during the initial court proceedings resulting in early pleas or diversions. They concentrate primarily on non-violent first time and/or misdemeanor offenders who may be unable to post bond. These positions have consistently met their goal and have proven to be an effective tool in reducing both jail overcrowding and caseloads thereby saving the counties the cost of housing inmates that meet the provisions of early resolution.

The office of the Public Defender, Fifth Judicial Circuit (PD05) has contracted with Lake and Marion County Board of County Commissioners to fund three and one half (3.5) early intervention positions in the Public Defender's Office. These positions are currently being funded via the counties' payroll, however they are subject to the rules and guidelines governing the employees of the Public Defender's Office. Authorizing these positions in the Public Defender's budget would remove impediments to the supervision and management of these employees by eliminating the need to run hiring and firing decisions and payroll and benefits issues through the counties.

Each county will be required to reimburse PD05 for the full cost of these employees' salaries, benefits and employer tax



	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY AMD REQ	
	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	
	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
						CODES
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-5TH JUD CIRCUIT						21600500
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
WORKLOAD						3000000
EARLY CASE RESOLUTION DIVISION						3000590

POSITION DETAIL OF SALARIES AND BENEFITS:

	FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A14 - AGY AMD REQ FY 2016-17							
NEW POSITIONS							
TOTALS FOR ISSUE BY FUND							
2339 GRANTS AND DONATIONS TF							201,015
	3.50	126,938		74,077	201,015		201,015

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CAPITAL QUALIFIED ATTORNEYS							3001970
SALARY RATE							000000
SALARY RATE.....	348,544	120,214			228,330-		
SALARIES AND BENEFITS							010000
INDIGENT CRIM DEFENSE TF -STATE	6.00	507,672	2.00	173,859	4.00-	333,813-	2974 1
SPECIAL CATEGORIES							100000
PUBLIC DEFENDER OPERATIONS							103226
INDIGENT CRIM DEFENSE TF -STATE		25,251	8,590	5,516		16,661-	2974 1
TOTAL: CAPITAL QUALIFIED ATTORNEYS							3001970
TOTAL POSITIONS.....	6.00		2.00		4.00-		
TOTAL ISSUE.....		532,923	182,449	5,516		350,474-	
TOTAL SALARY RATE.....	348,544	120,214			228,330-		



COL A12	COL A14	COL A15	COL A16	COL A14-A12	
AGY FIN REQ FY 2016-17 POS	AGY AMD REQ FY 2016-17 POS	AGY AMD N/R FY 2016-17 POS	AGY AMD ANZ FY 2016-17 POS	AGY AMD REQ FY 2016-17 OVER(UNDER) AGY FIN REQ FY 2016-17 POS	AMOUNT
JUSTICE ADMINISTRATION					21000000
PUBLIC DEFENDERS					21600000
PGM: PD-5TH JUD CIRCUIT					21600500
PUBLIC PROTECTION					12
LEGAL REPRESENTATION					1203.00.00.00
WORKLOAD					3000000
CAPITAL QUALIFIED ATTORNEYS					3001970

AGENCY ISSUE NARRATIVE:  
 2016-2017 BUDGET YEAR NARRATIVE:

IT COMPONENT? NO

The Fifth Circuit Public Defender currently has eleven (11) capital murder cases pending circuit-wide. Of those eleven (11) the State has filed to seek the death penalty on five (5) and has not yet waived death on the remaining six (6). In 2016 the agency will have one (1) Capital Qualified attorney retire/terminate employment in April with three (3) other Capital Qualified Attorneys, that also handle felony docket assignments, eligible for retirement. Should any or all three (3) terminate in 2016, the agency would be under staffed in Capital Qualified Attorneys to work these cases across a circuit encompassing five (5) counties, with the elected Public Defender assisting as time constraints allow. The American Bar Association Guidelines for Appointment and Performance of Defense Counsel in Death Penalty cases state that every criminal defense team facing a capital punishment sentence should have a minimum of two (2) attorneys, an investigator, and a mitigation specialist. These cases require significant investigation into years of past mental health, school, and prison records, along with concerns of trauma, poverty and any traumatic brain injuries. In addition, a majority of these cases, require psychological evaluations, possible MRIs and in some instances PET scans. Due to the severity of punishment on these cases the requested defense support team would be on staff to aid the attorney in identifying and compiling comprehensive mitigating facts to minimize the likelihood of an Appellate ruling of ineffective assistance of counsel. Having an in-house Capital Defense Team would provide a significant cost savings by not needing to hire private mitigating experts.

The Public Defender requests six (6) FTE positions, associated salary and benefits package including rate, and the funding authority using Trust Fund dollars for three (3) Capital Qualified Attorneys, one (1) Mitigation Specialist III, one (1) Investigator III, and one (1) Paralegal III to handle capital litigation circuit wide. The salary rate requested for the Assistant Public Defenders (3 @ \$85,000 each) will be required to hire attorneys experienced in capital case representation, with the legal support staff members each at the default minimum for the pay grade. Public Defender Operating Expenditure budget of \$25,251 (\$16,182 non-recurring) is requested to establish the positions per Standard # 3, Modified for Public Defenders. The agency's increased ICDTF revenues seem to be sustainable enough to support recurring salary and operating costs of this issue #3001970.

- (3) Attorneys at \$85,000 each + Operating expense at \$13,935 (non-recurring \$8,274)
- (1) Mitigation Specialist III at Default + Operating expense at \$3,945 (non-recurring \$2,758)
- (1) Investigator III at Default + Operating expense at \$3,945 non-recurring \$2,758)
- (1) Paralegal at Default + Operating expense at \$3,426 (non-recurring \$2,392)

COL A12		COL A14		COL A15		COL A16		COL A14-A12		CODES
AGY FIN REQ FY 2016-17 POS	AMOUNT	AGY AMD REQ FY 2016-17 POS	AMOUNT	AGY AMD N/R FY 2016-17 POS	AMOUNT	AGY AMD ANZ FY 2016-17 POS	AMOUNT	AGY AMD REQ FY 2016-17 OVER(UNDER)	AGY FIN REQ FY 2016-17 POS	
JUSTICE ADMINISTRATION										21000000
PUBLIC DEFENDERS										21600000
<u>PGM: PD-5TH JUD CIRCUIT</u>										21600500
<u>PUBLIC PROTECTION</u>										12
<u>LEGAL REPRESENTATION</u>										<u>1203.00.00.00</u>
WORKLOAD										3000000
CAPITAL QUALIFIED ATTORNEYS										3001970

This issue impacts all agency activities.

Amended 2016-17 Narrative after December 4, 2015

The Fifth Circuit Public Defender, at the time of this amended filing, currently has seventeen (17) capital murder cases pending circuit-wide. Of those seventeen (17) the State has filed to seek the death penalty on five (5) and has not yet waived death on the remaining eleven (11). In 2016 the agency will have one (1) Capital Qualified attorney retire/terminate employment in April with three (3) other Capital Qualified Attorneys, that also handle felony docket assignments, eligible for retirement. Should any or all three (3) terminate in 2016 the agency would be under staffed in Capital Qualified Attorneys to work these cases across a circuit encompassing five (5) counties, with the elected Public Defender assisting as time constraints allow.

The American Bar Association Guidelines for Appointment and Performance of Defense Counsel in Death Penalty cases state that every criminal defense team facing a capital punishment sentence should have a minimum of two (2) attorneys, an investigator, and a mitigation specialist. These cases require significant investigation into years of past mental health, school, and prison records, along with concerns of trauma, poverty and any traumatic brain injuries. In addition a majority of these cases require psychological evaluations, possible MRIs and in some instances PET scans. Due to the severity of punishment on these cases the requested defense support team would be on staff to aid the attorney in identifying and compiling comprehensive mitigating facts to minimize the likelihood of an Appellate ruling of ineffective assistance of counsel.

Indigent Criminal Defense Trust Fund (ICDTF) collections dropped significantly in the first quarter of Fiscal Year 2015-16, but appear to be increasing going into the second quarter, therefore the Public Defender requests to amend the Capital Division request at this time to two (2) Full-Time Equivalent (FTE) positions, associated salary and benefits package - including rate, and the funding authority using trust fund dollars for one (1) Capital Qualified Attorney and one (1) Mitigation Specialist III to handle capital litigation circuit wide. The salary rate requested for the Assistant Public Defender (@ \$85,000) will be required to hire an attorney experienced in capital case representation. Public Defender Operating Expenditure budget of \$8,590 (\$5,516 non-recurring) is requested to establish the positions per Standard # 3, Modified for Public Defenders. The amended agency's projections for ICDTF revenues seem to be sustainable enough to support recurring salary and operating costs of this amended issue #3001970.

(1) Attorney at \$85,000 each + benefits and Operating expense at \$4,645 (non-recurring \$2,758)  
 (1) Mitigation Specialist III at \$35,214 + benefits and Operating expense at \$3,945 (non-recurring \$2,758)  
 This issue impacts all agency activities.

COL A12		COL A14		COL A15		COL A16		COL A14-A12		CODES
AGY FIN REQ FY 2016-17 POS	AMOUNT	AGY AMD REQ FY 2016-17 POS	AMOUNT	AGY AMD N/R FY 2016-17 POS	AMOUNT	AGY AMD ANZ FY 2016-17 POS	AMOUNT	AGY AMD REQ FY 2016-17 POS	AMOUNT	

JUSTICE ADMINISTRATION										21000000
PUBLIC DEFENDERS										21600000
PGM: PD-5TH JUD CIRCUIT										21600500
PUBLIC PROTECTION										12
LEGAL REPRESENTATION										1203.00.00.00
WORKLOAD										3000000
CAPITAL QUALIFIED ATTORNEYS										3001970

Summary: The positions, salary rate and budget authority requested have been reduced from the original request as follows: -4.00 FTE, salary rate -228,330 and ICDF budget authority -\$350,474.

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POSITION DETAIL OF SALARIES AND BENEFITS:

	FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A12 - AGY FIN REQ FY 2016-17							
NEW POSITIONS							
5513 PARALEGAL III N0004 001	1.00	26,988		15,212	42,200	0.00	42,200
5643 MITIGATION SPECIALIST III N0003 001	1.00	35,214		16,439	51,653	0.00	51,653
5663 INVESTIGATOR III N0002 001	1.00	31,342		15,861	47,203	0.00	47,203
5901 ASST PUBLIC DEFENDER N0001 001	3.00	255,000		111,616	366,616	0.00	366,616
TOTALS FOR ISSUE BY FUND							
2974 INDIGENT CRIM DEFENSE TF							507,672
	6.00	348,544		159,128	507,672		507,672

COL A12		COL A14		COL A15		COL A16		COL A14-A12		CODES
AGY FIN REQ FY 2016-17	POS	AGY AMD REQ FY 2016-17	POS	AGY AMD N/R FY 2016-17	POS	AGY AMD ANZ FY 2016-17	POS	AGY AMD REQ FY 2016-17 OVER(UNDER)	AGY FIN REQ FY 2016-17	
AMOUNT		AMOUNT		AMOUNT		AMOUNT		AMOUNT	AMOUNT	

JUSTICE ADMINISTRATION										21000000
PUBLIC DEFENDERS										21600000
PGM: PD-5TH JUD CIRCUIT										21600500
PUBLIC PROTECTION										12
LEGAL REPRESENTATION										1203.00.00.00
WORKLOAD										3000000
CAPITAL QUALIFIED ATTORNEYS										3001970

POSITION DETAIL OF SALARIES AND BENEFITS:

	FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A14 - AGY AMD REQ FY 2016-17							
NEW POSITIONS							
5643 MITIGATION SPECIALIST III N0002 001	1.00	35,214		16,439	51,653	0.00	51,653
5901 ASST PUBLIC DEFENDER N0001 001	1.00	85,000		37,206	122,206	0.00	122,206
TOTALS FOR ISSUE BY FUND							
2974 INDIGENT CRIM DEFENSE TF	2.00	120,214		53,645	173,859		173,859

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UNITED STATES SUPREME COURT GRAHAM AND MILLER MANDATE - JUVENILE MITIGATION AND SENTENCING ADVOCACY SALARY RATE							3009020 000000
SALARY RATE.....	115,000	115,000					
SALARIES AND BENEFITS	2.00	2.00					010000
GENERAL REVENUE FUND -STATE	173,395	173,395					1000 1

	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
					AGY AMD REQ	
					FY 2016-17	
					OVER(UNDER)	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY FIN REQ	
	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	
POS	AMOUNT	POS	AMOUNT	POS	AMOUNT	CODES
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-5TH JUD CIRCUIT						21600500
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
WORKLOAD						3000000
UNITED STATES SUPREME COURT GRAHAM AND MILLER MANDATE - JUVENILE						
MITIGATION AND SENTENCING ADVOCACY						3009020
SPECIAL CATEGORIES						100000
PUBLIC DEFENDER OPERATIONS						103226
GENERAL REVENUE FUND -STATE	8,950	8,950	5,516			1000 1
TOTAL: UNITED STATES SUPREME COURT GRAHAM AND MILLER MANDATE - JUVENILE MITIGATION AND SENTENCING ADVOCACY						3009020
TOTAL POSITIONS.....	2.00	2.00				
TOTAL ISSUE.....	182,345	182,345	5,516			
TOTAL SALARY RATE.....	115,000	115,000				

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AGENCY ISSUE NARRATIVE:

2016-2017 BUDGET YEAR NARRATIVE:

IT COMPONENT? NO

In March, 2015, the Supreme Court of Florida decided several important cases allowing for resentencing of juveniles sentenced to life or sentenced to a term of years that is equivalent to life. Henry v. State, 160 So.3d 393 (Fla. 2015), Falcon v. State, 162 So. 3d 954 (Fla. 2015) and Gridine v. State, 2015 WL 123954 (March 19, 2015). Essentially, the Court ruled that juveniles sentenced to life without parole or the equivalent of life without parole are entitled to individualized resentencing hearings. Further the court held that sections 921.1401, 921.1402, and 775.082, Florida Statutes (2014), apply retroactively and should govern the resentencing hearings and review hearings that could occur at 15 year and 25 year intervals, depending on the nature of the conviction. A review of local case management data and statewide Department of Corrections records has identified more than 1,700 people who were juveniles when sentenced and who may qualify for re-sentencing under the new statute either now or in the foreseeable future, some of whom have been in prison for more than 20 years. Many of these individuals are immediately entitled to resentencing and/or review. It is also anticipated another important decision will be decided shortly that may allow for resentencing for juveniles sentenced to life under the parole system. See Atwell v. State, 128 So.3d 167 (Fla. 4th DCA 2013)(review granted 160 So.3d 892), which will mean additional clients will be entitled to resentencing. The 5th Judicial Circuit has identified thirty (30) individuals in need of assistance.

This issue has significant statewide impact for Public Defenders due to the novelty and complexity of the legal and procedural issues. Florida law requires the Court to look at the following factors in determining the appropriate sentence: (1) the nature and circumstances of the offense; (2) the effect of the crime on the victim's family and community; (3) the defendant's age, maturity, intellectual capacity, and emotional health; (4) the defendant's

COL A12	COL A14	COL A15	COL A16	COL A14-A12	
AGY FIN REQ FY 2016-17 POS	AGY AMD REQ FY 2016-17 POS	AGY AMD N/R FY 2016-17 POS	AGY AMD ANZ FY 2016-17 POS	AGY AMD REQ FY 2016-17 OVER(UNDER) AGY FIN REQ FY 2016-17 POS	AMOUNT
JUSTICE ADMINISTRATION					21000000
PUBLIC DEFENDERS					21600000
PGM: PD-5TH JUD CIRCUIT					21600500
PUBLIC PROTECTION					12
LEGAL REPRESENTATION					1203.00.00.00
WORKLOAD					3000000
UNITED STATES SUPREME COURT GRAHAM AND MILLER MANDATE - JUVENILE					
MITIGATION AND SENTENCING ADVOCACY					3009020

background; (5) the effect of immaturity, impetuosity, or failure to appreciate risks and consequences on defendant's participation in the offense; (6) the extent of defendant's participation in the offense; (7) the effect of familial pressure or peer pressure on the defendant's actions; (8) the nature and extent of defendant's prior criminal history; (9) the effect of characteristics attributable to defendant's youth; and (10) the possibility of rehabilitating the defendant section 921.1401(2). It is, essentially, a de novo review of the original sentence. This is true even in those cases where the then-juvenile entered a voluntary plea to the charges. In order to represent these clients adequately, an entire life history must be gathered, evaluations must be conducted, interviews of family and friends undertaken, records gathered, and interviews with teachers, neighbors, program caseworkers, correctional staff, and other people who may assist in understanding and presenting the client's life story and present information the court must consider in the resentencing.

We have identified a need for one (1) experienced attorney and one (1) mitigation specialist who are capable of handling homicide cases to be dedicated to this specialized work. In addition to the necessary General Revenue funding, there is a need for increased Due Process funding to ensure Public Defenders can re-develop an attorney/client relationship, make extensive client visits, obtain mental evaluations and testimony by expert witnesses, conduct criminal defense and mitigation investigations, obtain records (corrections, mental health, school, medical), and obtain transcripts of prior hearings. We have estimated a need of \$8,750 for each case.

This funding must be recurring; a one-year appropriation will not be sufficient. There are many individuals who qualify, or are expected to soon qualify, for resentencing. The cases are complex and must not be litigated in haste. Additionally, once the initial round of resentencing hearings is complete, there are a number of clients who will be entitled to sentence reviews under section 921.1402. Interviews will be undertaken, psychological and sociological evaluations conducted, and history of incarceration and potential and extent of rehabilitation reviewed. Release plans will also have to be designed and proposed to include housing, employment, and other re-entry services.

- (1) Attorney at \$65,000 + Operating expense at \$4,645 = \$69,645 (non-recurring \$2,758)
- (1) Mitigation Specialist III at \$50,000 + Operating expense at \$3,945 = \$53,945 (non-recurring \$2,758)

This issue impacts all agency activities.

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	COL A12	COL A14	COL A15	COL A16	COL A14-A12 AGY AMD REQ FY 2016-17 OVER(UNDER)	AGY FIN REQ FY 2016-17	CODES
	AGY FIN REQ FY 2016-17	AGY AMD REQ FY 2016-17	AGY AMD N/R FY 2016-17	AGY AMD ANZ FY 2016-17	AGY FIN REQ FY 2016-17		
	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT		
JUSTICE ADMINISTRATION							21000000
PUBLIC DEFENDERS							21600000
PGM: PD-5TH JUD CIRCUIT							21600500
PUBLIC PROTECTION							12
LEGAL REPRESENTATION							<u>1203.00.00.00</u>
WORKLOAD							3000000
UNITED STATES SUPREME COURT GRAHAM AND MILLER MANDATE - JUVENILE							
MITIGATION AND SENTENCING ADVOCACY							3009020

POSITION DETAIL OF SALARIES AND BENEFITS:

	FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A12 - AGY FIN REQ FY 2016-17							
NEW POSITIONS							
5643 MITIGATION SPECIALIST III N0002 001	1.00	50,000		27,013	77,013	0.00	77,013
5901 ASST PUBLIC DEFENDER N0001 001	1.00	65,000		31,382	96,382	0.00	96,382
TOTALS FOR ISSUE BY FUND 1000 GENERAL REVENUE FUND							173,395
	2.00	115,000		58,395	173,395		173,395

A14 - AGY AMD REQ FY 2016-17

NEW POSITIONS							
5643 MITIGATION SPECIALIST III N0002 001	1.00	50,000		27,013	77,013	0.00	77,013
5901 ASST PUBLIC DEFENDER N0001 001	1.00	65,000		31,382	96,382	0.00	96,382

	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY AMD REQ	
	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	
	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
						CODES
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-5TH JUD CIRCUIT						21600500
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
WORKLOAD						3000000
UNITED STATES SUPREME COURT GRAHAM AND MILLER MANDATE - JUVENILE MITIGATION AND SENTENCING ADVOCACY						3009020

POSITION DETAIL OF SALARIES AND BENEFITS:

	FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A14 - AGY AMD REQ FY 2016-17							
NEW POSITIONS							
TOTALS FOR ISSUE BY FUND 1000 GENERAL REVENUE FUND							173,395
	2.00	115,000		58,395	173,395		173,395

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AGENCY-WIDE INFORMATION TECHNOLOGY							3620000
COUNTY AGREEMENT FOR INFORMATION TECHNOLOGY PERSONNEL SERVICES							36224C0
SALARY RATE							000000
SALARY RATE.....		352,014			352,014		
SALARIES AND BENEFITS							010000
GRANTS AND DONATIONS TF -STATE	9.00		505,191			505,191	2339 1
TOTAL: COUNTY AGREEMENT FOR INFORMATION TECHNOLOGY PERSONNEL SERVICES							36224C0
TOTAL POSITIONS.....	9.00				9.00		
TOTAL ISSUE.....		505,191				505,191	
TOTAL SALARY RATE.....		352,014			352,014		



COL A12		COL A14		COL A15		COL A16		COL A14-A12		CODES
AGY FIN REQ FY 2016-17 POS	AMOUNT	AGY AMD REQ FY 2016-17 POS	AMOUNT	AGY AMD N/R FY 2016-17 POS	AMOUNT	AGY AMD ANZ FY 2016-17 POS	AMOUNT	AGY AMD REQ FY 2016-17 OVER(UNDER) AGY FIN REQ FY 2016-17 POS	AMOUNT	
JUSTICE ADMINISTRATION										21000000
PUBLIC DEFENDERS										21600000
PGM: PD-5TH JUD CIRCUIT										21600500
PUBLIC PROTECTION										12
LEGAL REPRESENTATION										1203.00.00.00
AGENCY-WIDE INFORMATION TECHNOLOGY										3620000
COUNTY AGREEMENT FOR INFORMATION TECHNOLOGY PERSONNEL SERVICES										36224C0

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AGENCY ISSUE NARRATIVE:

2016-2017 BUDGET YEAR NARRATIVE:

IT COMPONENT? YES

Amended 2016-17 Narrative after December 4, 2015

The office of the Public Defender, Fifth Judicial Circuit (PD05) will be contracting with Lake, Citrus and Marion County Board of County Commissioners to fund nine (9) Information Technology positions (4 in Lake County, 4 in Marion County and 1 in Citrus County) pursuant to Section 29.008(1)(f)2., Florida Statutes. These positions are currently being funded via the counties' payroll, however they are subject to the rules and guidelines governing the employees of the Public Defender's Office. Authorizing these positions in the Public Defender's budget would remove impediments to the supervision and management of these employees by eliminating the need to run hiring and firing decisions and payroll and benefits issues through the counties.

Each county will be required to reimburse PD05 for the full cost of these employees' salaries, benefits and employer tax costs in the total amount of \$505,191. The contract period for these agreements will begin on July 1, 2016 and will continue through June 30, 2017 (renewing yearly thereafter). Salaries and Benefits budget authority within the Grants and Donation Trust Fund (GDTF) is needed to utilize the funding received from the counties. In addition PD05 will also need nine (9) additional Full-Time Equivalent (FTE) positions and corresponding rate which will remain solely tied to the GDTF to accommodate these information technology positions.

The payment will be sourced from income of a revenue nature received from taxes and fees levied by Lake, Citrus and Marion Counties; each being a political subdivision of the State of Florida. The funds are intended for the exclusive use of the Public Defender, and, pursuant to section 215.22(2), Florida Statute, qualify for an exemption from the state appropriation and service charge referenced in section 215.20, Florida Statute.

The request is for Grants and Donations Trust Fund Authority in Salaries and Benefits, rate and corresponding positions for four (4) Data Entry Operators (\$101,957 rate + benefits) and five (5) Automated System Assistant I (\$250,057 rate + benefits). The salary for each position is required in the amount requested because these positions are currently filled and are funded at the listed rates on the Lake, Citrus and Marion County payrolls.

This issue impacts all agency activities.

Summary: This is a new issue.

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COL A12		COL A14		COL A15		COL A16		COL A14-A12		CODES
AGY FIN REQ FY 2016-17	POS AMOUNT	AGY AMD REQ FY 2016-17	POS AMOUNT	AGY AMD N/R FY 2016-17	POS AMOUNT	AGY AMD ANZ FY 2016-17	POS AMOUNT	AGY AMD REQ FY 2016-17 OVER(UNDER)	AGY FIN REQ FY 2016-17	

JUSTICE ADMINISTRATION										21000000
PUBLIC DEFENDERS										21600000
PGM: PD-5TH JUD CIRCUIT										21600500
PUBLIC PROTECTION										12
LEGAL REPRESENTATION										<u>1203.00.00.00</u>
AGENCY-WIDE INFORMATION TECHNOLOGY										3620000
COUNTY AGREEMENT FOR INFORMATION TECHNOLOGY PERSONNEL SERVICES										36224C0

POSITION DETAIL OF SALARIES AND BENEFITS:

	FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A14 - AGY AMD REQ FY 2016-17							
NEW POSITIONS							
5431 DATA ENTRY OPERATOR I N0001 001	4.00	101,957		59,954	161,911	0.00	161,911
5441 AUTOMATED SYSTEMS ASSISTANT I N0002 001	5.00	250,057		93,223	343,280	0.00	343,280
TOTALS FOR ISSUE BY FUND							
2339 GRANTS AND DONATIONS TF							505,191
	9.00	352,014		153,177	505,191		505,191

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TOTAL: LEGAL REPRESENTATION							<u>1203.00.00.00</u>
BY FUND TYPE							
GENERAL REVENUE FUND	182,345	182,345	5,516				1000
TRUST FUNDS	532,923	888,655	5,516		355,732		2000
TOTAL POSITIONS.....	8.00	16.50			8.50		
TOTAL PROG COMP.....	715,268	1,071,000	11,032		355,732		
TOTAL SALARY RATE.....	463,544	764,166			300,622		

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	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY AMD REQ	
	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	
	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-8TH JUD CIRCUIT						21600800
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
ADJUSTMENTS TO CURRENT YEAR						
ESTIMATED EXPENDITURES						1600000
TRANSFER FUNDS BETWEEN CATEGORIES						
- ADD						160F010
SPECIAL CATEGORIES						100000
LEASE/PURCHASE/EQUIPMENT						105281
INDIGENT CRIM DEFENSE TF -STATE		1,100			1,100	2974 1

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AGENCY ISSUE NARRATIVE:  
 2016-2017 BUDGET YEAR NARRATIVE: IT COMPONENT? NO

Amended 2016-17 Narrative after December 4, 2015

The Public Defender's Office in the 8th Judicial Circuit requires more budget authority in the Indigent Criminal Defense Trust Fund, Lease or Lease Purchase of Equipment category to cover the current postage meter lease.

A Fiscal Year 2015-16 budget transfer numbered 16-045-PD08TX, B7110 was processed to cover the equipment lease from the Operations category. This Legislative Budget Request is to re-approve the transfer for this recurring expenditure.

Please see corresponding issue code 160F020.

Summary: This is a new issue.

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TRANSFER FUNDS BETWEEN CATEGORIES						
- DEDUCT						160F020
SPECIAL CATEGORIES						100000
PUBLIC DEFENDER OPERATIONS						103226
INDIGENT CRIM DEFENSE TF -STATE		1,100-			1,100-	2974 1

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AGENCY ISSUE NARRATIVE:  
 2016-2017 BUDGET YEAR NARRATIVE: IT COMPONENT? NO

COL A12		COL A14		COL A15		COL A16		COL A14-A12		CODES
AGY FIN REQ FY 2016-17	AGY AMD REQ FY 2016-17	AGY AMD REQ FY 2016-17	AGY AMD N/R FY 2016-17	AGY AMD ANZ FY 2016-17	AGY AMD ANZ FY 2016-17	AGY FIN REQ FY 2016-17	AGY FIN REQ FY 2016-17	AGY AMD REQ FY 2016-17	OVER(UNDER)	
POS	AMOUNT	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT	
										21000000
										21600000
										21600800
										12
										<u>1203.00.00.00</u>
										1600000
										160F020

JUSTICE ADMINISTRATION  
 PUBLIC DEFENDERS  
PGM: PD-8TH JUD CIRCUIT  
 PUBLIC PROTECTION  
LEGAL REPRESENTATION  
 ADJUSTMENTS TO CURRENT YEAR  
 ESTIMATED EXPENDITURES  
 TRANSFER FUNDS BETWEEN CATEGORIES  
 - DEDUCT

Amended 2016-17 Narrative after December 4, 2015

The Public Defender's Office in the 8th Judicial Circuit requires more budget authority in the Indigent Criminal Defense Trust Fund, Lease or Lease Purchase of Equipment category to cover the current postage meter lease.

A Fiscal Year 2015-16 budget transfer numbered 16-045-PD08TX, B7110 was processed to cover the equipment lease from the Operations category. This Legislative Budget Request is to re-approve the transfer for this recurring expenditure.

Please see corresponding issue code 160F010.

Summary: This is a new issue.

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	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ FY 2016-17	AGY AMD REQ FY 2016-17	AGY AMD N/R FY 2016-17	AGY AMD ANZ FY 2016-17	AGY AMD REQ FY 2016-17	AGY FIN REQ FY 2016-17
	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT
	-----	-----	-----	-----	-----	-----
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-9TH JUD CIRCUIT						21600900
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
WORKLOAD						3000000
CAPITAL QUALIFIED ATTORNEYS						3001970
SALARY RATE						000000
SALARY RATE.....	300,000	320,000			20,000	
	=====	=====	=====	=====	=====	=====
SALARIES AND BENEFITS						010000
GENERAL REVENUE FUND -STATE	4.00 437,172	4.00 462,996			25,824	1000 1
	=====	=====	=====	=====	=====	=====
SPECIAL CATEGORIES						100000
PUBLIC DEFENDER OPERATIONS						103226
GENERAL REVENUE FUND -STATE	18,580	18,580	11,032			1000 1
	=====	=====	=====	=====	=====	=====
TOTAL: CAPITAL QUALIFIED ATTORNEYS						3001970
TOTAL POSITIONS.....	4.00	4.00				
TOTAL ISSUE.....	455,752	481,576	11,032		25,824	
TOTAL SALARY RATE.....	300,000	320,000			20,000	
	=====	=====	=====	=====	=====	=====

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AGENCY ISSUE NARRATIVE:

2016-2017 BUDGET YEAR NARRATIVE:

IT COMPONENT? NO

The Ninth Circuit has only one death penalty certified attorney on staff, other than the elected Public Defender.

This circuit had 36 capital murder cases in 2014.

The attorneys that have handled these cases in the past have retired or taken much higher paying positions with other agencies.

If we cannot hire, train, and keep capital certified attorneys, these cases will go to regional council and private attorneys at much greater costs to the taxpayers.

Amended FY 2016-17 Narrative after December 4, 2015

The Ninth Circuit Public Defender was assigned to represent clients in 227 murder cases in 2014. A new murder happens in this circuit practically every business day.

	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
					AGY AMD REQ	
					FY 2016-17	
					OVER(UNDER)	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY FIN REQ	
	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	
POS	AMOUNT	POS	AMOUNT	POS	AMOUNT	POS
						AMOUNT
						CODES
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-9TH JUD CIRCUIT						21600900
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
WORKLOAD						3000000
CAPITAL QUALIFIED ATTORNEYS						3001970

This circuit has the second largest caseload in the State, yet it remains fifth in funding.

As such, this office does not have the funding to support death penalty certified attorneys.

Without funding for capital qualified attorneys, these cases and the associated costs will be shifted to higher costs alternatives such as the regional counsel or private conflict attorneys.

This issue requests funding to provide the salary dollars necessary to hire and keep four additional attorneys certified for death penalty cases.

SUMMARY: This amended change updates the narrative and adjusts the salary rate requested per position from \$75,000 to \$80,000. The corresponding benefits were adjusted as well.

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POSITION DETAIL OF SALARIES AND BENEFITS:

	FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A12 - AGY FIN REQ FY 2016-17							
NEW POSITIONS							
5901 ASST PUBLIC DEFENDER							
N0001 001	4.00	300,000		137,172	437,172	0.00	437,172
TOTALS FOR ISSUE BY FUND							
1000 GENERAL REVENUE FUND							437,172
	4.00	300,000		137,172	437,172		437,172

COL A12		COL A14		COL A15		COL A16		COL A14-A12		CODES
AGY FIN REQ FY 2016-17	POS	AGY AMD REQ FY 2016-17	POS	AGY AMD N/R FY 2016-17	POS	AGY AMD ANZ FY 2016-17	POS	AGY AMD REQ FY 2016-17 OVER(UNDER)	AGY FIN REQ FY 2016-17	
AMOUNT		AMOUNT		AMOUNT		AMOUNT		AMOUNT	AMOUNT	

JUSTICE ADMINISTRATION										21000000
PUBLIC DEFENDERS										21600000
PGM: PD-9TH JUD CIRCUIT										21600900
PUBLIC PROTECTION										12
LEGAL REPRESENTATION										1203.00.00.00
WORKLOAD										3000000
CAPITAL QUALIFIED ATTORNEYS										3001970

POSITION DETAIL OF SALARIES AND BENEFITS:

	FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A14 - AGY AMD REQ FY 2016-17							
NEW POSITIONS							
5901 ASST PUBLIC DEFENDER N0001 001	4.00	320,000		142,996	462,996	0.00	462,996
TOTALS FOR ISSUE BY FUND							
1000 GENERAL REVENUE FUND							462,996
	4.00	320,000		142,996	462,996		462,996

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HUMAN RESOURCE DEVELOPMENT (TRAINING AND EDUCATION)							3800000
COMPETENCY ENHANCEMENT TRAINING PROGRAM							3800510
SALARY RATE							000000
SALARY RATE.....		240,000			240,000		
SALARIES AND BENEFITS							010000
GENERAL REVENUE FUND -STATE	4.00				4.00		359,700
		359,700					1000 1

	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ FY 2016-17	AGY AMD REQ FY 2016-17	AGY AMD N/R FY 2016-17	AGY AMD ANZ FY 2016-17	AGY AMD REQ FY 2016-17	AGY FIN REQ FY 2016-17
	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-9TH JUD CIRCUIT						21600900
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
HUMAN RESOURCE DEVELOPMENT (TRAINING AND EDUCATION)						3800000
COMPETENCY ENHANCEMENT TRAINING PROGRAM						3800510
SPECIAL CATEGORIES						100000
PUBLIC DEFENDER OPERATIONS						103226
GENERAL REVENUE FUND -STATE		96,000	19,306		96,000	1000 1
TOTAL: COMPETENCY ENHANCEMENT TRAINING PROGRAM						3800510
TOTAL POSITIONS.....	4.00				4.00	
TOTAL ISSUE.....		455,700	19,306		455,700	
TOTAL SALARY RATE.....	240,000				240,000	

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AGENCY ISSUE NARRATIVE:

2016-2017 BUDGET YEAR NARRATIVE: IT COMPONENT? NO

Amended FY 2016-17 Narrative after December 4, 2015

The Competency Enhancement Program provides mental health screening and competency enhancement training (aka restoration) for defendants awaiting adjudication at both the Orange and Osceola County Jails and in the community. The inmates are screened by a trained mental health professional within 24 hours of arrest in order to identify inmates with mental health concerns who need help with forensic competency. The forensic social worker obtains mental health records, begins the process of restoration and assists with expert evaluations as needed. The result is that inmates spend less time in jail prior to the disposition of their case and are far less likely to need to be restored at the state hospital. Inmates who successfully complete the Competency Enhancement Program are able to proceed with their case and avoid placement in an expensive state sponsored facility. DCF audits and analyses have proven that cost savings annually. The Ninth Circuit is far more efficient and effective at this than any other circuit therefore funding for this issue will provide staff and resources to assist other circuits with implementing similar cost saving programs.

Nationwide, the literature is in complete agreement that community and jail-based competency restoration saves state dollars and ensures that defendants do not spend months waiting for a hospital bed. The Circuit 9 program was a novel idea almost a decade ago. An Orlando Sentinel article in early 2007 credited the program when Pinellas County charges against DCF were dropped after they promised to replicate a plan being developed in Orange and Osceola Counties. In 2008, the Office of Program Policy Analysis and Government Accountability (OPPAGA) attempted to shed light on the problem by sharing DCF's statistics that the average per diem cost for a defendant in a community program is about \$59 while the forensic facility was \$337 per diem. At that time, DCF reported an average of 106 days to restore a single defendant at



	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY AMD REQ	
	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	
	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
						CODES
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-9TH JUD CIRCUIT						21600900
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
HUMAN RESOURCE DEVELOPMENT (TRAINING AND EDUCATION)						3800000
COMPETENCY ENHANCEMENT TRAINING PROGRAM						3800510

an average cost of \$36,000. The same year, a national report by the Consensus Project discussed the program and the Orlando Sentinel article reported that, Orange County could be the national model for communities to improve how jails treat inmates with mental illness. Still, almost a decade after the original idea was put into fruition, statistics show that most of the state remains in crisis; with this region being a stark exception. Across the state, there is a growing problem with large populations of incompetent defendants who are challenging the capacities of the state hospitals. We are offering our services to create and implement a pilot training program as well as to provide direct services for circuits where these issues are reaching a crisis point. The Ninth Circuit will share this proven, successful model as a pilot model, thus solving an imminent dilemma and potentially saving the state millions of dollars.

SUMMARY: This is a new issue.

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POSITION DETAIL OF SALARIES AND BENEFITS:

	FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A14 - AGY AMD REQ FY 2016-17							
NEW POSITIONS							
5901 ASST PUBLIC DEFENDER							
N0001 001	4.00	240,000		119,700	359,700	0.00	359,700
TOTALS FOR ISSUE BY FUND							
1000 GENERAL REVENUE FUND							359,700
	4.00	240,000		119,700	359,700		359,700

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	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY AMD REQ	
	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	
	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-9TH JUD CIRCUIT						21600900
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
HUMAN RESOURCE DEVELOPMENT						3800000
(TRAINING AND EDUCATION)						38007C0
FORENSIC SCIENCE TRAINING PROGRAM						000000
SALARY RATE						
SALARY RATE.....		65,000			65,000	
SALARIES AND BENEFITS						010000
GENERAL REVENUE FUND -STATE		1.00			1.00	96,382
			96,382			1000 1
SPECIAL CATEGORIES						100000
PUBLIC DEFENDER OPERATIONS						103226
GENERAL REVENUE FUND -STATE			82,250	19,306		82,250
						1000 1
TOTAL: FORENSIC SCIENCE TRAINING PROGRAM						38007C0
TOTAL POSITIONS.....		1.00			1.00	
TOTAL ISSUE.....			178,632	19,306		178,632
TOTAL SALARY RATE.....		65,000			65,000	

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AGENCY ISSUE NARRATIVE:  
 2016-2017 BUDGET YEAR NARRATIVE:

IT COMPONENT? YES

Amended FY 2016-17 Narrative after December 4, 2015

The Ninth Circuit Public Defender, in collaboration with the University of Central Florida, will create training programs on the state of the art in forensic science as it applies to our justice system. These programs will consist of live, video recorded and online streaming instruction, provided by top scientists from across the nation, made accessible to all Florida attorneys. The purpose of these collaborative efforts is to identify for our courts and litigants what is junk science and what is real state of the art forensic science. By capturing presentations and testimonials from accepted leaders in the various sciences, and by making this information available throughout our justice system, our attorneys and courts can be assured that Florida standards for evidence are solidly based in real science. This on-going program will provide the opportunity for fewer wrongful dispositions and fewer cases remanded for new trials, which will result in more effective use of our dollars and greater justice throughout the State.

COL A12	COL A14	COL A15	COL A16	COL A14-A12	CODES
AGY FIN REQ FY 2016-17 POS AMOUNT	AGY AMD REQ FY 2016-17 POS AMOUNT	AGY AMD N/R FY 2016-17 POS AMOUNT	AGY AMD ANZ FY 2016-17 POS AMOUNT	AGY AMD REQ FY 2016-17 OVER(UNDER) AGY FIN REQ FY 2016-17 POS AMOUNT	
					21000000
					21600000
					21600900
					12
					<u>1203.00.00.00</u>
					3800000
					38007C0

JUSTICE ADMINISTRATION  
 PUBLIC DEFENDERS  
PGM: PD-9TH JUD CIRCUIT  
 PUBLIC PROTECTION  
LEGAL REPRESENTATION  
 HUMAN RESOURCE DEVELOPMENT  
 (TRAINING AND EDUCATION)  
 FORENSIC SCIENCE TRAINING PROGRAM

This office is requesting 1 APD position and operating expenses necessary to produce the training programs. This includes expert travel, venue, recording, editing, and web services.

SUMMARY: This is a new issue.

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POSITION DETAIL OF SALARIES AND BENEFITS:

	FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A14 - AGY AMD REQ FY 2016-17							
NEW POSITIONS							
5901 ASST PUBLIC DEFENDER							
N0001 001	1.00	65,000		31,382	96,382	0.00	96,382
TOTALS FOR ISSUE BY FUND							
1000 GENERAL REVENUE FUND							96,382
	1.00	65,000		31,382	96,382		96,382

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	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY AMD REQ	
	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	
	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-9TH JUD CIRCUIT						21600900
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
OTHER PROGRAMS						4200000
ENHANCED JUVENILE DEFENSE						4200100
SALARY RATE						000000
SALARY RATE.....	57,000	168,000			111,000	
=====						
SALARIES AND BENEFITS						010000
GENERAL REVENUE FUND -STATE	1.00 86,052	3.00 254,281			2.00 168,229	1000 1
=====						
SPECIAL CATEGORIES						100000
PUBLIC DEFENDER OPERATIONS						103226
GENERAL REVENUE FUND -STATE	6,618	13,935	8,274		7,317	1000 1
=====						
TOTAL: ENHANCED JUVENILE DEFENSE						4200100
TOTAL POSITIONS.....	1.00	3.00			2.00	
TOTAL ISSUE.....	92,670	268,216	8,274		175,546	
TOTAL SALARY RATE.....	57,000	168,000			111,000	
=====						

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AGENCY ISSUE NARRATIVE:

2016-2017 BUDGET YEAR NARRATIVE:

IT COMPONENT? NO

The Ninth Circuit arrests five to ten year old children at a rate four times higher than the statewide average.

Over the last five years, 734 children have been arrested in Orange and Osceola Counties that are five to ten years old. These children have no attorney to speak for them while they are detained at the Juvenile Assessment Center.

Funding in this issue represents the minimum staffing needs and salary requirements for an experienced attorney to provide initial advocacy to these children.

Amended FY 2016-17 Narrative after December 4, 2015

For the last five years the Ninth Circuit has led the State in numbers of juveniles arrested and in the numbers of 5 to 10 years old arrested. Last year the Department of Juvenile Justice reported 8,162 juveniles were arrested in the Ninth Circuit - 1,339 more than any other circuit - of which 107 were children between the ages of five and ten years old. The

COL A12	COL A14	COL A15	COL A16	COL A14-A12	CODES
AGY FIN REQ FY 2016-17 POS AMOUNT	AGY AMD REQ FY 2016-17 POS AMOUNT	AGY AMD N/R FY 2016-17 POS AMOUNT	AGY AMD ANZ FY 2016-17 POS AMOUNT	AGY AMD REQ FY 2016-17 OVER(Under) AGY FIN REQ FY 2016-17 POS AMOUNT	
JUSTICE ADMINISTRATION					21000000
PUBLIC DEFENDERS					21600000
PGM: PD-9TH JUD CIRCUIT					21600900
PUBLIC PROTECTION					12
LEGAL REPRESENTATION					1203.00.00.00
OTHER PROGRAMS					4200000
ENHANCED JUVENILE DEFENSE					4200100

Public Defender will work with the Department of Juvenile Justice (DJJ) and local law enforcement agencies to promote the use of civil citations, alternatives to arrest, and diversion programs for our children. Additional assistant public defenders are needed to advocate for these children in order to provide more effective alternatives to arrests and the criminal justice system. This issue requests funding for three additional assistant public defenders.

SUMMARY: This issue has been amended to increase the requested amount of Assistant Public Defender FTE positions from one to three.

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POSITION DETAIL OF SALARIES AND BENEFITS:

FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A12 - AGY FIN REQ FY 2016-17						
NEW POSITIONS						
5901 ASST PUBLIC DEFENDER N0001 001	1.00	57,000	29,052	86,052	0.00	86,052
TOTALS FOR ISSUE BY FUND						
1000 GENERAL REVENUE FUND	1.00	57,000	29,052	86,052		86,052

A14 - AGY AMD REQ FY 2016-17

NEW POSITIONS						
5901 ASST PUBLIC DEFENDER N0001 001	3.00	168,000	86,281	254,281	0.00	254,281

	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY AMD REQ	
	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	
	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
						CODES
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-9TH JUD CIRCUIT						21600900
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
OTHER PROGRAMS						4200000
ENHANCED JUVENILE DEFENSE						4200100

POSITION DETAIL OF SALARIES AND BENEFITS:

	FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A14 - AGY AMD REQ FY 2016-17							
NEW POSITIONS							
TOTALS FOR ISSUE BY FUND							
1000 GENERAL REVENUE FUND							254,281
	3.00	168,000		86,281	254,281		254,281

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ASSISTANT PUBLIC DEFENDER SALARY							4204A00
PARITY							000000
SALARY RATE							
SALARY RATE.....	669,415	669,415					
SALARIES AND BENEFITS							010000
GENERAL REVENUE FUND -STATE	864,081	864,081					1000 1
TOTAL: ASSISTANT PUBLIC DEFENDER SALARY							4204A00
PARITY							
TOTAL ISSUE.....	864,081	864,081					
TOTAL SALARY RATE.....	669,415	669,415					

COL A12	COL A14	COL A15	COL A16	COL A14-A12	CODES
AGY FIN REQ FY 2016-17 POS AMOUNT	AGY AMD REQ FY 2016-17 POS AMOUNT	AGY AMD N/R FY 2016-17 POS AMOUNT	AGY AMD ANZ FY 2016-17 POS AMOUNT	AGY AMD REQ FY 2016-17 OVER(UNDER) AGY FIN REQ FY 2016-17 POS AMOUNT	
					21000000
					21600000
					21600900
					12
					<u>1203.00.00.00</u>
					4200000
					4204A00

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AGENCY ISSUE NARRATIVE:

2016-2017 BUDGET YEAR NARRATIVE:

IT COMPONENT? NO

The Public Defender Office in the Ninth Circuit has an average salary for assistant public defenders of \$53,500. This is \$6,172 below the statewide average for assistant public defenders. The average salary for assistant public defenders statewide is \$59,672. Nine Public Defenders offer salaries that average over \$60,000. The Ninth Circuit Public Defender is the second largest circuit by cases and yet the sixth in funding. This issue requests funding necessary to bring parity to the salaries of ninth circuit assistant public defenders.

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POSITION DETAIL OF SALARIES AND BENEFITS:

FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A12 - AGY FIN REQ FY 2016-17						
CHANGES TO CURRENTLY AUTHORIZED POSITIONS						
RA01 RATE & SALARY ADJ - BENEFITS NO FTE						
N0001 001	0.00	669,415	194,666	864,081	0.00	864,081
TOTALS FOR ISSUE BY FUND						
1000 GENERAL REVENUE FUND						864,081
	0.00	669,415	194,666	864,081		864,081

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	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY AMD REQ	
	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	
	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-9TH JUD CIRCUIT						21600900
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
OTHER PROGRAMS						4200000
ASSISTANT PUBLIC DEFENDER SALARY						
PARITY						4204A00

POSITION DETAIL OF SALARIES AND BENEFITS:

	FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A14 - AGY AMD REQ FY 2016-17							
CHANGES TO CURRENTLY AUTHORIZED POSITIONS							
RA01 RATE & SALARY ADJ - BENEFITS NO FTE							
N0001 001	0.00	669,415		194,666	864,081	0.00	864,081
TOTALS FOR ISSUE BY FUND							
1000 GENERAL REVENUE FUND							864,081
	0.00	669,415		194,666	864,081		864,081

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TOTAL: LEGAL REPRESENTATION							1203.00.00.00
BY FUND TYPE							
GENERAL REVENUE FUND.....	5.00	12.00			7.00		
SALARY RATE.....	1,412,503	2,248,205	57,918		835,702	1000	
	1,026,415	1,462,415			436,000		

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	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY AMD REQ	
	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	
	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-11TH JUD CIRCUIT						21601100
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
EQUIPMENT NEEDS						2400000
ADDITIONAL EQUIPMENT - MOTOR						
VEHICLES						2402400
SPECIAL CATEGORIES						100000
ACQUISITION/MOTOR VEHICLES						100021
INDIGENT CRIM DEFENSE TF -STATE		50,000				50,000- 2974 1

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AGENCY ISSUE NARRATIVE:

2016-2017 BUDGET YEAR NARRATIVE:

IT COMPONENT? NO

This is a request to purchase two vehicles to be used primarily by attorneys for jail visits for client interviews at remotely located jails.

In order to better accommodate more than one attorney per vehicle, together with their case materials, we are requesting two Ford Fusion 4dr Hybrid Sedans. The amount being requested is based on the State of Florida term contract (number 25100000-15-1) motor vehicle price sheet plus estimated fees.

Amended FY 2016-17 Narrative after December 4, 2015

Summary: This issue has been deleted.

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	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY AMD REQ	
	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	
	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
						CODES
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-11TH JUD CIRCUIT						21601100
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
WORKLOAD						3000000
UNITED STATES SUPREME COURT GRAHAM AND MILLER MANDATE - JUVENILE						3009020
MITIGATION AND SENTENCING ADVOCACY						000000
SALARY RATE						
SALARY RATE.....	198,000	198,000				
SALARIES AND BENEFITS						010000
GENERAL REVENUE FUND -STATE	4.00	4.00				1000 1
	291,573	291,573				
SPECIAL CATEGORIES						100000
PUBLIC DEFENDER OPERATIONS						103226
GENERAL REVENUE FUND -STATE	17,180	17,180	11,032			1000 1
TOTAL: UNITED STATES SUPREME COURT GRAHAM AND MILLER MANDATE - JUVENILE MITIGATION AND SENTENCING ADVOCACY						3009020
TOTAL POSITIONS.....	4.00	4.00				
TOTAL ISSUE.....	308,753	308,753	11,032			
TOTAL SALARY RATE.....	198,000	198,000				

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AGENCY ISSUE NARRATIVE:

2016-2017 BUDGET YEAR NARRATIVE:

IT COMPONENT? NO

In Graham v. Florida, 130 S. Ct. 2011 (2010), the United States Supreme Court held that a sentence of life without parole violated the Eighth Amendment when imposed upon a juvenile convicted of a non-capital felony. Then, in Miller v. Alabama, 132 S. Ct. 2455 (2012), the United States Supreme Court held that mandatory life sentences for juveniles in homicide cases violated the Eighth Amendment. The two decisions mandate that we broaden our efforts to develop mitigation evidence and enhance our sentencing advocacy for juvenile clients we presently represent, as well as for clients we previously represented whose sentences run afoul of the constitutional precepts set forth in the cases. This effort will require substantial discovery, retention of experts and the presentation of expert and non-expert mitigation evidence. The workload resulting from these increased responsibilities necessitates this request for two (2) additional Assistant Public Defender (APD) positions at a salary rate of \$59,000 per position, one (1) Disposition Specialist at a salary rate of \$45,000 and one (1) Investigator at a salary rate of \$35,000. The salary rate for all positions is based on salaries

	COL A12	COL A14	COL A15	COL A16	COL A14-A12 AGY AMD REQ FY 2016-17 OVER(UNDER)	AGY FIN REQ FY 2016-17	CODES
	AGY FIN REQ FY 2016-17	AGY AMD REQ FY 2016-17	AGY AMD N/R FY 2016-17	AGY AMD ANZ FY 2016-17	AGY FIN REQ FY 2016-17		
	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT		
JUSTICE ADMINISTRATION							21000000
PUBLIC DEFENDERS							21600000
PGM: PD-11TH JUD CIRCUIT							21601100
PUBLIC PROTECTION							12
LEGAL REPRESENTATION							1203.00.00.00
WORKLOAD							3000000
UNITED STATES SUPREME COURT GRAHAM AND MILLER MANDATE - JUVENILE MITIGATION AND SENTENCING ADVOCACY							3009020

for experienced staff, with at a minimum of five year's experience.

Public Defender Operating Expenditures are requested per Standard #3, modified for Public Defenders:

2 Attorneys at \$4,645 = \$ 9,290 Non-recurring at \$2,758 x 2 = \$ 5,516  
 2 Non-attorney Professional at \$3,945 = \$ 7,890 Non-recurring at \$2,758 x 2 = \$ 5,516

Total Operating Expenditures = \$17,180 Non-recurring = \$11,032

POSITION DETAIL OF SALARIES AND BENEFITS:

	FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A12 - AGY FIN REQ FY 2016-17							
NEW POSITIONS							
5572 DISPOSITION SPECIALIST II N0002 001	1.00	45,000		17,898	62,898	0.00	62,898
5661 INVESTIGATOR I N0003 001	1.00	35,000		16,407	51,407	0.00	51,407
5901 ASST PUBLIC DEFENDER N0001 001	2.00	118,000		59,268	177,268	0.00	177,268
TOTALS FOR ISSUE BY FUND							
1000 GENERAL REVENUE FUND							291,573
	4.00	198,000		93,573	291,573		291,573

	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY AMD REQ	
	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	
	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
						CODES
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-11TH JUD CIRCUIT						21601100
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						<u>1203.00.00.00</u>
WORKLOAD						3000000
UNITED STATES SUPREME COURT GRAHAM AND MILLER MANDATE - JUVENILE MITIGATION AND SENTENCING ADVOCACY						3009020

POSITION DETAIL OF SALARIES AND BENEFITS:

	FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A14 - AGY AMD REQ FY 2016-17							
NEW POSITIONS							
5572 DISPOSITION SPECIALIST II N0002 001	1.00	45,000		17,898	62,898	0.00	62,898
5661 INVESTIGATOR I N0003 001	1.00	35,000		16,407	51,407	0.00	51,407
5901 ASST PUBLIC DEFENDER N0001 001	2.00	118,000		59,268	177,268	0.00	177,268
TOTALS FOR ISSUE BY FUND							
1000 GENERAL REVENUE FUND							291,573
	4.00	198,000		93,573	291,573		291,573

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TOTAL: LEGAL REPRESENTATION							<u>1203.00.00.00</u>
BY FUND TYPE							
GENERAL REVENUE FUND	308,753	308,753	11,032				1000
TRUST FUNDS	50,000					50,000-	2000
TOTAL POSITIONS.....	4.00	4.00					
TOTAL PROG COMP.....	358,753	308,753	11,032			50,000-	
TOTAL SALARY RATE.....	198,000	198,000					

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	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY AMD REQ	
	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	
	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-13TH JUD CIRCUIT						21601300
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
WORKLOAD						3000000
UNITED STATES SUPREME COURT GRAHAM AND MILLER MANDATE - JUVENILE						
MITIGATION AND SENTENCING ADVOCACY						3009020
SALARY RATE						000000
SALARY RATE.....	100,078	178,184			78,106	
SALARIES AND BENEFITS						010000
GENERAL REVENUE FUND -STATE	115,000	230,000			115,000	1000 1
SPECIAL CATEGORIES						100000
PUBLIC DEFENDER OPERATIONS						103226
GENERAL REVENUE FUND -STATE	8,590	17,180	11,032		8,590	1000 1
TOTAL: UNITED STATES SUPREME COURT GRAHAM AND MILLER MANDATE - JUVENILE MITIGATION AND SENTENCING ADVOCACY						3009020
TOTAL ISSUE.....	123,590	247,180	11,032		123,590	
TOTAL SALARY RATE.....	100,078	178,184			78,106	

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AGENCY ISSUE NARRATIVE:

2016-2017 BUDGET YEAR NARRATIVE:

IT COMPONENT? NO

In March, 2015, the Supreme Court of Florida decided several important cases allowing for re-sentencing of juveniles sentenced to life or sentenced to a term of years that is equivalent to life. Henry v. State, 160 So.3d 393 (Fla. 2015), Falcon v. State, 162 So. 3d 954 (Fla. 2015) and Gridine v. State, 2015 WL 123954 (March 19, 2015). Essentially, the Court ruled that juveniles sentenced to life without parole or the equivalent of life without parole are entitled to individualized re-sentencing hearings. Further, the court held that sections 921.1401, 921.1402, and 775.082, Florida Statutes (2014), apply retroactively and should govern the re-sentencing hearings and review hearings that could occur at 15 year and 25 year intervals, depending on the nature of the conviction. A review of local case management data and statewide Department of Corrections records has identified more than 1,700 people who were juveniles when sentenced and who may now qualify for re-sentencing under the new statute, some of whom have been in prison for more than 20 years. Many of these individuals are immediately entitled to re-sentencing and/or review. It is also anticipated another important decision will be decided shortly that may allow for re-sentencing for juveniles sentenced to life under the

	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY FIN REQ	
	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	
	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
						CODES
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-13TH JUD CIRCUIT						21601300
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
WORKLOAD						3000000
UNITED STATES SUPREME COURT GRAHAM AND MILLER MANDATE - JUVENILE MITIGATION AND SENTENCING ADVOCACY						3009020

parole system. See Atwell v. State, 128 So.3d 167 (Fla. 4th DCA 2013)( review granted 160 So.3d 892), which will mean additional clients will be entitled to re-sentencing. The Thirteenth Judicial Circuit has identified 15 individuals entitled to immediate action and potentially another 44 individuals in need of assistance.

This issue has significant statewide impact for Public Defenders due to the novelty and complexity of the legal and procedural issues. Florida law requires the court to look at the following factors in determining the appropriate sentence: (1) the nature and circumstances of the offense; (2) the effect of the crime on the victim's family and community; (3) the defendant's age, maturity, intellectual capacity, and emotional health; (4) the defendant's background; (5) the effect of immaturity, impetuosity, or failure to appreciate risks and consequences on defendant's participation in the offense; (6) the extent of defendant's participation in the offense; (7) the effect of familial pressure or peer pressure on the defendant's actions; (8) the nature and extent of defendant's prior criminal history; (9) the effect of characteristics attributable to defendant's youth; and (10) the possibility of rehabilitating the defendant, section 921.1401(2). It is, essentially, a de novo review of the original sentence. This is true even in those cases where the then-juvenile entered a voluntary plea to the charges. In order to represent these clients adequately, an entire life history must be gathered, evaluations must be conducted, interviews of family and friends undertaken, records gathered, and interviews with teachers, neighbors, program caseworkers, correctional staff, and other people who may assist in understanding and presenting the client's life story and present information the court must consider in the re-sentencing.

We have identified a need for one (1) experienced attorney and one (1) mitigation specialist who are capable of handling homicide cases to be dedicated to this specialized work. In addition to the necessary General Revenue funding, there is a need for increased Due Process funding to ensure Public Defenders can re-develop an attorney/client relationship, make extensive client visits, obtain mental evaluations and testimony by expert witnesses, conduct criminal defense and mitigation investigations, obtain records (corrections, mental health, school, medical), and obtain transcripts of prior hearings. We have estimated a need of \$5,000 for each case.

This funding must be recurring; a one-year appropriation will not be sufficient. There are many individuals who qualify, or are expected to soon qualify, for re-sentencing. The cases are complex and must not be litigated in haste. Additionally, once the initial round of re-sentencing hearings is complete, there are a number of clients who will be entitled to sentence review under section 921.1402. Interviews will be undertaken, psychological and sociological evaluations conducted, and history of incarceration and potential and extent of rehabilitation reviewed. Release plans will also have to be designed and proposed to include housing, employment, and other re-entry services.

To ensure proper staffing, the Public Defender's Office requests funding for one (1) senior attorney and one (1) disposition specialist. The operations request is based on the standard expenses and human resource services assessment

	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
					AGY AMD REQ	
					FY 2016-17	
					OVER(UNDER)	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY FIN REQ	
	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	
POS	AMOUNT	POS	AMOUNT	POS	AMOUNT	POS
						AMOUNT
						CODES
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-13TH JUD CIRCUIT						21601300
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
WORKLOAD						3000000
UNITED STATES SUPREME COURT GRAHAM AND MILLER MANDATE - JUVENILE						3009020
MITIGATION AND SENTENCING ADVOCACY						

package developed by OPB in the amount of 1 attorney, total package cost of \$4,645 and non-recurring cost of \$2,758; 1 non-attorney, total package cost of \$3,945 and non-recurring cost of \$2,758. No Full-Time Equivalent (FTEs) are required, as vacant positions will be utilized.

Amended 2016-17 Narrative after December 4, 2015

In March, 2015, the Supreme Court of Florida decided several important cases allowing for re-sentencing of juveniles sentenced to life or sentenced to a term of years that is equivalent to life. Henry v. State, 160 So.3d 393 (Fla. 2015), Falcon v. State, 162 So. 3d 954 (Fla. 2015) and Gridine v. State, 2015 WL 123954 (March 19, 2015). Essentially the Court ruled that juveniles sentenced to life without parole or the equivalent of life without parole are entitled to individualized re-sentencing hearings. Further the court held that sections 921.1401, 921.1402, and 775.082, Florida Statutes (2014) apply retroactively and should govern the re-sentencing hearings and review hearings that could occur at 15 year and 25 year intervals, depending on the nature of the conviction. A review of local case management data and statewide Department of Corrections records has identified more than 1,700 people who were juveniles when sentenced and who may now qualify for re-sentencing under the new statute, some of whom have been in prison for more than 20 years. Many of these individuals are immediately entitled to re-sentencing and/or review. It is also anticipated another important decision will be decided shortly that may allow for re-sentencing for juveniles sentenced to life under the parole system. See Atwell v. State, 128 So.3d 167 (Fla. 4th DCA 2013)(review granted 160 So.3d 892), which will mean additional clients will be entitled to re-sentencing. The Thirteenth Judicial Circuit has identified 15 individuals entitled to immediate action and potentially another 44 individuals in need of assistance.

This issue has significant statewide impact for Public Defenders due to the novelty and complexity of the legal and procedural issues. Florida law requires the Court to look at the following factors in determining the appropriate sentence: (1) the nature and circumstances of the offense; (2) the effect of the crime on the victim's family and community; (3) the defendant's age, maturity, intellectual capacity, and emotional health; (4) the defendant's background; (5) the effect of immaturity, impetuosity, or failure to appreciate risks and consequences on defendant's participation in the offense; (6) the extent of defendant's participation in the offense; (7) the effect of familial pressure or peer pressure on the defendant's actions; (8) the nature and extent of defendant's prior criminal history; (9) the effect of characteristics attributable to defendant's youth; and (10) the possibility of rehabilitating the defendant, section 921.1401(2). It is, essentially, a de novo review of the original sentence. This is true even in those cases where the then-juvenile entered a voluntary plea to the charges. In order to represent these clients adequately, an entire life history must be gathered, evaluations must be conducted, interviews of family and friends undertaken, records gathered, and interviews with teachers, neighbors, program caseworkers, correctional staff, and other people who may assist in understanding and presenting the client's life story and present information the court must consider in the

	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY AMD REQ	
	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	
	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
						CODES
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-13TH JUD CIRCUIT						21601300
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
WORKLOAD						3000000
UNITED STATES SUPREME COURT GRAHAM AND MILLER MANDATE - JUVENILE MITIGATION AND SENTENCING ADVOCACY						3009020

re-sentencing.

We have identified a need for two (2) experienced attorneys and two (2) non-attorney professional positions who are capable of handling homicide cases to be dedicated to this specialized work. In addition to the necessary General Revenue funding, there is a need for increased Due Process funding to ensure Public Defenders can re-develop an attorney/client relationship, make extensive client visits, obtain mental evaluations and testimony by expert witnesses, conduct criminal defense and mitigation investigations, obtain records (corrections, mental health, school, medical), and obtain transcripts of prior hearings. We have estimated a need of \$5,000 for each case which is requested under issue code 5300200 in the Justice Administrative Commission's Legislative Budget Request.

This funding must be recurring; a one-year appropriation will not be sufficient. There are many individuals who qualify, or are expected to soon qualify, for re-sentencing. The cases are complex and must not be litigated in haste. Additionally, once the initial round of re-sentencing hearings is complete, there are a number of clients who will be entitled to sentence review under section 921.1402. Interviews will be undertaken, psychological and sociological evaluations conducted, and history of incarceration and potential and extent of rehabilitation reviewed. Release plans will also have to be designed and proposed to include housing, employment, and other re-entry services.

To ensure proper staffing, the Public Defender's Office requests funding for two (2) senior attorneys, one (1) disposition specialist and one (1) investigator. The operations request is based on the standard expenses and human resource services assessment package developed by the Governor's Office of Policy and Budget (OPB) in the amount of 2 attorneys, total package cost of \$9,290 with a non-recurring cost of \$5,516; 2 non-attorney professionals, total package cost of \$7,890 and non-recurring cost of \$5,516. No Full-Time Equivalent (FTE) are required, as vacant positions will be utilized.

Summary: this issue has been amended to include funding for four positions. The net increase in General Revenue requested is \$123,590.

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COL A12	COL A14	COL A15	COL A16	COL A14-A12	CODES
AGY FIN REQ FY 2016-17	AGY AMD REQ FY 2016-17	AGY AMD N/R FY 2016-17	AGY AMD ANZ FY 2016-17	AGY AMD REQ FY 2016-17 OVER(UNDER) AGY FIN REQ FY 2016-17	
POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT	
JUSTICE ADMINISTRATION					21000000
PUBLIC DEFENDERS					21600000
PGM: PD-13TH JUD CIRCUIT					21601300
PUBLIC PROTECTION					12
LEGAL REPRESENTATION					1203.00.00.00
WORKLOAD					3000000
UNITED STATES SUPREME COURT GRAHAM AND MILLER MANDATE - JUVENILE					
MITIGATION AND SENTENCING ADVOCACY					3009020

POSITION DETAIL OF SALARIES AND BENEFITS:

FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A12 - AGY FIN REQ FY 2016-17						
CHANGES TO CURRENTLY AUTHORIZED POSITIONS						
RA01 RATE & SALARY ADJ - BENEFITS NO FTE						
N0001 001	0.00	100,078	14,922	115,000	0.00	115,000
TOTALS FOR ISSUE BY FUND						
1000 GENERAL REVENUE FUND						115,000
0.00	100,078		14,922	115,000		115,000

A14 - AGY AMD REQ FY 2016-17

CHANGES TO CURRENTLY AUTHORIZED POSITIONS						
RA01 RATE & SALARY ADJ - BENEFITS NO FTE						
N0001 001	0.00	178,184	51,816	230,000	0.00	230,000
TOTALS FOR ISSUE BY FUND						
1000 GENERAL REVENUE FUND						230,000
0.00	178,184		51,816	230,000		230,000

	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
					AGY AMD REQ	
					FY 2016-17	
					OVER(UNDER)	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY FIN REQ	
	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	
POS	AMOUNT	POS	AMOUNT	POS	AMOUNT	POS
						AMOUNT
						CODES
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-13TH JUD CIRCUIT						21601300
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
TOTAL: LEGAL REPRESENTATION						1203.00.00.00
BY FUND TYPE						
GENERAL REVENUE FUND.....	123,590	247,180	11,032		123,590	1000
SALARY RATE.....	100,078	178,184			78,106	
	=====	=====	=====	=====	=====	

	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
					AGY AMD REQ	
					FY 2016-17	
					OVER(UNDER)	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY FIN REQ	
	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	
POS	AMOUNT	POS	AMOUNT	POS	AMOUNT	CODES
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-16TH JUD CIRCUIT						21601600
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
ADJUSTMENTS TO CURRENT YEAR						
ESTIMATED EXPENDITURES						1600000
REAPPROVAL OF SALARY RATE TRANSFER						
BETWEEN BUDGET ENTITIES						160A020
SALARY RATE						000000
SALARY RATE.....		50,000-			50,000-	

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AGENCY ISSUE NARRATIVE:  
 2016-2017 BUDGET YEAR NARRATIVE:

IT COMPONENT? NO

Amended 2016-17 Narrative after December 4, 2015

The Public Defenders in the Fifth and Sixteenth Judicial Circuits are requesting the re-approval of Fiscal Year 2015-16 Budget Amendment numbered 16-032-PD16, P028 approved 11/23/15. The Public Defender, 16th Circuit has agreed to assist the Public Defender, 5th Circuit with a salary rate shortfall via a permanent transfer of 50,000 in rate.

Summary: This is a new issue.

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POSITION DETAIL OF SALARIES AND BENEFITS:

	FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A14 - AGY AMD REQ FY 2016-17							
CHANGES TO CURRENTLY AUTHORIZED POSITIONS							
RA06 RATE ADJ - NO FTE - NO SALARY - NO BENEFITS							
N0001 001		50,000-					
TOTAL SALARY RATE		50,000-					

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	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY AMD REQ	
	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	
	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
						CODES
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-16TH JUD CIRCUIT						21601600
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
ADJUSTMENTS TO CURRENT YEAR						
ESTIMATED EXPENDITURES						1600000
TRANSFER FUNDS BETWEEN CATEGORIES						
- ADD						160F010
SPECIAL CATEGORIES						100000
PUBLIC DEFENDER OPERATIONS						103226
GENERAL REVENUE FUND -STATE	20,000	20,000				1000 1

\*\*\*\*\*

AGENCY ISSUE NARRATIVE:  
 2016-2017 BUDGET YEAR NARRATIVE: IT COMPONENT? NO

The Public Defender's Office in the 16th Judicial Circuit is requesting re-approval of budget transfer numbered 16-008-PD16X, EOG Number B7018. This office transfers budget every year into the Operations category in order to meet first quarter expenditures. Re-approval of the Fiscal Year 2015-16 budget transfer will preclude this office from processing budget transfers in the first quarter of each year and will assist in meeting anticipated bills that are due in the first three months of every fiscal year.

Please see corresponding issue code 160F020 "Transfer Between Categories - Deduct."

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TRANSFER FUNDS BETWEEN CATEGORIES						
- DEDUCT						160F020
SALARIES AND BENEFITS						010000
GENERAL REVENUE FUND -STATE	20,000-	20,000-				1000 1

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AGENCY ISSUE NARRATIVE:  
 2016-2017 BUDGET YEAR NARRATIVE: IT COMPONENT? NO

The Public Defender's Office in the 16th Judicial Circuit is requesting re-approval of budget transfer numbered 16-008-PD16X, EOG Number B7018. This office transfers budget every year into the Operations category in order to meet first quarter expenditures. Re-approval of the Fiscal Year 2015-16 budget transfer will preclude this office from processing budget transfers in the first quarter of each year and will assist in meeting anticipated bills that are due in the first three months of every fiscal year.

	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY AMD REQ	
	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	
	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
						CODES
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-16TH JUD CIRCUIT						21601600
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
ADJUSTMENTS TO CURRENT YEAR						
ESTIMATED EXPENDITURES						1600000
TRANSFER FUNDS BETWEEN CATEGORIES						
- DEDUCT						160F020

Please see corresponding issue code 160F010 "Transfer Between Categories - Add."

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POSITION DETAIL OF SALARIES AND BENEFITS:

	FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A12 - AGY FIN REQ FY 2016-17							
CHANGES TO CURRENTLY AUTHORIZED POSITIONS							
OTHER SALARY AMOUNT							
1000 GENERAL REVENUE FUND							20,000-
							-----
							20,000-
							=====

A14 - AGY AMD REQ FY 2016-17

CHANGES TO CURRENTLY AUTHORIZED POSITIONS							
OTHER SALARY AMOUNT							
1000 GENERAL REVENUE FUND							20,000-
							-----
							20,000-
							=====

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	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
					AGY AMD REQ	
					FY 2016-17	
					OVER(UNDER)	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY FIN REQ	
	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	
POS	AMOUNT	POS	AMOUNT	POS	AMOUNT	POS
						AMOUNT
						CODES
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-16TH JUD CIRCUIT						21601600
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
PROGRAM OR SERVICE-LEVEL						
INFORMATION TECHNOLOGY						3630000
SUPREME COURT MANDATE SC11-399						
FOR ELECTRONIC FILING						36301C0
SPECIAL CATEGORIES						100000
PUBLIC DEFENDER OPERATIONS						103226
GENERAL REVENUE FUND						
-STATE	6,274	6,274	6,274			1000 1

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AGENCY ISSUE NARRATIVE:

2016-2017 BUDGET YEAR NARRATIVE:

IT COMPONENT? YES

The recent Florida Supreme Court mandate for e-service and e-filing of criminal court documents places a new workload requirement on Florida's Public Defenders. While it is a certainty that E-filing saves paper and facility storage space and eventually will save time and potentially eliminate redundancy, it is also true that new procedures will be required to create electronic documents for e-service and e-filing, track and save e-mail filings and use the statewide e-filing portal currently in development. Proof of e-filing and e-mail receipts from co-counsel, the Clerk, and the prosecution will need to be saved into our case management systems and (electronic and/or physical) case files. New methods of auditing e-filings and e-mail receipts will need to be implemented to ensure every pleading, notice, motion, and other court document has electronic proof of e-service and e-filing.

The mandate for e-filing will ultimately provide a savings in office supplies and storage facilities, and should result in new efficiencies. However, realizing these benefits will require additional process and skills sets in the office. In addition to the current daily responsibilities of public defender employees, we will need employees to work with internal and external technology experts. Employees will be dedicated to scan or image documents according to Supreme Court requirements, e-mail the documents to all associated parties in the required format, upload the electronic documents to the statewide e-filing portal, and upload the documents to the office case management system (or print and file copies into the case file). E-filing is additional work for not only support-staff, but attorneys as well. Staff will need to route, image, and file not only hard copies of documents, but will also be expected to monitor electronic mail for documents serviced by e-mail and, once implemented, for recent electronic filings.

Until e-service and e-filing is fully operational and tested, concurrent manual paper filing and processing will continue to take place to ensure accuracy. This duplication will be costly, but at some point, be eliminated. This budget request takes into consideration this duplication of effort during FY 14-15 and FY 15-16.

It should be noted that while Chapter 29.008(1)(f), F.S. requires the counties to provide for the full funding of public defender information technology needs, it is an extreme burden that many counties are not able to overcome. In order to provide fiscal and personnel support to meet this mandate, refer to Chapter 27.54(4) F.S. which provides that the Public

	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY AMD REQ	
	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	
	POS	POS	POS	POS	POS	AMOUNT
	AMOUNT	AMOUNT	AMOUNT	AMOUNT	AMOUNT	AMOUNT
						CODES
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-16TH JUD CIRCUIT						21601600
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						<u>1203.00.00.00</u>
PROGRAM OR SERVICE-LEVEL						
INFORMATION TECHNOLOGY						3630000
SUPREME COURT MANDATE SC11-399						
FOR ELECTRONIC FILING						36301C0

Defender may expend funds for the purchase of computer systems, including associated hardware and software, and personnel related to this function.

This office is requesting funding for:  
 6 additional high performance imaging scanners @ \$879 each = \$ 5,274  
 10 monitors @ \$100 each = \$ 1,000  
 Total issue \$ 6,274 Non-recurring \$ 6,274

This issue will impact all the criminal and civil investigative and trial activities.

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TOTAL: LEGAL REPRESENTATION						<u>1203.00.00.00</u>
BY FUND TYPE						
GENERAL REVENUE FUND.....	6,274	6,274	6,274			1000
SALARY RATE.....		50,000-			50,000-	
	=====	=====	=====	=====	=====	

	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY FIN REQ	
	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	
	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS APPEL DIV						21650000
PGM: PDA-2ND JUD CIRCUIT						21650200
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
WORKLOAD						3000000
UNITED STATES SUPREME COURT GRAHAM AND MILLER MANDATE - JUVENILE						
MITIGATION AND SENTENCING ADVOCACY						3009020
SALARY RATE						000000
SALARY RATE.....		19,542			19,542	
SALARIES AND BENEFITS		.50			.50	010000
GENERAL REVENUE FUND -STATE		31,460			31,460	1000 1
SPECIAL CATEGORIES						100000
PUBLIC DEFENDER OPERATIONS						103226
GENERAL REVENUE FUND -STATE		2,323	1,379		2,323	1000 1
TOTAL: UNITED STATES SUPREME COURT GRAHAM AND MILLER MANDATE - JUVENILE MITIGATION AND SENTENCING ADVOCACY						3009020
TOTAL POSITIONS.....		.50			.50	
TOTAL ISSUE.....		33,783	1,379		33,783	
TOTAL SALARY RATE.....		19,542			19,542	

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AGENCY ISSUE NARRATIVE:

2016-2017 BUDGET YEAR NARRATIVE:

IT COMPONENT? NO

Amended 2016-17 Narrative after December 4, 2015

In March, 2015, the Supreme Court of Florida decided several important cases allowing for re-sentencing of juveniles sentenced to life or sentenced to a term of years that is equivalent to life. Henry v. State, 160 So.3d 393 (Fla. 2015), Falcon v. State, 162 So. 3d 954 (Fla. 2015) and Gridine v. State, 2015 WL 123954 (March 19, 2015). Essentially the Court ruled that juveniles sentenced to life without parole or the equivalent of life without parole are entitled to individualized re-sentencing hearings. Further the court held that sections 921.1401, 921.1402, and 775.082, Florida Statutes (2014) apply retroactively and should govern the re-sentencing hearings and review hearings that could occur at 15 year and 25 year intervals, depending on the nature of the conviction. A review of local case management data and statewide Department of Corrections records has identified more than 1,700 people who were juveniles when sentenced and



COL A12	COL A14	COL A15	COL A16	COL A14-A12	
AGY FIN REQ FY 2016-17	AGY AMD REQ FY 2016-17	AGY AMD N/R FY 2016-17	AGY AMD ANZ FY 2016-17	AGY FIN REQ FY 2016-17	OVER(UNDER)
POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
JUSTICE ADMINISTRATION					21000000
PUBLIC DEFENDERS APPEL DIV					21650000
PGM: PDA-2ND JUD CIRCUIT					21650200
PUBLIC PROTECTION					12
LEGAL REPRESENTATION					1203.00.00.00
WORKLOAD					3000000
UNITED STATES SUPREME COURT GRAHAM AND MILLER MANDATE - JUVENILE					
MITIGATION AND SENTENCING ADVOCACY					3009020

who may qualify for re-sentencing under the new statute either now or in the foreseeable future, some of whom have been in prison for more than 20 years. Many of these individuals are immediately entitled to re-sentencing and/or review. It is also anticipated another important decision will be decided shortly that may allow for re-sentencing for juveniles sentenced to life under the parole system. See *Atwell v. State*, 128 So.3d 167 (Fla. 4th DCA 2013)(review granted 160 So.3d 892), which will mean additional clients will be entitled to re-sentencing. The 2nd Judicial Circuit anticipates approximately 20 current appellate cases with Miller/Graham issues, and expects a significant additional number of appeals in the year ahead. A significant number of cases from the 32 counties of the First District Court of Appeal will be appealed after the Trial court's actions are completed.

This issue has significant statewide impact for Public Defenders due to the novelty and complexity of the legal and procedural issues. Florida law requires the Court to look at the following factors in determining the appropriate sentence: (1) the nature and circumstances of the offense; (2) the effect of the crime on the victim's family and community; (3) the defendant's age, maturity, intellectual capacity, and emotional health; (4) the defendant's background; (5) the effect of immaturity, impetuosity, or failure to appreciate risks and consequences on defendant's participation in the offense; (6) the extent of defendant's participation in the offense; (7) the effect of familial pressure or peer pressure on the defendant's actions; (8) the nature and extent of defendant's prior criminal history; (9) the effect of characteristics attributable to defendant's youth; and (10) the possibility of rehabilitating the defendant, section 921.1401(2). It is, essentially, *ade novo* review of the original sentence. This is true even in those cases where the then-juvenile entered a voluntary plea to the charges. In order to represent these clients adequately, an entire life history must be gathered, evaluations must be conducted, interviews of family and friends undertaken, records gathered, and interviews with teachers, neighbors, program caseworkers, correctional staff, and other people who may assist in understanding and presenting the client's life story and present information the court must consider in the re-sentencing.

We have identified a need for one half Full-Time Equivalent (FTE) (.50) experienced appellate attorney who is capable of handling homicide cases to be dedicated to this specialized work. In addition to the necessary General Revenue funding, there is a need for increased Due Process funding to ensure Public Defenders can re-develop an attorney/client relationship, make extensive client visits, obtain mental evaluations and testimony by expert witnesses, conduct criminal defense and mitigation investigations, obtain records (corrections, mental health, school, medical), and obtain transcripts of prior hearings. We have estimated a need of \$1,500 for each case.

This funding must be recurring; a one-year appropriation will not be sufficient. There are many individuals who qualify, or are expected to soon qualify, for re-sentencing. The cases are complex and must not be litigated in haste. Additionally, once the initial round of re-sentencing hearings is complete, there are a number of clients who will be entitled to sentence reviews under section 921.1402. Interviews will be undertaken, psychological and sociological

	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY AMD REQ	
	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	
	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
						CODES
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS APPEL DIV						21650000
PGM: PDA-2ND JUD CIRCUIT						21650200
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
WORKLOAD						3000000
UNITED STATES SUPREME COURT GRAHAM AND MILLER MANDATE - JUVENILE MITIGATION AND SENTENCING ADVOCACY						3009020

evaluations conducted, and history of incarceration and potential and extent of rehabilitation reviewed. Release plans will also have to be designed and proposed to include housing, employment, and other re-entry services.

Summary: This is a new issue.

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POSITION DETAIL OF SALARIES AND BENEFITS:

	FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A14 - AGY AMD REQ FY 2016-17							
NEW POSITIONS							
5901 ASST PUBLIC DEFENDER N0001 001	0.50	19,542		11,918	31,460	0.00	31,460
TOTALS FOR ISSUE BY FUND							
1000 GENERAL REVENUE FUND							31,460
	0.50	19,542		11,918	31,460		31,460

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	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY AMD REQ	
	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	
	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS APPEL DIV						21650000
PGM: PDA-2ND JUD CIRCUIT						21650200
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
PROGRAM OR SERVICE-LEVEL						
INFORMATION TECHNOLOGY						3630000
SUPREME COURT MANDATE SC11-399						
FOR ELECTRONIC FILING						36301C0
SALARY RATE						000000
SALARY RATE.....	25,000	25,000				
SALARIES AND BENEFITS						010000
GENERAL REVENUE FUND -STATE	1.00	39,916	1.00	39,916		1000 1
SPECIAL CATEGORIES						100000
PUBLIC DEFENDER OPERATIONS						103226
GENERAL REVENUE FUND -STATE		24,003		17,157		11,331
						6,846-
TOTAL: SUPREME COURT MANDATE SC11-399						36301C0
FOR ELECTRONIC FILING						
TOTAL POSITIONS.....	1.00		1.00			
TOTAL ISSUE.....		63,919		57,073		11,331
TOTAL SALARY RATE.....	25,000		25,000			6,846-

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AGENCY ISSUE NARRATIVE:

2016-2017 BUDGET YEAR NARRATIVE:

IT COMPONENT? YES

On October 01, 2015, the Supreme Court of Florida's Administrative Order SC14-28 will take effect, directing the clerks of the lower tribunals to provide all records on appeal to the appellate courts in an electronic format. This mandate will have a tremendous effect on our office. Per case law, a criminal defendant's record on appeal is the property of that defendant and our appellate offices are required to deliver the record to each client at the conclusion of his/her appeal (Office of the Public Defender V. Madison, 961 So.2d 1044 [Fla. 1st DCA 2007]). A paper record is necessary because the Department of Corrections will not allow inmates to possess any item other than a paper copy. It explicitly will not allow inmates to have computer disks and the Department does not provide computer services for inmates to view records on the E-DCA website. In the past, the clerk prepared a paper record for any person in a direct appeal who has been found insolvent. This mandate will now shift the responsibility of preparing the paper record to our office.

In order to comply with the e-filing mandate ordered by the Florida Supreme Court, the Public Defender of the Second

	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY AMD REQ	
	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	
	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
						CODES
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS APPEL DIV						21650000
<u>PGM: PDA-2ND JUD CIRCUIT</u>						21650200
<u>PUBLIC PROTECTION</u>						12
<u>LEGAL REPRESENTATION</u>						<u>1203.00.00.00</u>
PROGRAM OR SERVICE-LEVEL						
INFORMATION TECHNOLOGY						3630000
SUPREME COURT MANDATE SC11-399						
FOR ELECTRONIC FILING						36301C0

Judicial Circuit is requesting Workload and Operation funding as follows:

1) To alleviate the workload on our current staff, we are requesting funding for one (1) Full Time Equivalent (FTE) Support Staff at \$25,000 salary plus benefits. This employee will be responsible for collecting and storing the digital copies, printing the records, and binding and collating the final paper copies so they can be delivered to our appellate clients.

2) In the 2014-15 fiscal year, our appellate office received approximately 553,299 record pages. After we absorb the responsibility of printing these records, our office will incur increased operations costs to manage this high volume of printing. For that reason, our office is requesting a recurring increase in our Operations (GR) of \$12,004. \$10,924 is to manage print production (printing at \$0.0099/page and paper at a cost of \$0.0088/page with an average print count at 553,299 per year), and an additional \$1,080 is requested in operations to pay for the maintenance agreement on the printer used to handle the e-service production. Also, our office is requesting \$8,573 in non-recurring operation funds to purchase a high-capacity printer that will be primarily used by our staff to print these records.

3) Operations funding is also requested for the new position as per Standard #3, Modified for Public Defenders.

Amended 2016-17 Narrative after December 4, 2015

On Jan 6, 2016, the Supreme Court of Florida's Administrative Order SC14-28 will take effect, directing the clerks of the lower tribunals to provide all records on appeal to the appellate courts in an electronic format. This mandate will have a tremendous effect on our office. Per case law, a criminal defendant's record on appeal is the property of that defendant, and our appellate offices are required to deliver the record to each client at the conclusion of his/her appeal (Office of the Public Defender V. Madison, 961 So.2d 1044 [Fla. 1st DCA 2007]). A paper record is necessary because the Department of Correction will not allow inmates to possess any item other than a paper copy. It explicitly will not allow inmates to have computer disks, and the Department does not provide computer services for inmates to view records on the E-DCA website. In the past, the clerk prepared a paper record for any person in a direct appeal who has been found insolvent. This mandate will now shift the responsibility of preparing the paper record to our office.

In order to comply with the e-filing mandate ordered by the Florida Supreme Court, the Public Defender of the Second Judicial Circuit is requesting Workload and Operation funding, as follows:

1) To alleviate the workload on our current staff, we are requesting funding for one (1) Full-Time Equivalent (FTE) Support Staff at \$25,000 salary plus benefits. This employee will be responsible for collecting and storing the digital

COL A12	COL A14	COL A15	COL A16	COL A14-A12	
AGY FIN REQ FY 2016-17	AGY AMD REQ FY 2016-17	AGY AMD N/R FY 2016-17	AGY AMD ANZ FY 2016-17	AGY AMD REQ FY 2016-17 OVER(UNDER)	AGY FIN REQ FY 2016-17
POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
JUSTICE ADMINISTRATION					21000000
PUBLIC DEFENDERS APPEL DIV					21650000
PGM: PDA-2ND JUD CIRCUIT					21650200
PUBLIC PROTECTION					12
LEGAL REPRESENTATION					1203.00.00.00
PROGRAM OR SERVICE-LEVEL					
INFORMATION TECHNOLOGY					3630000
SUPREME COURT MANDATE SC11-399					
FOR ELECTRONIC FILING					36301C0

copies, printing the records, and binding and collating the final paper copies so they can be delivered to our appellate clients.

2) In the 2014-15 fiscal year, our appellate office received approximately 553,299 record pages. After we absorb the responsibility of printing these records, our office will incur increased operations costs to manage this high volume of printing. We are thankful that the 2013 legislature allocated recurring funds of \$7,365 to address this, but that number falls short of meeting the projected cost of \$10,924 to manage print production (printing at \$0.0099/page and paper at a cost of \$0.0088/page with an average print count at 553,299 per year). Because of this shortage, our office is requesting additional Operations (GR) funding in the amount of \$4,639: \$3,559 is to meet the projected cost of print production (\$10,924 minus \$7,365) and an additional \$1,080 to pay for the maintenance agreement on the printer used to handle the e-service production. Also, our office is requesting \$8,573 in non-recurring operations funds to purchase a high-capacity printer that will be primarily used by our staff to print these records.

3) Operations funding is also requested for the new position as per Standard #3, Modified for Public Defenders.

Summary: This issue has been amended to reduce the Operations budget request by \$6,846.

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POSITION DETAIL OF SALARIES AND BENEFITS:

	FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A12 - AGY FIN REQ FY 2016-17							
NEW POSITIONS							
5005 STAFF SUPPORT TECHNICIAN							
N0001 001	1.00	25,000		14,916	39,916	0.00	39,916

COL A12		COL A14		COL A15		COL A16		COL A14-A12		CODES
AGY FIN REQ FY 2016-17	POS AMOUNT	AGY AMD REQ FY 2016-17	POS AMOUNT	AGY AMD N/R FY 2016-17	POS AMOUNT	AGY AMD ANZ FY 2016-17	POS AMOUNT	AGY AMD REQ FY 2016-17 OVER(UNDER)	AGY FIN REQ FY 2016-17	

JUSTICE ADMINISTRATION 21000000  
 PUBLIC DEFENDERS APPEL DIV 21650000  
 PGM: PDA-2ND JUD CIRCUIT 21650200  
 PUBLIC PROTECTION 12  
 LEGAL REPRESENTATION 1203.00.00.00  
 PROGRAM OR SERVICE-LEVEL  
 INFORMATION TECHNOLOGY 3630000  
 SUPREME COURT MANDATE SC11-399  
 FOR ELECTRONIC FILING 36301C0

POSITION DETAIL OF SALARIES AND BENEFITS:

FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A12 - AGY FIN REQ FY 2016-17						
NEW POSITIONS						
TOTALS FOR ISSUE BY FUND						
1000 GENERAL REVENUE FUND 39,916						
1.00	25,000		14,916	39,916		39,916

A14 - AGY AMD REQ FY 2016-17						
NEW POSITIONS						
5005 STAFF SUPPORT TECHNICIAN						
N0001 001						
1.00	25,000		14,916	39,916	0.00	39,916
TOTALS FOR ISSUE BY FUND						
1000 GENERAL REVENUE FUND 39,916						
1.00	25,000		14,916	39,916		39,916

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	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
					AGY AMD REQ	
					FY 2016-17	
					OVER(UNDER)	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY FIN REQ	
	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	
	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
JUSTICE ADMINISTRATION						21000000
REGIONAL CONFLICT COUNSELS						21800000
PGM: REG CONFLICT CNSL-2ND						21800200
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
PRICE LEVEL INCREASES						2300000
BUILDING RENTAL FOR PRIVATELY OWNED						
OFFICE SPACE						2301900
SPECIAL CATEGORIES						100000
REG CONFLICT COUNCIL OPER						103227
GENERAL REVENUE FUND -STATE	474,005	64,944				409,061- 1000 1

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AGENCY ISSUE NARRATIVE:

2016-2017 BUDGET YEAR NARRATIVE:

IT COMPONENT? NO

Regional Counsel, 2nd Region must occupy privately owned office space in the multiple counties of this respective district and requires an increase in operational funding as per the terms of our commercial leases. Currently, Regional Counsel, 2nd Region rents private office space for 11 different counties. Rents for FY 2014-2015 were \$387,874. Rents for FY 2015-2016 are \$447,096.

Regional Counsel, 2nd Region's lease of the 20th Circuit in the Lee County Justice Center was terminated by the Board of Lee County Commissioner's on August 1, 2015. Rents for FY 2014-2015 and FY 2015-2016 were \$3,701 for 5,000 square feet. Regional Counsel paid no cleaning, electric, phone service, water, garbage, or sewer during this period. Of the 5,000 square feet which Regional Counsel occupied in the county building, we were only required to pay for 2,500 square feet.

Privately owned property of 8,000 square feet was found to meet the necessary work space at the rate of \$7,150 monthly, which is double the rents from the previous year, due to the fact that in the Lee County space we were only required to pay for half the space previously provided. Cleaning services are now necessary due to privately owned building rental. Regional Counsel will pay an extra \$499 monthly for cleaning services.

Going forward rents will increase in FY 2016-2017 to \$464,061 for the 11 different county offices.

Amended FY 2016-17 Narrative after December 4, 2015

Regional Counsel 2 (RC2) leased space for the Fort Myers office located in the Lee County Justice Center (20th Judicial Circuit). The lease was terminated by the Board of Lee County Commissioners; the Fort Myers office relocated effective August 1, 2015. The forced relocation impacts our budget because:

- \* Rent was formally \$3,701/mo. for 5,000 sf. (RC2 was not charged for 2,500 sf. of the occupied space)
- \* Rent is now \$7,150/mo. for 8,000 sf. (RC2 was limited in rental options within close proximity to the Justice Center);



COL A12	COL A14	COL A15	COL A16	COL A14-A12	CODES
AGY FIN REQ FY 2016-17 POS AMOUNT	AGY AMD REQ FY 2016-17 POS AMOUNT	AGY AMD N/R FY 2016-17 POS AMOUNT	AGY AMD ANZ FY 2016-17 POS AMOUNT	AGY AMD REQ FY 2016-17 OVER(UNDER) AGY FIN REQ FY 2016-17 POS AMOUNT	
JUSTICE ADMINISTRATION					21000000
REGIONAL CONFLICT COUNSELS					21800000
PGM: REG CONFLICT CNSL-2ND					21800200
PUBLIC PROTECTION					12
LEGAL REPRESENTATION					1203.00.00.00
PRICE LEVEL INCREASES					2300000
BUILDING RENTAL FOR PRIVATELY OWNED					
OFFICE SPACE					2301900

over a \$40,000 increase/yr. \$41,500

\* RC2 was not previously charged for: (1) cleaning service and supplies; (2) electric service; (3) phone service; or (4) water, sewer and garbage/recycle pick up. \$9,344

\* Water fountains are not available; drinking water must be provided to the public. \$600  
 RC2 occupies privately owned office space in 11 counties within the district and requests an increase in operational funding to cover the approximate 3% increase per the terms of the commercial leases. Rents for FY 2014-2015 were \$387,874 and for FY 2015-2016 are \$447,096. The projected rent for FY 2016-2017 is \$464,509. \$13,500

TOTAL REQUEST: \$64,944

SUMMARY: The amount requested in the Regional Counsel Operations appropriation category (103227) was reduced by \$409,061, from \$474,005 to \$64,944.

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ADDITIONAL PRICE INCREASES FOR UTILITIES					2302700
SPECIAL CATEGORIES					100000
REG CONFLICT COUNCIL OPER					103227

GENERAL REVENUE FUND -STATE 157,760 47,000 110,760- 1000 1

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AGENCY ISSUE NARRATIVE:  
 2016-2017 BUDGET YEAR NARRATIVE:

IT COMPONENT? NO

Regional Counsel 2nd Region is required to occupy privately owned office space in the multiple counties of their respective district and requires an increase in operational funding as per the terms of our commercial leases. Regional Counsel 2's lease was recently terminated from Lee County Justice Center property in August, 2015. While in the building which belonged to Lee County, RC2 was not required to pay any utilities. Beginning August 2015, RC2 will begin to pay utilities which will include electric, phone, and water/sewer/garbage bills going forward.

	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
					AGY AMD REQ	
					FY 2016-17	
					OVER(UNDER)	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY FIN REQ	
	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	
POS	AMOUNT	POS	AMOUNT	POS	AMOUNT	POS
						AMOUNT
						CODES
JUSTICE ADMINISTRATION						21000000
REGIONAL CONFLICT COUNSELS						21800000
<u>PGM: REG CONFLICT CNSL-2ND</u>						21800200
PUBLIC PROTECTION						12
<u>LEGAL REPRESENTATION</u>						<u>1203.00.00.00</u>
PRICE LEVEL INCREASES						2300000
ADDITIONAL PRICE INCREASES FOR UTILITIES						2302700

Amended FY 2016-17 Narrative after December 4, 2015

Regional Counsel 2 (RC2) leased space for the Fort Myers office located in the Lee County Justice Center (20th Judicial Circuit). The lease was terminated by the Board of Lee County Commissioners; the Fort Myers office relocated effective August 1, 2015. The forced relocation impacts our budget because:

RC2 was not previously charged for:

Electric service (Projected to be \$1,000 / mo. new utility not previously paid)	\$12,000
Phone service (Projected to be \$1,500 / mo. increase for new Internet based system)	\$18,000
Water, Sewer and Garbage / Recycle Pick-up (Approximately \$400/mo. Per Landlord new utility not previously paid)	\$5,000

RC2 has an office in Bartow, FL (Polk County) which experiences frequent Internet outages. RC2 must use a fiber-optic cable running from the street to the building which will cost \$3,096.32 to install in addition to the additional monthly cost of the cable itself. There is no other way to alleviate this problem other than to relocate the office which is not an option. The projected cost for FY 2016-2017 is for cable installation, monthly increase, and a 3% Internet price increase for all RC2 offices.

\$12,000  
 TOTAL REQUEST: \$47,000

SUMMARY: The amount requested in the Regional Counsel Operations appropriation category (103227) was reduced by \$110,760, from \$157,760 to \$47,000.

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	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY AMD REQ	
	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	
	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
JUSTICE ADMINISTRATION						21000000
REGIONAL CONFLICT COUNSELS						21800000
PGM: REG CONFLICT CNSL-2ND						21800200
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
WORKLOAD						3000000
OPERATIONAL SUPPORT FOR THE						3001340
REGIONAL CONFLICT COUNSELS						000000
SALARY RATE						
SALARY RATE.....		100,000			100,000	
SALARIES AND BENEFITS						010000
GENERAL REVENUE FUND -STATE		4.00			4.00	
		159,662			159,662	1000 1
SPECIAL CATEGORIES						100000
REG CONFLICT COUNCIL OPER						103227
GENERAL REVENUE FUND -STATE		36,004	16,056		36,004	1000 1
TR/DMS/HR SVCS/STW CONTRCT						107040
GENERAL REVENUE FUND -STATE		1,048			1,048	1000 1
TOTAL: OPERATIONAL SUPPORT FOR THE						3001340
REGIONAL CONFLICT COUNSELS						
TOTAL POSITIONS.....		4.00			4.00	
TOTAL ISSUE.....		196,714	16,056		196,714	
TOTAL SALARY RATE.....		100,000			100,000	

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AGENCY ISSUE NARRATIVE:  
 2016-2017 BUDGET YEAR NARRATIVE:

IT COMPONENT? NO

Amended FY 2016-17 Narrative after December 4, 2015

Regional Counsel 2 (RC2) attorneys carry heavy caseloads. With the addition of support staff, the attorneys will be assisted with clerical and administrative duties thereby alleviating the attorneys' workload. The support staff can be tasked with setting depositions, filing, and scheduling client appointments among other assignments.

	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY AMD REQ	
	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	
	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
						CODES
JUSTICE ADMINISTRATION						21000000
REGIONAL CONFLICT COUNSELS						21800000
PGM: REG CONFLICT CNSL-2ND						21800200
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
WORKLOAD						3000000
OPERATIONAL SUPPORT FOR THE						
REGIONAL CONFLICT COUNSELS						3001340

\* Adjustment made for Voice Over IP (4 x \$433 and 4 x \$99 Non-Recur  
 Replaced with 4 x \$534 and 4 x \$330 Non-Recur)

SUMMARY: This is a new issue.

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POSITION DETAIL OF SALARIES AND BENEFITS:

	FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A14 - AGY AMD REQ FY 2016-17							
NEW POSITIONS							
9001 CLERK I							
N0001 001	4.00	100,000		59,662	159,662	0.00	159,662
TOTALS FOR ISSUE BY FUND							
1000 GENERAL REVENUE FUND							159,662
	4.00	100,000		59,662	159,662		159,662

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	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY AMD REQ	
	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	
	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
JUSTICE ADMINISTRATION						21000000
REGIONAL CONFLICT COUNSELS						21800000
PGM: REG CONFLICT CNSL-2ND						21800200
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
WORKLOAD						3000000
CRIMINAL CONFLICT AND CIVIL						
REGIONAL COUNSEL WORKLOAD						3001360
SALARY RATE						000000
SALARY RATE.....	580,000	650,000			70,000	
SALARIES AND BENEFITS						010000
GENERAL REVENUE FUND -STATE	11.00 789,546	12.00 881,171			1.00 91,625	1000 1
SPECIAL CATEGORIES						100000
CONTRACTED SERVICES						100777
GENERAL REVENUE FUND -STATE	240,000-	240,000-				1000 1
REG CONFLICT COUNCIL OPER						103227
GENERAL REVENUE FUND -STATE	119,614	130,536	47,988		10,922	1000 1
TR/DMS/HR SVCS/STW CONTRCT						107040
GENERAL REVENUE FUND -STATE	2,882	3,144			262	1000 1
TOTAL: CRIMINAL CONFLICT AND CIVIL						3001360
REGIONAL COUNSEL WORKLOAD						
TOTAL POSITIONS.....	11.00	12.00			1.00	
TOTAL ISSUE.....	672,042	774,851	47,988		102,809	
TOTAL SALARY RATE.....	580,000	650,000			70,000	

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AGENCY ISSUE NARRATIVE:  
 2016-2017 BUDGET YEAR NARRATIVE:

IT COMPONENT? NO

The Office of Criminal Conflict and Civil Regional Counsel, Second District (RC2), requires additional attorneys for the defense of capital cases, appellate cases, dependency, and all other cases handled by the Regional Counsel's office. Due

	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
					AGY AMD REQ	
					FY 2016-17	
					OVER(UNDER)	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY FIN REQ	
	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	
POS	AMOUNT	POS	AMOUNT	POS	AMOUNT	CODES
JUSTICE ADMINISTRATION						21000000
REGIONAL CONFLICT COUNSELS						21800000
<u>PGM: REG CONFLICT CNSL-2ND</u>						21800200
PUBLIC PROTECTION						12
<u>LEGAL REPRESENTATION</u>						<u>1203.00.00.00</u>
WORKLOAD						3000000
CRIMINAL CONFLICT AND CIVIL						
REGIONAL COUNSEL WORKLOAD						3001360

to increased caseloads, the complexity and length of these types of cases has put an undue burden on RC2 attorney caseloads. This trend is expected to continue growing.

This request is for one (1) additional Capital Certified Attorney at a salary rate of \$70,000; one (1) additional Appellate Attorney at a salary rate of \$70,000; four (4) Dependency Attorneys at a salary rate of \$50,000 each; and five (5) Criminal Attorneys from contracted services at \$48,000 each for a total salary request of \$580,000 as well as the corresponding benefits and rate for these eleven (11) positions.

The Regional Counsel is requesting that \$240,000 from the Contracted Services/Due Process category that is currently used to pay five contracted attorney positions be used to fund the salaries of five (5) of the new attorney positions requested. RC2 is requesting that the Legislature fund the benefits for these five (5) positions at \$91,724. Therefore, the Other Salary Amount "OAD" transaction was used to request the Salaries and Benefits budget authority for these benefits.

(Note: RC2 is requesting that the \$240,000 only be re-aligned from the Contracted Services/Due Process category into the Salaries and Benefits category should the request for benefits in the amount of \$91,724 for these five attorneys be granted).

This salary request is commensurate with the level of experience required for defending capital cases, appellate cases, and dependency cases and also reflects the minimum standards set forth by the Florida Rules of Criminal Procedure 3.112. Minimum Standards for Attorneys in Capital Cases. The addition of these positions would still represent a significant savings over the private registry.

Operational expenditures are requested for these eleven (11) positions per Standard #3, Modified: \$10,874 per position (includes \$700 for law library) each totaling \$119,614). Non-recurring at \$3,999 each totaling \$43,989. Transfer to Department of Management Services for Human Resources Services = \$2,882 (\$262 x 11 FTE).

Approval of this request will have a positive impact on this district's workload activity as it will insure the capital cases are defended with required representation outlined by the Supreme Court under the ABA guidelines standard for trial of capital cases 11.8.6 (1989) as defining effective performance. See case: Wiggins v. Smith, 539 U.S. 510,123.

	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
					AGY AMD REQ	
					FY 2016-17	
					OVER(UNDER)	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY FIN REQ	
	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	
POS	AMOUNT	POS	AMOUNT	POS	AMOUNT	CODES
JUSTICE ADMINISTRATION						21000000
REGIONAL CONFLICT COUNSELS						21800000
<u>PGM: REG CONFLICT CNSL-2ND</u>						21800200
PUBLIC PROTECTION						12
<u>LEGAL REPRESENTATION</u>						<u>1203.00.00.00</u>
WORKLOAD						3000000
CRIMINAL CONFLICT AND CIVIL						
REGIONAL COUNSEL WORKLOAD						3001360

The Office of Criminal Conflict and Civil Regional Counsel, Second District (RC2), requires additional attorneys for the defense of Capital cases, Appellate cases, Dependency, and all other cases handled by the Regional Counsel's office. Due to increased caseloads, as well as the complexity and length of these types of cases, it has put an undue burden on RC2 attorney workloads. This trend is expected to continue rising.

This request is for one (1) additional Capital Certified Attorney at a salary rate of \$70,000; two (2) additional Appellate Attorneys at a salary rate of \$70,000 each; four (4) Dependency Attorneys at a salary rate of \$50,000 each; and five (5) criminal attorneys from contracted services at \$48,000 each for a total salary request of \$650,000 in salary as well as the corresponding benefits and rate for these twelve (12) positions. Approval of this request will have a positive impact on this District's workload activity as it will insure the capital cases are defended with required representation outlined by the Supreme Court under the ABA guidelines standard for trial of capital cases 11.8.6 (1989) as defining effective performance. See case: Wiggins v. Smith, 539 U.S. 510,123.

This salary request is commensurate with the level of experience required for defending Capital cases, Appellate cases, and Dependency cases and also reflects the minimum standards set forth by the Florida Rules of Criminal Procedure 3.112. Minimum Standards for Attorneys in Capital Cases.

~ Operational expenditures are requested for these twelve (12) positions per Standard #3, and is calculated as:

\$10,874 - \$530 (Telephone, line/use) + \$534 (Voice Over IP) = \$10,878  
 \$10,878 x 12 = \$130,536 (Total)      \$3,999 x 12 = \$47,988 (Non-Recurring)

~ Legislature shall also include benefits with all salaried positions.

The addition of these positions would still represent a significant savings over the private registry.

SUMMARY: This issue has been amended to include an additional Assistant Regional Counsel (Appellate) FTE.

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	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY AMD REQ	
	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	
	POS	POS	POS	POS	POS	CODES
	AMOUNT	AMOUNT	AMOUNT	AMOUNT	AMOUNT	
JUSTICE ADMINISTRATION						21000000
REGIONAL CONFLICT COUNSELS						21800000
PGM: REG CONFLICT CNSL-2ND						21800200
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
WORKLOAD						3000000
CRIMINAL CONFLICT AND CIVIL						
REGIONAL COUNSEL WORKLOAD						3001360

POSITION DETAIL OF SALARIES AND BENEFITS:

	FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A12 - AGY FIN REQ FY 2016-17							
NEW POSITIONS							
P101 PROPOSED CLASS CODE							
N0003 001	5.00					0.00	
RA00 RATE AND SALARY ADJ - NO FTE/BENEFITS							
N0002 001	0.00	240,000			240,000	0.00	240,000
9901 ASSISTANT REGIONAL COUNSEL							
N0001 001	6.00	340,000		117,822	457,822	0.00	457,822
TOTALS FOR ISSUE BY FUND							
1000 GENERAL REVENUE FUND							697,822
	11.00	580,000		117,822	697,822		697,822
OTHER SALARY AMOUNT							
1000 GENERAL REVENUE FUND							91,724
							789,546

A14 - AGY AMD REQ FY 2016-17

NEW POSITIONS							
P101 PROPOSED CLASS CODE							
N0003 001	5.00					0.00	
RA00 RATE AND SALARY ADJ - NO FTE/BENEFITS							



COL A12		COL A14		COL A15		COL A16		COL A14-A12		CODES
AGY FIN REQ FY 2016-17	POS AMOUNT	AGY AMD REQ FY 2016-17	POS AMOUNT	AGY AMD N/R FY 2016-17	POS AMOUNT	AGY AMD ANZ FY 2016-17	POS AMOUNT	AGY AMD REQ FY 2016-17 OVER(UNDER)	AGY FIN REQ FY 2016-17	

JUSTICE ADMINISTRATION										21000000
REGIONAL CONFLICT COUNSELS										21800000
PGM: REG CONFLICT CNSL-2ND										21800200
PUBLIC PROTECTION										12
LEGAL REPRESENTATION										1203.00.00.00
WORKLOAD										3000000
CRIMINAL CONFLICT AND CIVIL										
REGIONAL COUNSEL WORKLOAD										3001360

POSITION DETAIL OF SALARIES AND BENEFITS:

	FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A14 - AGY AMD REQ FY 2016-17							
NEW POSITIONS							
N0002 001	0.00	240,000			240,000	0.00	240,000
9901 ASSISTANT REGIONAL COUNSEL							
N0001 001	7.00	410,000		139,447	549,447	0.00	549,447
TOTALS FOR ISSUE BY FUND							
1000 GENERAL REVENUE FUND							789,447
	12.00	650,000		139,447	789,447		789,447

OTHER SALARY AMOUNT							91,724
1000 GENERAL REVENUE FUND							881,171

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	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ FY 2016-17	AGY AMD REQ FY 2016-17	AGY AMD N/R FY 2016-17	AGY AMD ANZ FY 2016-17	AGY AMD REQ FY 2016-17	AGY FIN REQ FY 2016-17
	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT
JUSTICE ADMINISTRATION						21000000
REGIONAL CONFLICT COUNSELS						21800000
PGM: REG CONFLICT CNSL-2ND						21800200
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
OTHER PROGRAMS						4200000
SALARY ADJUSTMENT FOR ASSISTANT						
REGIONAL COUNSELS						4203A10
SALARY RATE						000000
SALARY RATE.....	1,046,868	1,046,868				
=====						
SALARIES AND BENEFITS						010000
GENERAL REVENUE FUND -STATE	1,202,956	1,202,956				1000 1
=====						
TOTAL: SALARY ADJUSTMENT FOR ASSISTANT						4203A10
REGIONAL COUNSELS						
TOTAL ISSUE.....	1,202,956	1,202,956				
TOTAL SALARY RATE.....	1,046,868	1,046,868				
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AGENCY ISSUE NARRATIVE:

2016-2017 BUDGET YEAR NARRATIVE:

IT COMPONENT? NO

Regional Counsel attorneys salaries should be paired up to the Public Defenders and/or State Attorneys within the judicial system. They are expected to perform at the same standards and levels as the Public Defenders and State Attorneys. Regional Counsel is unable to pair them with the funding and rate provided in our budgets at this time. Pairing with the Public Defenders and State Attorneys will help to retain qualified and educated attorneys as Regional Counsel. This will save the State of Florida money in the hiring process and training of newly hired attorneys.

Years of Experience	Asst. RC2 Atty. Avg. Pay	No. of Asst. RC2 Attys.	Asst. PD Avg. Pay	Difference Per Atty.	Asst. SA Avg. Pay	Difference Per Atty.	Amt. Needed RC2=PD Pay	Amt. Needed RC2=SA Pay
0 - 10	\$46,532	7	\$59,952	\$13,420	\$ 61,763	\$15,231	\$ 93,940	\$ 106,617
11 - 20+	\$50,163	32	\$79,942	\$29,779	\$ 93,221	\$43,058	\$ 952,928	\$1,377,856
Subtotal		39					\$1,046,868	\$1,484,473
Excludes					Retirement 7.26%		\$ 76,003	\$ 107,773
The Regional Counsel		1			Taxes 7.65%		\$ 80,085	\$ 113,562
Grand Total		40					\$1,202,956	\$1,705,808

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COL A12		COL A14		COL A15		COL A16		COL A14-A12		CODES
AGY FIN REQ FY 2016-17	POS AMOUNT	AGY AMD REQ FY 2016-17	POS AMOUNT	AGY AMD N/R FY 2016-17	POS AMOUNT	AGY AMD ANZ FY 2016-17	POS AMOUNT	AGY AMD REQ FY 2016-17 OVER(UNDER)	AGY FIN REQ FY 2016-17	

JUSTICE ADMINISTRATION										21000000
REGIONAL CONFLICT COUNSELS										21800000
PGM: REG CONFLICT CNSL-2ND										21800200
PUBLIC PROTECTION										12
LEGAL REPRESENTATION										1203.00.00.00
OTHER PROGRAMS										4200000
SALARY ADJUSTMENT FOR ASSISTANT										
REGIONAL COUNSELS										4203A10

POSITION DETAIL OF SALARIES AND BENEFITS:

	FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A12 - AGY FIN REQ FY 2016-17							
CHANGES TO CURRENTLY AUTHORIZED POSITIONS							
RA01 RATE & SALARY ADJ - BENEFITS NO FTE							
N0001 001	0.00	1,046,868		156,088	1,202,956	0.00	1,202,956
TOTALS FOR ISSUE BY FUND							
1000 GENERAL REVENUE FUND							1,202,956
	0.00	1,046,868		156,088	1,202,956		1,202,956

A14 - AGY AMD REQ FY 2016-17

CHANGES TO CURRENTLY AUTHORIZED POSITIONS							
RA01 RATE & SALARY ADJ - BENEFITS NO FTE							
N0001 001	0.00	1,046,868		156,088	1,202,956	0.00	1,202,956
TOTALS FOR ISSUE BY FUND							
1000 GENERAL REVENUE FUND							1,202,956
	0.00	1,046,868		156,088	1,202,956		1,202,956

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	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
					AGY AMD REQ	
					FY 2016-17	
					OVER(UNDER)	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY FIN REQ	
	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	
	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
JUSTICE ADMINISTRATION						21000000
REGIONAL CONFLICT COUNSELS						21800000
PGM: REG CONFLICT CNSL-5TH						21800500
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
PRICE LEVEL INCREASES						2300000
BUILDING RENTAL FOR PRIVATELY OWNED						
OFFICE SPACE						2301900
SPECIAL CATEGORIES						100000
REG CONFLICT COUNCIL OPER						103227
GENERAL REVENUE FUND -STATE		18,185		18,185		1000 1

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AGENCY ISSUE NARRATIVE:

2016-2017 BUDGET YEAR NARRATIVE:

IT COMPONENT? NO

Total rent costs for 2015-2016 were \$363,692.37. It is projected that our rent will increase by 5% in 2016-2017. The rent is estimated at \$18,184.62. Therefore, the Office of Criminal Conflict and Civil Regional Counsel, Fifth Region (RC5) requests an additional \$18,185 for rent. RC5 requests that this expense become a recurring budget appropriation.

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ADDITIONAL PRICE INCREASES FOR  
 UTILITIES  
 SPECIAL CATEGORIES  
 REG CONFLICT COUNCIL OPER

2302700  
 100000  
 103227

GENERAL REVENUE FUND -STATE 9,218 9,218 1000 1

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AGENCY ISSUE NARRATIVE:

2016-2017 BUDGET YEAR NARRATIVE:

IT COMPONENT? NO

The Office of Criminal Conflict and Civil Regional Counsel, Fifth District (RC5) initially received \$12,559.85 to fund utilities for the fiscal year 2012-2013 and subsequently. Since that time, the costs of utilities have increased approximately 54%. RC5's utilities cost for 2014-2015 was \$20,741.40 which is a net increase of \$8,181.55 for RC5's total of eight offices. It is estimated that RC5's utilities will increase by 5% in 2016-2017 which is an increase of \$1,037.07. The total projected costs are \$21,778.47. Therefore, RC5 is requesting an additional \$9,218.62 for utilities. RC5 requests that this expense becomes a recurring budget appropriation.

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	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY AMD REQ	
	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	
	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
						CODES
JUSTICE ADMINISTRATION						21000000
REGIONAL CONFLICT COUNSELS						21800000
PGM: REG CONFLICT CNSL-5TH						21800500
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
WORKLOAD						3000000
CRIMINAL CONFLICT AND CIVIL						
REGIONAL COUNSEL WORKLOAD						3001360
SALARY RATE						000000
SALARY RATE.....	850,000	850,000				
SALARIES AND BENEFITS						010000
GENERAL REVENUE FUND -STATE	17.00	17.00				
	1,166,931	1,166,931				1000 1
SPECIAL CATEGORIES						100000
REG CONFLICT COUNCIL OPER						103227
GENERAL REVENUE FUND -STATE	184,858	184,858	67,983			1000 1
TR/DMS/HR SVCS/STW CONTRCT						107040
GENERAL REVENUE FUND -STATE	4,454	4,454				1000 1
TOTAL: CRIMINAL CONFLICT AND CIVIL						3001360
REGIONAL COUNSEL WORKLOAD						
TOTAL POSITIONS.....	17.00	17.00				
TOTAL ISSUE.....	1,356,243	1,356,243	67,983			
TOTAL SALARY RATE.....	850,000	850,000				

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AGENCY ISSUE NARRATIVE:  
 2016-2017 BUDGET YEAR NARRATIVE:

IT COMPONENT? NO

The Office of Criminal Conflict and Civil Regional Counsel, Fifth Region (RC5) requires additional resources for representation of all current categories of clients. This amount is being requested for critical needs offices. During the past fiscal year (2014-2015), RC5's total case load increased by 21%. The increase by categories are as follows: Dependency Cases 27.5% increase, Criminal Cases 20% increase, Mental Health and Probate Cases 9% increase, Appeals 35% increase, and First Degree Murder and Capital Murder 8.9% increase.

Due to the lack of positions and sufficient funding in the salaries and benefit category, RC5 utilized monies from the

	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
					AGY AMD REQ	
					FY 2016-17	
					OVER(UNDER)	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY FIN REQ	
	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	
POS	AMOUNT	POS	AMOUNT	POS	AMOUNT	POS
						AMOUNT
						CODES
JUSTICE ADMINISTRATION						21000000
REGIONAL CONFLICT COUNSELS						21800000
PGM: REG CONFLICT CNSL-5TH						21800500
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
WORKLOAD						3000000
CRIMINAL CONFLICT AND CIVIL						
REGIONAL COUNSEL WORKLOAD						3001360

Other Personal Services (OPS) and due process categories (attorney contract positions) to pay attorney salaries in order to efficiently handle this caseload increase.

Based on past year appointments, RC5 projects an increase in caseload of at least a rate of 20% for 2016-2017. In order to continue to represent current clients and to meet the anticipated increase in clients, RC5 requires additional attorney positions and funding to offer positions competitive with other state agencies. Specifically, below is the salary disparity in 2014-2015 with all the Public Defender Offices and State Attorney Offices throughout the Fifth Region:

- An attorney with 0-5 years of experience at RC5's salary is \$15,000 below the average of both the Public Defender Offices and State Attorney Offices.
- An attorney with 6-10 years of experience at RC5's salary is \$15,000 below the average of both the Public Defender Offices and State Attorney Offices.
- An attorney with 11-15 years of experience at RC5's salary is \$21,000 below the average of the Public Defender Offices and \$27,000 below the average of State Attorney Offices.
- An attorney with 16-20 years of experience at RC5's salary is \$14,000 below the average of the Public Defender Offices and \$28,000 below the average of State Attorney Offices.
- An attorney with 21 or more years of experience at RC5's salary is \$129,000 below the average of the Public Defender Offices and \$37,000 below the average of State Attorney Offices.

Additionally, due to the lack of positions and funding, RC5 is unable to offer attorneys benefits and retirement. These shortfalls place RC5 at a competitive disadvantage in the recruitment and hiring of new attorneys.

Operating Expenses are requested as follows:

- Expenses to establish 17 new positions as per Standard #3
- Recurring
- Professional: 17 @ \$10,874 = \$184,858
- Non-recurring
- Professional: 17 @ \$3,999 = \$67,983

Transfer to Department of Management Services for Human Resources Services: \$4,454 (\$262 x 17 FTE).

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COL A12		COL A14		COL A15		COL A16		COL A14-A12		CODES
AGY FIN REQ FY 2016-17	POS AMOUNT	AGY AMD REQ FY 2016-17	POS AMOUNT	AGY AMD N/R FY 2016-17	POS AMOUNT	AGY AMD ANZ FY 2016-17	POS AMOUNT	AGY AMD REQ FY 2016-17 OVER(UNDER)	AGY FIN REQ FY 2016-17	
JUSTICE ADMINISTRATION										21000000
REGIONAL CONFLICT COUNSELS										21800000
PGM: REG CONFLICT CNSL-5TH										21800500
PUBLIC PROTECTION										12
LEGAL REPRESENTATION										1203.00.00.00
WORKLOAD										3000000
CRIMINAL CONFLICT AND CIVIL										
REGIONAL COUNSEL WORKLOAD										3001360

POSITION DETAIL OF SALARIES AND BENEFITS:

	FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A12 - AGY FIN REQ FY 2016-17							
NEW POSITIONS							
9901 ASSISTANT REGIONAL COUNSEL N0001 001	17.00	850,000		316,931	1,166,931	0.00	1,166,931
TOTALS FOR ISSUE BY FUND							
1000 GENERAL REVENUE FUND							1,166,931
	17.00	850,000		316,931	1,166,931		1,166,931

A14 - AGY AMD REQ FY 2016-17

NEW POSITIONS							
9901 ASSISTANT REGIONAL COUNSEL N0001 001	17.00	850,000		316,931	1,166,931	0.00	1,166,931
TOTALS FOR ISSUE BY FUND							
1000 GENERAL REVENUE FUND							1,166,931
	17.00	850,000		316,931	1,166,931		1,166,931

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	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
					AGY AMD REQ	
					FY 2016-17	
					OVER(UNDER)	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY FIN REQ	
	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	
POS	AMOUNT	POS	AMOUNT	POS	AMOUNT	CODES
JUSTICE ADMINISTRATION						21000000
REGIONAL CONFLICT COUNSELS						21800000
PGM: REG CONFLICT CNSL-5TH						21800500
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
OTHER PROGRAMS						4200000
SALARY ADJUSTMENT FOR ASSISTANT						
REGIONAL COUNSELS						4203A10
SALARY RATE						000000
SALARY RATE.....		1,108,504			1,108,504	
=====						
SALARIES AND BENEFITS						010000
GENERAL REVENUE FUND -STATE		1,273,782			1,273,782	1000 1
=====						
TOTAL: SALARY ADJUSTMENT FOR ASSISTANT						4203A10
REGIONAL COUNSELS						
TOTAL ISSUE.....		1,273,782			1,273,782	
TOTAL SALARY RATE.....		1,108,504			1,108,504	
=====						

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AGENCY ISSUE NARRATIVE:

2016-2017 BUDGET YEAR NARRATIVE:

IT COMPONENT? NO

Amended 2016-17 Narrative after December 4, 2015

There is a salary disparity between the Office Criminal Conflict and Civil Regional Counsel, Fifth Region (RC5) and the Office of the Public Defender (PDO) and the State Attorney Offices (SAO) in the same region. While Assistant Public Defenders (APD) and Assistant State Attorneys (ASA) handle only criminal cases, Assistant Regional Counsel (ARC) handle criminal as well as civil cases. However, it has been stated the APDs and ASAs, and ARCs are situated equally. As the below chart exposes, ARCs are underpaid when compared with their legal contemporaries, the APDs and the ASAs in the same geographical and judicial region.

The foregoing salary disparity adversely affects RC5 in the hiring and retaining attorneys; adversely impacts turnover rate; adversely affects leadership retention and training; places RC5 at a competitive disadvantage in the recruitment and hiring of new attorneys; and jeopardizes the ability to represent all court appointed clients in all cases as required by Florida Statutes.

Years of Experience	Asst. RC5 Atty. Avg. Salary	No. of Asst. RC (ARC)	Asst. PD (APD) Avg. Salary	Asst. SA (ASA) Avg. Salary	Needed for Parity w/APD	Needed for Parity w/ASA
0 - 5	\$43,339	19	\$55,461	\$ 55,959	\$ 230,318	\$ 239,780
6 - 10	\$49,195	16	\$64,444	\$ 67,567	\$ 243,984	\$ 293,952

	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY AMD REQ	
	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	
	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
						CODES
JUSTICE ADMINISTRATION						21000000
REGIONAL CONFLICT COUNSELS						21800000
PGM: REG CONFLICT CNSL-5TH						21800500
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
OTHER PROGRAMS						4200000
SALARY ADJUSTMENT FOR ASSISTANT						
REGIONAL COUNSELS						4203A10
11 - 15	\$50,895	10	\$72,694	\$ 80,833	\$ 217,990	\$ 299,380
16 - 20	\$60,447	7	\$75,348	\$ 89,857	\$ 104,307	\$ 205,870
21 +	\$63,429	11	\$91,784	\$109,474	\$ 311,905	\$ 506,495
Subtotals		63 ARC			\$1,108,504	\$1,545,477
				Retirement 7.26%	\$ 80,477	\$ 112,201
				Taxes 7.65%	\$ 84,801	\$ 118,228
Grand Total		63 ARC			\$1,273,782	\$1,775,906

Summary: This is a new issue.

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POSITION DETAIL OF SALARIES AND BENEFITS:

	FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A14 - AGY AMD REQ FY 2016-17							
CHANGES TO CURRENTLY AUTHORIZED POSITIONS							
RA01 RATE & SALARY ADJ - BENEFITS NO FTE							
N0001 001	0.00	1,108,504		165,278	1,273,782	0.00	1,273,782
TOTALS FOR ISSUE BY FUND							
1000 GENERAL REVENUE FUND							1,273,782
	0.00	1,108,504		165,278	1,273,782		1,273,782

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	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
					AGY AMD REQ	
					FY 2016-17	
					OVER(UNDER)	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY FIN REQ	
	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	FY 2016-17	
POS	AMOUNT	POS	AMOUNT	POS	AMOUNT	POS
						AMOUNT
						CODES
JUSTICE ADMINISTRATION						21000000
REGIONAL CONFLICT COUNSELS						21800000
<u>PGM: REG CONFLICT CNSL-5TH</u>						21800500
PUBLIC PROTECTION						12
<u>LEGAL REPRESENTATION</u>						<u>1203.00.00.00</u>
TOTAL: LEGAL REPRESENTATION						<u>1203.00.00.00</u>
BY FUND TYPE						
	17.00	17.00				
GENERAL REVENUE FUND.....	1,383,646	2,657,428	67,983		1,273,782	1000
SALARY RATE.....	850,000	1,958,504			1,108,504	
	=====	=====	=====	=====	=====	