

	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 2020-21	FY 2020-21	FY 2020-21	FY 2020-21	FY 2020-21	
	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
JUSTICE ADMINISTRATION						21000000
PGM: JUSTICE ADMIN COMM						21300000
<u>EXECUTIVE DIR/SUPPORT SVCS</u>						21300800
GOV OPERATIONS/SUPPORT						16
EXEC LEADERSHIP/SUPPRT SVC						<u>1602.00.00.00</u>
WORKLOAD						3000000
STAFFING INCREASE FOR COURT-						
APPOINTED SECTION						3002340
SALARY RATE						000000
SALARY RATE.....	90,000	34,000			56,000-	
	=====	=====	=====	=====	=====	
SALARIES AND BENEFITS						010000
GENERAL REVENUE FUND	2.00				2.00-	
-STATE	143,340	84,182			59,158-	1000 1
	=====	=====	=====	=====	=====	
SPECIAL CATEGORIES						100000
OPERATING EXPENDITURES						103230
GENERAL REVENUE FUND						
-STATE	8,048	1,757			6,291-	1000 1
	=====	=====	=====	=====	=====	
TR/DMS/HR SVCS/STW CONTRCT						107040
GENERAL REVENUE FUND						
-STATE	468				468-	1000 1
	=====	=====	=====	=====	=====	
TOTAL: STAFFING INCREASE FOR COURT-						3002340
APPOINTED SECTION						
TOTAL POSITIONS.....	2.00				2.00-	
TOTAL ISSUE.....	151,856	85,939			65,917-	
TOTAL SALARY RATE.....	90,000	34,000			56,000-	
	=====	=====	=====	=====	=====	

AGENCY ISSUE NARRATIVE:
 2020-2021 BUDGET YEAR NARRATIVE: IT COMPONENT? NO
 Issue Title: Staffing Increase for Court-Appointed Section

The Justice Administrative Commission (JAC) requests \$151,856 in General Revenue (\$147,322 recurring, \$4,534 nonrecurring), to fund two full-time equivalent positions (FTEs), and 90,000 in salary rate. The positions will include an Assistant General Counsel in the JAC Legal Section and a Court-Appointed Auditor in the JAC Court-Appointed Audit Section, to address JAC Court Appointed and Legal Sections' ever increasing workload and maintain the level and quality of contracting, auditing, and legal review performed by JAC for the delivery of state-funded legal services to indigent

COL A12	COL A14	COL A15	COL A16	COL A14-A12	
AGY FIN REQ FY 2020-21 POS	AGY AMD REQ FY 2020-21 POS	AGY AMD N/R FY 2020-21 POS	AGY AMD ANZ FY 2020-21 POS	AGY AMD REQ FY 2020-21 OVER(UNDER) AGY FIN REQ FY 2020-21 POS	AMOUNT
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>
WORKLOAD					3000000
STAFFING INCREASE FOR COURT- APPOINTED SECTION					3002340

citizens.

In addition to providing legal services to all JAC Sections (Executive, Accounting, Budget, Financial Services, Human Resources, Operations, and Information Technology), the JAC Legal Section also works closely with the JAC Court-Appointed Contracts, Audit, Approval, and Online Support teams. The Legal Section advises these teams when legal questions arise concerning invoices for compensation of court-appointed attorneys and the due process services vendors (e.g., court reporters, investigators and expert witnesses) they hire to defend the case. Because JAC also serves as the single contracting agent, reviewer, and processor of payment requests for more than 2,300 court-appointed and indigent for costs attorneys and more than 800 related due process service vendors providing services to indigent persons, the Legal Section works closely with the Court-Appointed Contracts team to ensure the contracts on which these invoices and payments are premised are managed properly. Additionally, the 13+ percent increase in invoices submitted by court-appointed attorneys and their due process vendors since FY 2014-15 has had a significant impact on the workload of the Legal and Court-Appointed Audit sections.

The Legal Section also issues all letters of objection for court-appointed invoices seeking extraordinary compensation to ensure the objections therein comport with statutory and contractual limitations. In the past six fiscal years, the Legal Section has issued 7,039 letters of objection, with the workload rising steadily from 818 letters of objection in Fiscal Year 2013-14 to 1,760 letters of objection in Fiscal Year 2018-19, representing a 115.2 percent increase in letters issued. The Legal Section also performs the final review of complex invoices submitted by court-appointed attorneys in Capital Death cases, including Hurst resentencing cases, and Capital Collateral cases. Because these invoices are inherently complex, they require legal expertise to assess the reasonableness of the entries particularly since most of the cases involve review and comparison of billings submitted by both lead and co-counsel. Review of a complex case takes an auditor and an attorney an average of 8 hours to accomplish. In the past six fiscal years, the Court Appointed Audit and Legal Sections reviewed 1,788 Capital Death and Capital Collateral Case bills, for an average of 298 complex invoices per year.

Additionally, the Legal Section reviews legal motions for payment and represents JAC in evidentiary hearings concerning payment of attorney fees and associated due process vendors. The number of motions reviewed and hearings attended by the Legal Section has also increased significantly. For example, the chart below shows the growth in motions reviewed and the hearings attended by Legal Section:

Fiscal Year	Motions Reviewed	Hearings Attended
2013-14	10,391	925
2014-15	11,275	1,110
2015-16	13,653	1,155
2016-17	13,914	1,182

	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
					AGY AMD REQ	
					FY 2020-21	
					OVER(UNDER)	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY FIN REQ	
	FY 2020-21	FY 2020-21	FY 2020-21	FY 2020-21	FY 2020-21	
POS	AMOUNT	POS	AMOUNT	POS	AMOUNT	POS
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>
WORKLOAD						3000000
STAFFING INCREASE FOR COURT-						
APPOINTED SECTION						3002340
	2017-18		15,291			1,303
	2018-19		15,924			1,220

This represents a 53.2 percent increase in motions reviewed and a 31.9 percent increase in hearings attended since Fiscal Year 2013-14. These duties are handled primarily by three assistant general counsels and two paralegals. The Legal Section has leveraged technology to handle the increased workload. Nonetheless, the increased workload necessitates additional staff in the Legal Section.

Lastly, when JAC receives information suggesting misuse of state funds by an attorney or due process vendor, JAC conducts a post-payment billing inquiry. These billing inquiries involve both the Legal and Court-Appointed Audit Sections and require a substantial amount of resources and time to complete. Since Fiscal Year 2014-15, the Legal and Court Appointed Sections have performed over 225 billing inquiries resulting in \$259,916 recouped and the Commission has referred four vendors to the Department of Financial Services' Office of Fiscal Integrity. Two of these referrals have resulted in fraud convictions; the other two investigations are ongoing.

Based on the increasing workload and scrutiny performed by JAC's Court-Appointed and Legal Sections, as well as the Court-Appointed Contract and Approval teams, two FTEs are required and necessary to maintain the level and quality of contracting, auditing, and legal review performed by JAC.

FTE - 2.0
 Salary Rate Needed - 90,000
 Salaries and Benefits Needed - \$143,340
 Operating Expenditures Needed - \$8,048 of which \$4,534 is nonrecurring
 HR Outsourcing Needed - \$468

Total Request - \$151,856 of which \$4,534 is nonrecurring.

Amended 2020-21 Narrative after November 22, 2019

Issue Title: Staffing Increase for Court-Appointed Section

The Justice Administrative Commission (JAC) has identified a position to reallocate for this function. Funding of

COL A12		COL A14		COL A15		COL A16		COL A14-A12		CODES
AGY FIN REQ FY 2020-21	POS	AGY AMD REQ FY 2020-21	POS	AGY AMD N/R FY 2020-21	POS	AGY AMD ANZ FY 2020-21	POS	AGY AMD REQ FY 2020-21 OVER(UNDER)	AGY FIN REQ FY 2020-21	
AMOUNT		AMOUNT		AMOUNT		AMOUNT		AMOUNT	AMOUNT	
										21000000
										21300000
										21300800
										16
										<u>1602.00.00.00</u>
										3000000
										3002340

\$61,553 in General Revenue (\$61,553 recurring) is requested to support this vacant full-time equivalent position (FTE), and 34,000 in salary rate. This position will be an Assistant General Counsel in the JAC Legal Section to address an ever increasing workload of legal review performed by JAC for the delivery of state-funded legal services to indigent citizens, and work closely with JAC's Internal Audit Section on court-appointed audit and recoup issues.

Based on the increasing workload and scrutiny performed by the JAC Legal Section, funding is necessary to maintain the level and quality of legal review performed by JAC.

Original		Amended	
FTE 2.0		FTE 0.0	
Salary Rate Needed 90,000		Salary Rate Needed 34,000	
Salaries and Benefits Needed \$143,340		Salaries and Benefits Needed \$59,796	
Operating Expenditures Needed \$8,048 of which \$4,534 is nonrecurring	Operating	Expenditures Needed \$1,757 all recurring	

Total Request \$151,856 of which \$4,534 is nonrecurring. Total Amended Request \$61,553 of which none is nonrecurring.

Summary: This issue has been amended to delete 2.00 originally requested positions and General Revenue of \$90,303.

Second Amended 2020-21 Narrative after February 25, 2020

Issue Title: Staffing Increase for Court-Appointed Section

The Justice Administrative Commission (JAC) has identified a position to reallocate for this function. Funding of \$61,553 in General Revenue (\$61,553 recurring) is requested to support this vacant full-time equivalent position (FTE), and 34,000 in salary rate. This position will be an Assistant General Counsel in the JAC Legal Section to address an ever increasing workload of legal review performed by JAC for the delivery of state-funded legal services to indigent citizens, and work closely with JAC's Internal Audit Section on court-appointed audit and recoup issues.

COL A12		COL A14		COL A15		COL A16		COL A14-A12		CODES
AGY FIN REQ FY 2020-21	AGY AMD REQ FY 2020-21	AGY AMD N/R FY 2020-21	AGY AMD ANZ FY 2020-21	AGY FIN REQ FY 2020-21	AGY AMD REQ FY 2020-21	AGY AMD N/R FY 2020-21	AGY AMD ANZ FY 2020-21	AGY FIN REQ FY 2020-21	OVER(UNDER)	
POS	AMOUNT	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT	
										21000000
										21300000
										21300800
										16
										<u>1602.00.00.00</u>
										3000000
										3002340

JUSTICE ADMINISTRATION
 PGM: JUSTICE ADMIN COMM
EXECUTIVE DIR/SUPPORT SVCS
 GOV OPERATIONS/SUPPORT
EXEC LEADERSHIP/SUPPRT SVC
 WORKLOAD
 STAFFING INCREASE FOR COURT-
 APPOINTED SECTION

Based on the increasing workload and scrutiny performed by the JAC Legal Section, funding is necessary to maintain the level and quality of legal review performed by JAC.

Original	Amended
FTE 2.0	FTE 0.0
Salary Rate Needed 90,000	Salary Rate Needed 34,000
Salaries and Benefits Needed \$143,340	Salaries and Benefits Needed \$84,182
Operating Expenditures Needed \$8,048 of which \$4,534 is nonrecurring	Operating Expenditures Needed \$1,757 all recurring

Total Request \$151,856 of which \$4,534 is nonrecurring. Total Amended Request \$85,939 of which none is nonrecurring.

Summary: This issue has been amended to increase the total Salaries & Benefits requested to \$84,182 and the overall request to \$85,939.

POSITION DETAIL OF SALARIES AND BENEFITS:

	FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A12 - AGY FIN REQ FY 2020-21							
NEW POSITIONS							
1700 AUDITOR							
N0001 001	1.00	35,000		24,158	59,158	0.00	59,158
8002 ASSISTANT GENERAL COUNSEL							
N0002 001	1.00	55,000		29,182	84,182	0.00	84,182

COL A12		COL A14		COL A15		COL A16		COL A14-A12		CODES
AGY FIN REQ FY 2020-21	POS AMOUNT	AGY AMD REQ FY 2020-21	POS AMOUNT	AGY AMD N/R FY 2020-21	POS AMOUNT	AGY AMD ANZ FY 2020-21	POS AMOUNT	AGY AMD REQ FY 2020-21 OVER(UNDER)	AGY FIN REQ FY 2020-21	

JUSTICE ADMINISTRATION 21000000
 PGM: JUSTICE ADMIN COMM 21300000
EXECUTIVE DIR/SUPPORT SVCS 21300800
 GOV OPERATIONS/SUPPORT 16
EXEC LEADERSHIP/SUPPRT SVC 1602.00.00.00
 WORKLOAD 3000000
 STAFFING INCREASE FOR COURT-
 APPOINTED SECTION 3002340

POSITION DETAIL OF SALARIES AND BENEFITS:

FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A12 - AGY FIN REQ FY 2020-21						
NEW POSITIONS						
TOTALS FOR ISSUE BY FUND						
1000 GENERAL REVENUE FUND						
2.00	90,000		53,340	143,340		143,340

A14 - AGY AMD REQ FY 2020-21

CHANGES TO CURRENTLY AUTHORIZED POSITIONS

RA06 RATE ADJ - NO FTE - NO SALARY - NO BENEFITS
 N0001 001 34,000

TOTAL SALARY RATE 34,000

OTHER SALARY AMOUNT

1000 GENERAL REVENUE FUND 84,182

84,182

COL A12		COL A14		COL A15		COL A16		COL A14-A12		CODES
AGY FIN REQ FY 2020-21	AGY AMD REQ FY 2020-21	AGY AMD REQ FY 2020-21	AGY AMD N/R FY 2020-21	AGY AMD ANZ FY 2020-21	AGY AMD ANZ FY 2020-21	AGY FIN REQ FY 2020-21	AGY FIN REQ FY 2020-21	AGY AMD REQ FY 2020-21	OVER(UNDER)	
POS	AMOUNT	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT	

JUSTICE ADMINISTRATION										
PGM: JUSTICE ADMIN COMM										
<u>EXECUTIVE DIR/SUPPORT SVCS</u>										
GOV OPERATIONS/SUPPORT										
<u>EXEC LEADERSHIP/SUPPRT SVC</u>										
21000000										
21300000										
21300800										
16										
<u>1602.00.00.00</u>										
TOTAL: EXEC LEADERSHIP/SUPPRT SVC										
<u>1602.00.00.00</u>										
BY FUND TYPE										
2.00										
GENERAL REVENUE FUND.....										
SALARY RATE.....										
2.00	151,856		85,939			2.00-		65,917-	1000	
90,000		34,000				56,000-				
=====										