

	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ FY 2022-23	AGY AMD REQ FY 2022-23	AGY AMD N/R FY 2022-23	AGY AMD ANZ FY 2022-23	AGY AMD REQ FY 2022-23 OVER(UNDER)	AGY FIN REQ FY 2022-23
	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-1ST JUD CIRCUIT						21600100
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20
SALARY RATE						000000
SALARY RATE.....	280,000				280,000-	
=====						
SALARIES AND BENEFITS						010000
GENERAL REVENUE FUND -STATE	382,648				382,648-	1000 1
=====						
TOTAL: COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20
TOTAL ISSUE.....	382,648				382,648-	
TOTAL SALARY RATE.....	280,000				280,000-	
=====						

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AGENCY ISSUE NARRATIVE:

2022-2023 BUDGET YEAR NARRATIVE:

IT COMPONENT? NO

Public Defenders seek to achieve competitive pay for their experienced Assistant Public Defenders. Retention of experienced attorneys is critically important in order to ensure that Public Defenders effectively and efficiently meet their constitutional, ethical, and statutory responsibilities. Public Defender offices experience an average annual turnover rate of roughly 19.5% statewide. In FY20-21, this spiked to an all-time high of 26.35%. This dramatic increase in turnover was due in part to the COVID-19 pandemic and to competition from the private sector and other government agencies. The private sector directly competes with Public Defender offices by offering higher pay and better incentives with more enticing benefits to entry-level attorneys and experienced Assistant Public Defenders. Additionally, salary studies have shown that other government agencies on average pay higher salaries than Public Defender offices are able to pay. Despite recruitment efforts, Public Defender Offices statewide are experiencing a severe lack of applicants, both entry-level and those with prior experience.

	FY17-18	FY18-19	FY19-20	3 yr avg	FY20-21
STATEWIDE	18.78%	20.96%	18.78%	19.51%	26.35%
APPEALS	14.36%	9.94%	14.36%	12.89%	12.42%
TRIALS	19.16%	21.90%	19.16%	20.07%	27.50%

This turnover creates a costly cycle of recruiting and training new attorneys. The continual influx of new attorneys

	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
					AGY AMD REQ	
					FY 2022-23	
					OVER(UNDER)	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY FIN REQ	
	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	
POS	AMOUNT	POS	AMOUNT	POS	AMOUNT	CODES
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
<u>PGM: PD-1ST JUD CIRCUIT</u>						21600100
PUBLIC PROTECTION						12
<u>LEGAL REPRESENTATION</u>						<u>1203.00.00.00</u>
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR						
ASSISTANT PUBLIC DEFENDERS						4209A20

routinely causes delays and disruptions in court dockets for defendants and victims. Additionally, the lack of experienced attorneys makes case assignments and case management difficult, as there are specific skills and experience levels required to competently represent people charged with serious and complex cases. This preexisting problem is exacerbated by increased turnover of experienced attorneys. The unprecedented turnover rate and lack of applicants to fill vacant positions is nothing short of a constitutional crisis in the making.

Additionally, the recent base salary increase to \$50,000 for starting attorneys has created serious salary compression issues for Assistant Public Defenders who have more experience than their entry level counterparts, with a lack of attrition to meet this compression advancement in pay.

Public Defenders seek a competitive pay increase of \$5,000 for all Assistant Public Defenders and Chief Assistant Public Defenders (5901 and 5909 class codes respectively). The calculation of this increase should be based on filled positions prior to the onset of the COVID 19 pandemic in February 2020. The estimated cost of this increase statewide is \$7.8 million, plus associated benefits.

New General Revenue funds are requested because statewide the Indigent Criminal Defense Trust Fund and Grants and Donations Trust Fund will not have the recurring cash necessary to fund this issue long term.

Amended FY 2022-23 Narrative after December 15, 2021

Public Defenders seek to achieve competitive pay for their experienced Assistant Public Defenders. Retention of experienced attorneys is critically important in order to ensure that Public Defenders effectively and efficiently meet their constitutional, ethical, and statutory responsibilities. Public Defender offices experience an average annual turnover rate of roughly 19.5% statewide. In FY20-21, this spiked to an all-time high of 26.35%. This dramatic increase in turnover was due in part to the COVID-19 pandemic and to competition from the private sector and other government agencies. The private sector directly competes with Public Defender offices by offering higher pay and better incentives with more enticing benefits to entry-level attorneys and experienced Assistant Public Defenders. Additionally, salary studies have shown that other government agencies on average pay higher salaries than Public Defender offices are able to pay. Despite recruitment efforts, Public Defender Offices statewide are experiencing a severe lack of applicants, both entry-level and those with prior experience.

	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 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	
	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
						CODES
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-1ST JUD CIRCUIT						21600100
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20
STATEWIDE	18.78%	20.96%	18.78%	19.51%	26.35%	
APPEALS	14.36%	9.94%	14.36%	12.89%	12.42%	
TRIALS	19.16%	21.90%	19.16%	20.07%	27.50%	

This turnover creates a costly cycle of recruiting and training new attorneys. The continual influx of new attorneys routinely causes delays and disruptions in court dockets for defendants and victims. Additionally, the lack of experienced attorneys makes case assignments and case management difficult, as there are specific skills and experience levels required to competently represent people charged with serious and complex cases. This preexisting problem is exacerbated by increased turnover of experienced attorneys. The unprecedented turnover rate and lack of applicants to fill vacant positions is nothing short of a constitutional crisis in the making.

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Public Defenders seek a competitive pay increase of \$10,000 for all Assistant Public Defenders and Chief Assistant Public Defenders positions (5901 and 5909 class codes respectively), to be distributed by the Public Defenders as necessary to recruit and retain qualified personnel. The calculation of this increase should be based on filled positions prior to the onset of the COVID 19 pandemic in February 2020. The estimated cost of this increase statewide is \$14.2 million, plus associated benefits.

New General Revenue funds are requested because statewide the Indigent Criminal Defense Trust Fund and the Grants and Donations Trust Fund will not have the recurring cash necessary to fund this issue long term.

This issue impacts all agency activities.

Summary: The rate for this issue has been increased by \$7,127,000 and the Salaries and Benefits have been increased by \$9,739,755 Statewide to enable a \$10,000 competitive pay adjustment rather than the \$5,000 adjustment originally requested.

Second Amended Narrative after January 6, 2022

Summary: This issue has been deleted and replaced with issue code 4206A00 "Attorney Recruitment and Retention."

\*\*\*\*\*

COL A12		COL A14		COL A15		COL A16		COL A14-A12		CODES
AGY FIN REQ FY 2022-23	POS AMOUNT	AGY AMD REQ FY 2022-23	POS AMOUNT	AGY AMD N/R FY 2022-23	POS AMOUNT	AGY AMD ANZ FY 2022-23	POS AMOUNT	AGY AMD REQ FY 2022-23 OVER(UNDER)	AGY FIN REQ FY 2022-23	

JUSTICE ADMINISTRATION										21000000
PUBLIC DEFENDERS										21600000
PGM: PD-1ST JUD CIRCUIT										21600100
PUBLIC PROTECTION										12
LEGAL REPRESENTATION										<u>1203.00.00.00</u>
OTHER PROGRAMS										4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS										4209A20

POSITION DETAIL OF SALARIES AND BENEFITS:

	FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A12 - AGY FIN REQ FY 2022-23							
CHANGES TO CURRENTLY AUTHORIZED POSITIONS							
RA01 RATE & SALARY ADJ - BENEFITS NO FTE							
N0001 001	0.00	280,000		102,648	382,648	0.00	382,648
TOTALS FOR ISSUE BY FUND							
1000 GENERAL REVENUE FUND							382,648
	0.00	280,000		102,648	382,648		382,648

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TOTAL: LEGAL REPRESENTATION							<u>1203.00.00.00</u>
BY FUND TYPE							
GENERAL REVENUE FUND.....	382,648					382,648-	1000
SALARY RATE.....	280,000					280,000-	

=====

	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ FY 2022-23	AGY AMD REQ FY 2022-23	AGY AMD N/R FY 2022-23	AGY AMD ANZ FY 2022-23	AGY AMD REQ FY 2022-23 OVER(UNDER)	AGY FIN REQ FY 2022-23
	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT
	POS	POS	POS	POS	POS	POS
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-2ND JUD CIRCUIT						21600200
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20
SALARY RATE						000000
SALARY RATE.....	195,000				195,000-	
=====						
SALARIES AND BENEFITS						010000
GENERAL REVENUE FUND -STATE	266,488				266,488-	1000 1
=====						
TOTAL: COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20
TOTAL ISSUE.....	266,488				266,488-	
TOTAL SALARY RATE.....	195,000				195,000-	
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AGENCY ISSUE NARRATIVE:

2022-2023 BUDGET YEAR NARRATIVE:

IT COMPONENT? NO

Public Defenders seek to achieve competitive pay for their experienced Assistant Public Defenders. Retention of experienced attorneys is critically important in order to ensure that Public Defenders effectively and efficiently meet their constitutional, ethical, and statutory responsibilities. Public Defender offices experience an average annual turnover rate of roughly 19.5% statewide. In FY20-21, this spiked to an all-time high of 26.35%. This dramatic increase in turnover was due in part to the COVID-19 pandemic and to competition from the private sector and other government agencies. The private sector directly competes with Public Defender offices by offering higher pay and better incentives with more enticing benefits to entry-level attorneys and experienced Assistant Public Defenders. Additionally, salary studies have shown that other government agencies on average pay higher salaries than Public Defender offices are able to pay. Despite recruitment efforts, Public Defender Offices statewide are experiencing a severe lack of applicants, both entry-level and those with prior experience.

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	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
					AGY AMD REQ	
					FY 2022-23	
					OVER(UNDER)	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY FIN REQ	
	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	
POS	AMOUNT	POS	AMOUNT	POS	AMOUNT	CODES
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
<u>PGM: PD-2ND JUD CIRCUIT</u>						21600200
<u>PUBLIC PROTECTION</u>						12
<u>LEGAL REPRESENTATION</u>						<u>1203.00.00.00</u>
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20

routinely causes delays and disruptions in court dockets for defendants and victims. Additionally, the lack of experienced attorneys makes case assignments and case management difficult, as there are specific skills and experience levels required to competently represent people charged with serious and complex cases. This preexisting problem is exacerbated by increased turnover of experienced attorneys. The unprecedented turnover rate and lack of applicants to fill vacant positions is nothing short of a constitutional crisis in the making.

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FY17-18	FY18-19	FY19-20	3 yr avg	FY20-21
---------	---------	---------	----------	---------

	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
					AGY AMD REQ	
					FY 2022-23	
					OVER(UNDER)	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY FIN REQ	
	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	
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
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20
STATEWIDE	18.78%	20.96%	18.78%	19.51%	26.35%	
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Second Amended Narrative after January 6, 2022

Summary: This issue has been deleted and replaced with issue code 4206A00 "Attorney Recruitment and Retention."

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	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ FY 2022-23	AGY AMD REQ FY 2022-23	AGY AMD N/R FY 2022-23	AGY AMD ANZ FY 2022-23	AGY AMD REQ FY 2022-23 OVER(UNDER)	AGY FIN REQ FY 2022-23
	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-3RD JUD CIRCUIT						21600300
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20
SALARY RATE						000000
SALARY RATE.....	92,500				92,500-	
=====						
SALARIES AND BENEFITS						010000
GENERAL REVENUE FUND -STATE	126,410				126,410-	1000 1
=====						
TOTAL: COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20
TOTAL ISSUE.....	126,410				126,410-	
TOTAL SALARY RATE.....	92,500				92,500-	
=====						

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AGENCY ISSUE NARRATIVE:

2022-2023 BUDGET YEAR NARRATIVE:

IT COMPONENT? NO

Public Defenders seek to achieve competitive pay for their experienced Assistant Public Defenders. Retention of experienced attorneys is critically important in order to ensure that Public Defenders effectively and efficiently meet their constitutional, ethical, and statutory responsibilities. Public Defender offices experience an average annual turnover rate of roughly 19.5% statewide. In FY20-21, this spiked to an all-time high of 26.35%. This dramatic increase in turnover was due in part to the COVID-19 pandemic and to competition from the private sector and other government agencies. The private sector directly competes with Public Defender offices by offering higher pay and better incentives with more enticing benefits to entry-level attorneys and experienced Assistant Public Defenders. Additionally, salary studies have shown that other government agencies on average pay higher salaries than Public Defender offices are able to pay. Despite recruitment efforts, Public Defender Offices statewide are experiencing a severe lack of applicants, both entry-level and those with prior experience.

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	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
					AGY AMD REQ	
					FY 2022-23	
					OVER(UNDER)	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY FIN REQ	
	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	
POS	AMOUNT	POS	AMOUNT	POS	AMOUNT	CODES
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
<u>PGM: PD-3RD JUD CIRCUIT</u>						21600300
PUBLIC PROTECTION						12
<u>LEGAL REPRESENTATION</u>						<u>1203.00.00.00</u>
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR						
ASSISTANT PUBLIC DEFENDERS						4209A20

routinely causes delays and disruptions in court dockets for defendants and victims. Additionally, the lack of experienced attorneys makes case assignments and case management difficult, as there are specific skills and experience levels required to competently represent people charged with serious and complex cases. This preexisting problem is exacerbated by increased turnover of experienced attorneys. The unprecedented turnover rate and lack of applicants to fill vacant positions is nothing short of a constitutional crisis in the making.

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FY17-18            FY18-19            FY19-20            3 yr avg            FY20-21

	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
					AGY AMD REQ	
					FY 2022-23	
					OVER(UNDER)	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY FIN REQ	
	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	
POS	AMOUNT	POS	AMOUNT	POS	AMOUNT	CODES
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-3RD JUD CIRCUIT						21600300
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20
STATEWIDE	18.78%	20.96%	18.78%	19.51%	26.35%	
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This issue impacts all agency activities.

Summary: The rate for this issue has been increased by \$7,127,000 and the Salaries and Benefits have been increased by \$9,739,755 Statewide to enable a \$10,000 competitive pay adjustment rather than the \$5,000 adjustment originally requested.

Second Amended Narrative after January 6, 2022

Summary: This issue has been deleted and replaced with issue code 4206A00 "Attorney Recruitment and Retention."

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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 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	
	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
						CODES
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-3RD JUD CIRCUIT						21600300
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						<u>1203.00.00.00</u>
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20

POSITION DETAIL OF SALARIES AND BENEFITS:

	FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A12 - AGY FIN REQ FY 2022-23							
CHANGES TO CURRENTLY AUTHORIZED POSITIONS							
RA01 RATE & SALARY ADJ - BENEFITS NO FTE							
N0001 001	0.00	92,500		33,910	126,410	0.00	126,410
TOTALS FOR ISSUE BY FUND							
1000 GENERAL REVENUE FUND							126,410
	0.00	92,500		33,910	126,410		126,410

\*\*\*\*\*

TOTAL: LEGAL REPRESENTATION							<u>1203.00.00.00</u>
BY FUND TYPE							
GENERAL REVENUE FUND.....		126,410				126,410-	1000
SALARY RATE.....	92,500				92,500-		

=====

	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ FY 2022-23	AGY AMD REQ FY 2022-23	AGY AMD N/R FY 2022-23	AGY AMD ANZ FY 2022-23	AGY AMD REQ FY 2022-23 OVER(UNDER)	AGY FIN REQ FY 2022-23
	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT	CODES
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-4TH JUD CIRCUIT						21600400
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20
SALARY RATE						000000
SALARY RATE.....	396,000				396,000-	
=====						
SALARIES AND BENEFITS						010000
GENERAL REVENUE FUND -STATE	541,174				541,174-	1000 1
=====						
TOTAL: COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20
TOTAL ISSUE.....	541,174				541,174-	
TOTAL SALARY RATE.....	396,000				396,000-	
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AGENCY ISSUE NARRATIVE:

2022-2023 BUDGET YEAR NARRATIVE: IT COMPONENT? NO

Public Defenders seek to achieve competitive pay for their experienced Assistant Public Defenders. Retention of experienced attorneys is critically important in order to ensure that Public Defenders effectively and efficiently meet their constitutional, ethical, and statutory responsibilities. Public Defender offices experience an average annual turnover rate of roughly 19.5% statewide. In FY20-21, this spiked to an all-time high of 26.35%. This dramatic increase in turnover was due in part to the COVID-19 pandemic and to competition from the private sector and other government agencies. The private sector directly competes with Public Defender offices by offering higher pay and better incentives with more enticing benefits to entry-level attorneys and experienced Assistant Public Defenders. Additionally, salary studies have shown that other government agencies on average pay higher salaries than Public Defender offices are able to pay. Despite recruitment efforts, Public Defender Offices statewide are experiencing a severe lack of applicants, both entry-level and those with prior experience.

	FY17-18	FY18-19	FY19-20	3 yr avg	FY20-21
STATEWIDE	18.78%	20.96%	18.78%	19.51%	26.35%
APPEALS	14.36%	9.94%	14.36%	12.89%	12.42%
TRIALS	19.16%	21.90%	19.16%	20.07%	27.50%

This turnover creates a costly cycle of recruiting and training new attorneys. The continual influx of new attorneys

	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
					AGY AMD REQ	
					FY 2022-23	
					OVER(UNDER)	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY FIN REQ	
	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	
POS	AMOUNT	POS	AMOUNT	POS	AMOUNT	CODES
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
<u>PGM: PD-4TH JUD CIRCUIT</u>						21600400
PUBLIC PROTECTION						12
<u>LEGAL REPRESENTATION</u>						<u>1203.00.00.00</u>
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR						
ASSISTANT PUBLIC DEFENDERS						4209A20

routinely causes delays and disruptions in court dockets for defendants and victims. Additionally, the lack of experienced attorneys makes case assignments and case management difficult, as there are specific skills and experience levels required to competently represent people charged with serious and complex cases. This preexisting problem is exacerbated by increased turnover of experienced attorneys. The unprecedented turnover rate and lack of applicants to fill vacant positions is nothing short of a constitutional crisis in the making.

Additionally, the recent base salary increase to \$50,000 for starting attorneys has created serious salary compression issues for Assistant Public Defenders who have more experience than their entry level counterparts, with a lack of attrition to meet this compression advancement in pay.

Public Defenders seek a competitive pay increase of \$5,000 for all Assistant Public Defenders and Chief Assistant Public Defenders (5901 and 5909 class codes respectively). The calculation of this increase should be based on filled positions prior to the onset of the COVID 19 pandemic in February 2020. The estimated cost of this increase statewide is \$7.8 million, plus associated benefits.

New General Revenue funds are requested because statewide the Indigent Criminal Defense Trust Fund and Grants and Donations Trust Fund will not have the recurring cash necessary to fund this issue long term.

Amended FY 2022-23 Narrative after December 15, 2021

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FY17-18            FY18-19            FY19-20            3 yr avg            FY20-21

	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
					AGY AMD REQ	
					FY 2022-23	
					OVER(UNDER)	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY FIN REQ	
	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	
POS	AMOUNT	POS	AMOUNT	POS	AMOUNT	CODES
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-4TH JUD CIRCUIT						21600400
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20
STATEWIDE	18.78%	20.96%	18.78%	19.51%	26.35%	
APPEALS	14.36%	9.94%	14.36%	12.89%	12.42%	
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This turnover creates a costly cycle of recruiting and training new attorneys. The continual influx of new attorneys routinely causes delays and disruptions in court dockets for defendants and victims. Additionally, the lack of experienced attorneys makes case assignments and case management difficult, as there are specific skills and experience levels required to competently represent people charged with serious and complex cases. This preexisting problem is exacerbated by increased turnover of experienced attorneys. The unprecedented turnover rate and lack of applicants to fill vacant positions is nothing short of a constitutional crisis in the making.

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This issue impacts all agency activities.

Summary: The rate for this issue has been increased by \$7,127,000 and the Salaries and Benefits have been increased by \$9,739,755 Statewide to enable a \$10,000 competitive pay adjustment rather than the \$5,000 adjustment originally requested.

Second Amended Narrative after January 6, 2022

Summary: This issue has been deleted and replaced with issue code 4206A00 "Attorney Recruitment and Retention."

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	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ FY 2022-23	AGY AMD REQ FY 2022-23	AGY AMD N/R FY 2022-23	AGY AMD ANZ FY 2022-23	AGY AMD REQ FY 2022-23 OVER(UNDER)	AGY FIN REQ FY 2022-23
	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT
	POS	POS	POS	POS	POS	POS
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-5TH JUD CIRCUIT						21600500
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20
SALARY RATE						000000
SALARY RATE.....	340,000				340,000-	
=====						
SALARIES AND BENEFITS						010000
GENERAL REVENUE FUND -STATE	464,644				464,644-	1000 1
=====						
TOTAL: COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20
TOTAL ISSUE.....	464,644				464,644-	
TOTAL SALARY RATE.....	340,000				340,000-	
=====						

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AGENCY ISSUE NARRATIVE:

2022-2023 BUDGET YEAR NARRATIVE:

IT COMPONENT? NO

Public Defenders seek to achieve competitive pay for their experienced Assistant Public Defenders. Retention of experienced attorneys is critically important in order to ensure that Public Defenders effectively and efficiently meet their constitutional, ethical, and statutory responsibilities. Public Defender offices experience an average annual turnover rate of roughly 19.5% statewide. In FY20-21, this spiked to an all-time high of 26.35%. This dramatic increase in turnover was due in part to the COVID-19 pandemic and to competition from the private sector and other government agencies. The private sector directly competes with Public Defender offices by offering higher pay and better incentives with more enticing benefits to entry-level attorneys and experienced Assistant Public Defenders. Additionally, salary studies have shown that other government agencies on average pay higher salaries than Public Defender offices are able to pay. Despite recruitment efforts, Public Defender Offices statewide are experiencing a severe lack of applicants, both entry-level and those with prior experience.

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	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
					AGY AMD REQ	
					FY 2022-23	
					OVER(UNDER)	
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	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	
POS	AMOUNT	POS	AMOUNT	POS	AMOUNT	CODES
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
<u>PGM: PD-5TH JUD CIRCUIT</u>						21600500
PUBLIC PROTECTION						12
<u>LEGAL REPRESENTATION</u>						<u>1203.00.00.00</u>
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR						
ASSISTANT PUBLIC DEFENDERS						4209A20

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					FY 2022-23	
					OVER(UNDER)	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY FIN REQ	
	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	
	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>
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20
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	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-6TH JUD CIRCUIT						21600600
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS SALARY RATE						4209A20
SALARY RATE.....	568,750				568,750-	000000
=====						
SALARIES AND BENEFITS						010000
GENERAL REVENUE FUND -STATE	777,253				777,253-	1000 1
=====						
TOTAL: COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20
TOTAL ISSUE.....	777,253				777,253-	
TOTAL SALARY RATE.....	568,750				568,750-	
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AGENCY ISSUE NARRATIVE:

2022-2023 BUDGET YEAR NARRATIVE:

IT COMPONENT? NO

Public Defenders seek to achieve competitive pay for their experienced Assistant Public Defenders. Retention of experienced attorneys is critically important in order to ensure that Public Defenders effectively and efficiently meet their constitutional, ethical, and statutory responsibilities. Public Defender offices experience an average annual turnover rate of roughly 19.5% statewide. In FY20-21, this spiked to an all-time high of 26.35%. This dramatic increase in turnover was due in part to the COVID-19 pandemic and to competition from the private sector and other government agencies. The private sector directly competes with Public Defender offices by offering higher pay and better incentives with more enticing benefits to entry-level attorneys and experienced Assistant Public Defenders. Additionally, salary studies have shown that other government agencies on average pay higher salaries than Public Defender offices are able to pay. Despite recruitment efforts, Public Defender Offices statewide are experiencing a severe lack of applicants, both entry-level and those with prior experience.

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	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
					AGY AMD REQ	
					FY 2022-23	
					OVER(UNDER)	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY FIN REQ	
	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	
POS	AMOUNT	POS	AMOUNT	POS	AMOUNT	CODES
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
<u>PGM: PD-6TH JUD CIRCUIT</u>						21600600
PUBLIC PROTECTION						12
<u>LEGAL REPRESENTATION</u>						<u>1203.00.00.00</u>
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20

routinely causes delays and disruptions in court dockets for defendants and victims. Additionally, the lack of experienced attorneys makes case assignments and case management difficult, as there are specific skills and experience levels required to competently represent people charged with serious and complex cases. This preexisting problem is exacerbated by increased turnover of experienced attorneys. The unprecedented turnover rate and lack of applicants to fill vacant positions is nothing short of a constitutional crisis in the making.

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					AGY AMD REQ	
					FY 2022-23	
					OVER(UNDER)	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY FIN REQ	
	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	
	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
JUSTICE ADMINISTRATION						21000000
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LEGAL REPRESENTATION						1203.00.00.00
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20
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Second Amended Narrative after January 6, 2022

Summary: This issue has been deleted and replaced with issue code 4206A00 "Attorney Recruitment and Retention."

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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 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	
POS	AMOUNT	POS	AMOUNT	POS	AMOUNT	CODES
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-6TH JUD CIRCUIT						21600600
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						<u>1203.00.00.00</u>
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20

POSITION DETAIL OF SALARIES AND BENEFITS:

	FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A12 - AGY FIN REQ FY 2022-23							
CHANGES TO CURRENTLY AUTHORIZED POSITIONS							
RA01 RATE & SALARY ADJ - BENEFITS NO FTE							
N0001 001	0.00	568,750		208,503	777,253	0.00	777,253
TOTALS FOR ISSUE BY FUND							
1000 GENERAL REVENUE FUND							777,253
	0.00	568,750		208,503	777,253		777,253

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TOTAL: LEGAL REPRESENTATION							<u>1203.00.00.00</u>
BY FUND TYPE							
GENERAL REVENUE FUND.....	777,253					777,253-	1000
SALARY RATE.....	568,750				568,750-		

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	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ FY 2022-23	AGY AMD REQ FY 2022-23	AGY AMD N/R FY 2022-23	AGY AMD ANZ FY 2022-23	AGY AMD REQ FY 2022-23 OVER(UNDER)	AGY FIN REQ FY 2022-23
	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT
	=====	=====	=====	=====	=====	=====
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-7TH JUD CIRCUIT						21600700
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20
SALARY RATE						000000
SALARY RATE.....	295,000				295,000-	
	=====	=====	=====	=====	=====	=====
SALARIES AND BENEFITS						010000
GENERAL REVENUE FUND -STATE	403,148				403,148-	1000 1
	=====	=====	=====	=====	=====	=====
TOTAL: COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20
TOTAL ISSUE.....	403,148				403,148-	
TOTAL SALARY RATE.....	295,000				295,000-	
	=====	=====	=====	=====	=====	=====

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AGENCY ISSUE NARRATIVE:

2022-2023 BUDGET YEAR NARRATIVE: IT COMPONENT? NO

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	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	
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COMPETITIVE PAY ADJUSTMENT FOR						
ASSISTANT PUBLIC DEFENDERS						4209A20

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Public Defenders seek a competitive pay increase of \$5,000 for all Assistant Public Defenders and Chief Assistant Public Defenders (5901 and 5909 class codes respectively). The calculation of this increase should be based on filled positions prior to the onset of the COVID 19 pandemic in February 2020. The estimated cost of this increase statewide is \$7.8 million, plus associated benefits.

New General Revenue funds are requested because statewide the Indigent Criminal Defense Trust Fund and Grants and Donations Trust Fund will not have the recurring cash necessary to fund this issue long term.

Amended FY 2022-23 Narrative after December 15, 2021

Public Defenders seek to achieve competitive pay for their experienced Assistant Public Defenders. Retention of experienced attorneys is critically important in order to ensure that Public Defenders effectively and efficiently meet their constitutional, ethical, and statutory responsibilities. Public Defender offices experience an average annual turnover rate of roughly 19.5% statewide. In FY20-21, this spiked to an all-time high of 26.35%. This dramatic increase in turnover was due in part to the COVID-19 pandemic and to competition from the private sector and other government agencies. The private sector directly competes with Public Defender offices by offering higher pay and better incentives with more enticing benefits to entry-level attorneys and experienced Assistant Public Defenders. Additionally, salary studies have shown that other government agencies on average pay higher salaries than Public Defender offices are able to pay. Despite recruitment efforts, Public Defender Offices statewide are experiencing a severe lack of applicants, both entry-level and those with prior experience.

FY17-18            FY18-19            FY19-20            3 yr avg            FY20-21

	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
					AGY AMD REQ	
					FY 2022-23	
					OVER(UNDER)	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY FIN REQ	
	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	
	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-7TH JUD CIRCUIT						21600700
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20
STATEWIDE	18.78%	20.96%	18.78%	19.51%	26.35%	
APPEALS	14.36%	9.94%	14.36%	12.89%	12.42%	
TRIALS	19.16%	21.90%	19.16%	20.07%	27.50%	

This turnover creates a costly cycle of recruiting and training new attorneys. The continual influx of new attorneys routinely causes delays and disruptions in court dockets for defendants and victims. Additionally, the lack of experienced attorneys makes case assignments and case management difficult, as there are specific skills and experience levels required to competently represent people charged with serious and complex cases. This preexisting problem is exacerbated by increased turnover of experienced attorneys. The unprecedented turnover rate and lack of applicants to fill vacant positions is nothing short of a constitutional crisis in the making.

Additionally, the recent base salary increase to \$50,000 for starting attorneys has created serious salary compression issues for Assistant Public Defenders who have more experience than their entry level counterparts, with a lack of attrition to meet this compression advancement in pay.

Public Defenders seek a competitive pay increase of \$10,000 for all Assistant Public Defenders and Chief Assistant Public Defenders positions (5901 and 5909 class codes respectively), to be distributed by the Public Defenders as necessary to recruit and retain qualified personnel. The calculation of this increase should be based on filled positions prior to the onset of the COVID 19 pandemic in February 2020. The estimated cost of this increase statewide is \$14.2 million, plus associated benefits.

New General Revenue funds are requested because statewide the Indigent Criminal Defense Trust Fund and the Grants and Donations Trust Fund will not have the recurring cash necessary to fund this issue long term.

This issue impacts all agency activities.

Summary: The rate for this issue has been increased by \$7,127,000 and the Salaries and Benefits have been increased by \$9,739,755 Statewide to enable a \$10,000 competitive pay adjustment rather than the \$5,000 adjustment originally requested.

Second Amended Narrative after January 6, 2022

Summary: This issue has been deleted and replaced with issue code 4206A00 "Attorney Recruitment and Retention."

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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 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	
	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
						CODES
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-7TH JUD CIRCUIT						21600700
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						<u>1203.00.00.00</u>
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20

POSITION DETAIL OF SALARIES AND BENEFITS:

	FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A12 - AGY FIN REQ FY 2022-23							
CHANGES TO CURRENTLY AUTHORIZED POSITIONS							
RA01 RATE & SALARY ADJ - BENEFITS NO FTE							
N0001 001	0.00	295,000		108,148	403,148	0.00	403,148
TOTALS FOR ISSUE BY FUND							
1000 GENERAL REVENUE FUND							403,148
	0.00	295,000		108,148	403,148		403,148

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TOTAL: LEGAL REPRESENTATION							<u>1203.00.00.00</u>
BY FUND TYPE							
GENERAL REVENUE FUND.....	403,148					403,148-	1000
SALARY RATE.....	295,000				295,000-		

=====

	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ FY 2022-23	AGY AMD REQ FY 2022-23	AGY AMD N/R FY 2022-23	AGY AMD ANZ FY 2022-23	AGY AMD REQ FY 2022-23 OVER(UNDER)	AGY FIN REQ FY 2022-23
	POS AMOUNT	POS AMOUNT	POS AMOUNT	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
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS SALARY RATE						4209A20
SALARY RATE.....	195,000				195,000-	000000
=====						
SALARIES AND BENEFITS						010000
GENERAL REVENUE FUND -STATE	266,488				266,488-	1000 1
=====						
TOTAL: COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20
TOTAL ISSUE.....	266,488				266,488-	
TOTAL SALARY RATE.....	195,000				195,000-	
=====						

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AGENCY ISSUE NARRATIVE:

2022-2023 BUDGET YEAR NARRATIVE: IT COMPONENT? NO

Public Defenders seek to achieve competitive pay for their experienced Assistant Public Defenders. Retention of experienced attorneys is critically important in order to ensure that Public Defenders effectively and efficiently meet their constitutional, ethical, and statutory responsibilities. Public Defender offices experience an average annual turnover rate of roughly 19.5% statewide. In FY20-21, this spiked to an all-time high of 26.35%. This dramatic increase in turnover was due in part to the COIVD-19 pandemic and to competition from the private sector and other government agencies. The private sector directly competes with Public Defender offices by offering higher pay and better incentives with more enticing benefits to entry-level attorneys and experienced Assistant Public Defenders. Additionally, salary studies have shown that other government agencies on average pay higher salaries than Public Defender offices are able to pay. Despite recruitment efforts, Public Defender Offices statewide are experiencing a severe lack of applicants, both entry-level and those with prior experience.

	FY17-18	FY18-19	FY19-20	3 yr avg	FY20-21
STATEWIDE	18.78%	20.96%	18.78%	19.51%	26.35%
APPEALS	14.36%	9.94%	14.36%	12.89%	12.42%
TRIALS	19.16%	21.90%	19.16%	20.07%	27.50%

This turnover creates a costly cycle of recruiting and training new attorneys. The continual influx of new attorneys

	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
					AGY AMD REQ	
					FY 2022-23	
					OVER(UNDER)	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY FIN REQ	
	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	
POS	AMOUNT	POS	AMOUNT	POS	AMOUNT	CODES
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
<u>PGM: PD-8TH JUD CIRCUIT</u>						21600800
PUBLIC PROTECTION						12
<u>LEGAL REPRESENTATION</u>						<u>1203.00.00.00</u>
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR						
ASSISTANT PUBLIC DEFENDERS						4209A20

routinely causes delays and disruptions in court dockets for defendants and victims. Additionally, the lack of experienced attorneys makes case assignments and case management difficult, as there are specific skills and experience levels required to competently represent people charged with serious and complex cases. This preexisting problem is exacerbated by increased turnover of experienced attorneys. The unprecedented turnover rate and lack of applicants to fill vacant positions is nothing short of a constitutional crisis in the making.

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New General Revenue funds are requested because statewide the Indigent Criminal Defense Trust Fund and Grants and Donations Trust Fund will not have the recurring cash necessary to fund this issue long term.

Amended FY 2022-23 Narrative after December 15, 2021

Public Defenders seek to achieve competitive pay for their experienced Assistant Public Defenders. Retention of experienced attorneys is critically important in order to ensure that Public Defenders effectively and efficiently meet their constitutional, ethical, and statutory responsibilities. Public Defender offices experience an average annual turnover rate of roughly 19.5% statewide. In FY20-21, this spiked to an all-time high of 26.35%. This dramatic increase in turnover was due in part to the COIVD-19 pandemic and to competition from the private sector and other government agencies. The private sector directly competes with Public Defender offices by offering higher pay and better incentives with more enticing benefits to entry-level attorneys and experienced Assistant Public Defenders. Additionally, salary studies have shown that other government agencies on average pay higher salaries than Public Defender offices are able to pay. Despite recruitment efforts, Public Defender Offices statewide are experiencing a severe lack of applicants, both entry-level and those with prior experience.

FY17-18              FY18-19              FY19-20              3 yr avg              FY20-21

	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
					AGY AMD REQ	
					FY 2022-23	
					OVER(UNDER)	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY FIN REQ	
	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	
	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
						CODES
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-8TH JUD CIRCUIT						21600800
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20
STATEWIDE	18.78%	20.96%	18.78%	19.51%	26.35%	
APPEALS	14.36%	9.94%	14.36%	12.89%	12.42%	
TRIALS	19.16%	21.90%	19.16%	20.07%	27.50%	

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This issue impacts all agency activities.

Summary: The rate for this issue has been increased by \$7,127,000 and the Salaries and Benefits have been increased by \$9,739,755 Statewide to enable a \$10,000 competitive pay adjustment rather than the \$5,000 adjustment originally requested.

Second Amended Narrative after January 6, 2022

Summary: This issue has been deleted and replaced with issue code 4206A00 "Attorney Recruitment and Retention."

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	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
					AGY AMD REQ	
					FY 2022-23	
					OVER(UNDER)	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY FIN REQ	
	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	
POS	AMOUNT	POS	AMOUNT	POS	AMOUNT	CODES
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-8TH JUD CIRCUIT						21600800
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						<u>1203.00.00.00</u>
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20

POSITION DETAIL OF SALARIES AND BENEFITS:

	FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A12 - AGY FIN REQ FY 2022-23							
CHANGES TO CURRENTLY AUTHORIZED POSITIONS							
RA01 RATE & SALARY ADJ - BENEFITS NO FTE							
N0001 001	0.00	195,000		71,488	266,488	0.00	266,488
TOTALS FOR ISSUE BY FUND							
1000 GENERAL REVENUE FUND							266,488
	0.00	195,000		71,488	266,488		266,488

\*\*\*\*\*

TOTAL: LEGAL REPRESENTATION							<u>1203.00.00.00</u>
BY FUND TYPE							
GENERAL REVENUE FUND.....	266,488					266,488-	1000
SALARY RATE.....	195,000					195,000-	

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	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ FY 2022-23	AGY AMD REQ FY 2022-23	AGY AMD N/R FY 2022-23	AGY AMD ANZ FY 2022-23	AGY AMD REQ FY 2022-23 OVER(UNDER)	AGY FIN REQ FY 2022-23
	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-10TH JUD CIRCUIT						21601000
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS SALARY RATE						4209A20
SALARY RATE.....	277,500				277,500-	000000
=====						
SALARIES AND BENEFITS						010000
GENERAL REVENUE FUND -STATE	379,232				379,232-	1000 1
=====						
TOTAL: COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20
TOTAL ISSUE.....	379,232				379,232-	
TOTAL SALARY RATE.....	277,500				277,500-	
=====						

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AGENCY ISSUE NARRATIVE:

2022-2023 BUDGET YEAR NARRATIVE:

IT COMPONENT? NO

Public Defenders seek to achieve competitive pay for their experienced Assistant Public Defenders. Retention of experienced attorneys is critically important in order to ensure that Public Defenders effectively and efficiently meet their constitutional, ethical, and statutory responsibilities. Public Defender offices experience an average annual turnover rate of roughly 19.5% statewide. In FY20-21, this spiked to an all-time high of 26.35%. This dramatic increase in turnover was due in part to the COVID-19 pandemic and to competition from the private sector and other government agencies. The private sector directly competes with Public Defender offices by offering higher pay and better incentives with more enticing benefits to entry-level attorneys and experienced Assistant Public Defenders. Additionally, salary studies have shown that other government agencies on average pay higher salaries than Public Defender offices are able to pay. Despite recruitment efforts, Public Defender Offices statewide are experiencing a severe lack of applicants, both entry-level and those with prior experience.

	FY17-18	FY18-19	FY19-20	3 yr avg	FY20-21
STATEWIDE	18.78%	20.96%	18.78%	19.51%	26.35%
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	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
					AGY AMD REQ	
					FY 2022-23	
					OVER(UNDER)	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY FIN REQ	
	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	
POS	AMOUNT	POS	AMOUNT	POS	AMOUNT	CODES
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
<u>PGM: PD-10TH JUD CIRCUIT</u>						21601000
PUBLIC PROTECTION						12
<u>LEGAL REPRESENTATION</u>						<u>1203.00.00.00</u>
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20

routinely causes delays and disruptions in court dockets for defendants and victims. Additionally, the lack of experienced attorneys makes case assignments and case management difficult, as there are specific skills and experience levels required to competently represent people charged with serious and complex cases. This preexisting problem is exacerbated by increased turnover of experienced attorneys. The unprecedented turnover rate and lack of applicants to fill vacant positions is nothing short of a constitutional crisis in the making.

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Amended FY 2022-23 Narrative after December 15, 2021

Public Defenders seek to achieve competitive pay for their experienced Assistant Public Defenders. Retention of experienced attorneys is critically important in order to ensure that Public Defenders effectively and efficiently meet their constitutional, ethical, and statutory responsibilities. Public Defender offices experience an average annual turnover rate of roughly 19.5% statewide. In FY20-21, this spiked to an all-time high of 26.35%. This dramatic increase in turnover was due in part to the COVID-19 pandemic and to competition from the private sector and other government agencies. The private sector directly competes with Public Defender offices by offering higher pay and better incentives with more enticing benefits to entry-level attorneys and experienced Assistant Public Defenders. Additionally, salary studies have shown that other government agencies on average pay higher salaries than Public Defender offices are able to pay. Despite recruitment efforts, Public Defender Offices statewide are experiencing a severe lack of applicants, both entry-level and those with prior experience.

FY17-18            FY18-19            FY19-20            3 yr avg            FY20-21

	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
					AGY AMD REQ	
					FY 2022-23	
					OVER(UNDER)	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY FIN REQ	
	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	
	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-10TH JUD CIRCUIT						21601000
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20
STATEWIDE	18.78%	20.96%	18.78%	19.51%	26.35%	
APPEALS	14.36%	9.94%	14.36%	12.89%	12.42%	
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This turnover creates a costly cycle of recruiting and training new attorneys. The continual influx of new attorneys routinely causes delays and disruptions in court dockets for defendants and victims. Additionally, the lack of experienced attorneys makes case assignments and case management difficult, as there are specific skills and experience levels required to competently represent people charged with serious and complex cases. This preexisting problem is exacerbated by increased turnover of experienced attorneys. The unprecedented turnover rate and lack of applicants to fill vacant positions is nothing short of a constitutional crisis in the making.

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Second Amended Narrative after January 6, 2022

Summary: This issue has been deleted and replaced with issue code 4206A00 "Attorney Recruitment and Retention."

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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 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	
	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
						CODES
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-10TH JUD CIRCUIT						21601000
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20

POSITION DETAIL OF SALARIES AND BENEFITS:

	FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A12 - AGY FIN REQ FY 2022-23							
CHANGES TO CURRENTLY AUTHORIZED POSITIONS							
RA01 RATE & SALARY ADJ - BENEFITS NO FTE							
N0001 001	0.00	277,500		101,732	379,232	0.00	379,232
TOTALS FOR ISSUE BY FUND							
1000 GENERAL REVENUE FUND							379,232
	0.00	277,500		101,732	379,232		379,232

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TOTAL: LEGAL REPRESENTATION							1203.00.00.00
BY FUND TYPE							
GENERAL REVENUE FUND.....	379,232					379,232-	1000
SALARY RATE.....	277,500				277,500-		

=====

	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ FY 2022-23	AGY AMD REQ FY 2022-23	AGY AMD N/R FY 2022-23	AGY AMD ANZ FY 2022-23	AGY AMD REQ FY 2022-23 OVER(UNDER)	AGY FIN REQ FY 2022-23
	POS AMOUNT	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
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20
SALARY RATE						000000
SALARY RATE.....	952,500				952,500-	
=====						
SALARIES AND BENEFITS						010000
GENERAL REVENUE FUND -STATE	1,301,686				1,301,686-	1000 1
=====						
TOTAL: COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20
TOTAL ISSUE.....	1,301,686				1,301,686-	
TOTAL SALARY RATE.....	952,500				952,500-	
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AGENCY ISSUE NARRATIVE:

2022-2023 BUDGET YEAR NARRATIVE: IT COMPONENT? NO

Public Defenders seek to achieve competitive pay for their experienced Assistant Public Defenders. Retention of experienced attorneys is critically important in order to ensure that Public Defenders effectively and efficiently meet their constitutional, ethical, and statutory responsibilities. Public Defender offices experience an average annual turnover rate of roughly 19.5% statewide. In FY20-21, this spiked to an all-time high of 26.35%. This dramatic increase in turnover was due in part to the COVID-19 pandemic and to competition from the private sector and other government agencies. The private sector directly competes with Public Defender offices by offering higher pay and better incentives with more enticing benefits to entry-level attorneys and experienced Assistant Public Defenders. Additionally, salary studies have shown that other government agencies on average pay higher salaries than Public Defender offices are able to pay. Despite recruitment efforts, Public Defender Offices statewide are experiencing a severe lack of applicants, both entry-level and those with prior experience.

	FY17-18	FY18-19	FY19-20	3 yr avg	FY20-21
STATEWIDE	18.78%	20.96%	18.78%	19.51%	26.35%
APPEALS	14.36%	9.94%	14.36%	12.89%	12.42%
TRIALS	19.16%	21.90%	19.16%	20.07%	27.50%

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	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
					AGY AMD REQ	
					FY 2022-23	
					OVER(UNDER)	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY FIN REQ	
	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	
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>
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20

routinely causes delays and disruptions in court dockets for defendants and victims. Additionally, the lack of experienced attorneys makes case assignments and case management difficult, as there are specific skills and experience levels required to competently represent people charged with serious and complex cases. This preexisting problem is exacerbated by increased turnover of experienced attorneys. The unprecedented turnover rate and lack of applicants to fill vacant positions is nothing short of a constitutional crisis in the making.

Additionally, the recent base salary increase to \$50,000 for starting attorneys has created serious salary compression issues for Assistant Public Defenders who have more experience than their entry level counterparts, with a lack of attrition to meet this compression advancement in pay.

Public Defenders seek a competitive pay increase of \$5,000 for all Assistant Public Defenders and Chief Assistant Public Defenders (5901 and 5909 class codes respectively). The calculation of this increase should be based on filled positions prior to the onset of the COVID 19 pandemic in February 2020. The estimated cost of this increase statewide is \$7.8 million, plus associated benefits.

New General Revenue funds are requested because statewide the Indigent Criminal Defense Trust Fund and Grants and Donations Trust Fund will not have the recurring cash necessary to fund this issue long term.

Amended FY 2022-23 Narrative after December 15, 2021

Public Defenders seek to achieve competitive pay for their experienced Assistant Public Defenders. Retention of experienced attorneys is critically important in order to ensure that Public Defenders effectively and efficiently meet their constitutional, ethical, and statutory responsibilities. Public Defender offices experience an average annual turnover rate of roughly 19.5% statewide. In FY20-21, this spiked to an all-time high of 26.35%. This dramatic increase in turnover was due in part to the COVID-19 pandemic and to competition from the private sector and other government agencies. The private sector directly competes with Public Defender offices by offering higher pay and better incentives with more enticing benefits to entry-level attorneys and experienced Assistant Public Defenders. Additionally, salary studies have shown that other government agencies on average pay higher salaries than Public Defender offices are able to pay. Despite recruitment efforts, Public Defender Offices statewide are experiencing a severe lack of applicants, both entry-level and those with prior experience.

FY17-18              FY18-19              FY19-20              3 yr avg              FY20-21

	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
					AGY AMD REQ	
					FY 2022-23	
					OVER(UNDER)	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY FIN REQ	
	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	
	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
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20
STATEWIDE	18.78%	20.96%	18.78%	19.51%	26.35%	
APPEALS	14.36%	9.94%	14.36%	12.89%	12.42%	
TRIALS	19.16%	21.90%	19.16%	20.07%	27.50%	

This turnover creates a costly cycle of recruiting and training new attorneys. The continual influx of new attorneys routinely causes delays and disruptions in court dockets for defendants and victims. Additionally, the lack of experienced attorneys makes case assignments and case management difficult, as there are specific skills and experience levels required to competently represent people charged with serious and complex cases. This preexisting problem is exacerbated by increased turnover of experienced attorneys. The unprecedented turnover rate and lack of applicants to fill vacant positions is nothing short of a constitutional crisis in the making.

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Public Defenders seek a competitive pay increase of \$10,000 for all Assistant Public Defenders and Chief Assistant Public Defenders positions (5901 and 5909 class codes respectively), to be distributed by the Public Defenders as necessary to recruit and retain qualified personnel. The calculation of this increase should be based on filled positions prior to the onset of the COVID 19 pandemic in February 2020. The estimated cost of this increase statewide is \$14.2 million, plus associated benefits.

New General Revenue funds are requested because statewide the Indigent Criminal Defense Trust Fund and the Grants and Donations Trust Fund will not have the recurring cash necessary to fund this issue long term.

This issue impacts all agency activities.

Summary: The rate for this issue has been increased by \$7,127,000 and the Salaries and Benefits have been increased by \$9,739,755 Statewide to enable a \$10,000 competitive pay adjustment rather than the \$5,000 adjustment originally requested.

Second Amended Narrative after January 6, 2022

Summary: This issue has been deleted and replaced with issue code 4206A00 "Attorney Recruitment and Retention."

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	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ FY 2022-23	AGY AMD REQ FY 2022-23	AGY AMD N/R FY 2022-23	AGY AMD ANZ FY 2022-23	AGY AMD REQ FY 2022-23 OVER(UNDER)	AGY FIN REQ FY 2022-23
	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-12TH JUD CIRCUIT						21601200
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS SALARY RATE						4209A20
SALARY RATE.....	217,500				217,500-	000000
=====						
SALARIES AND BENEFITS						010000
GENERAL REVENUE FUND -STATE	297,236				297,236-	1000 1
=====						
TOTAL: COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20
TOTAL ISSUE.....	297,236				297,236-	
TOTAL SALARY RATE.....	217,500				217,500-	
=====						

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AGENCY ISSUE NARRATIVE:

2022-2023 BUDGET YEAR NARRATIVE: IT COMPONENT? NO

Public Defenders seek to achieve competitive pay for their experienced Assistant Public Defenders. Retention of experienced attorneys is critically important in order to ensure that Public Defenders effectively and efficiently meet their constitutional, ethical, and statutory responsibilities. Public Defender offices experience an average annual turnover rate of roughly 19.5% statewide. In FY20-21, this spiked to an all-time high of 26.35%. This dramatic increase in turnover was due in part to the COVID-19 pandemic and to competition from the private sector and other government agencies. The private sector directly competes with Public Defender offices by offering higher pay and better incentives with more enticing benefits to entry-level attorneys and experienced Assistant Public Defenders. Additionally, salary studies have shown that other government agencies on average pay higher salaries than Public Defender offices are able to pay. Despite recruitment efforts, Public Defender Offices statewide are experiencing a severe lack of applicants, both entry-level and those with prior experience.

	FY17-18	FY18-19	FY19-20	3 yr avg	FY20-21
STATEWIDE	18.78%	20.96%	18.78%	19.51%	26.35%
APPEALS	14.36%	9.94%	14.36%	12.89%	12.42%
TRIALS	19.16%	21.90%	19.16%	20.07%	27.50%

This turnover creates a costly cycle of recruiting and training new attorneys. The continual influx of new attorneys

	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
					AGY AMD REQ	
					FY 2022-23	
					OVER(UNDER)	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY FIN REQ	
	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	
POS	AMOUNT	POS	AMOUNT	POS	AMOUNT	CODES
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
<u>PGM: PD-12TH JUD CIRCUIT</u>						21601200
PUBLIC PROTECTION						12
<u>LEGAL REPRESENTATION</u>						<u>1203.00.00.00</u>
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR						
ASSISTANT PUBLIC DEFENDERS						4209A20

routinely causes delays and disruptions in court dockets for defendants and victims. Additionally, the lack of experienced attorneys makes case assignments and case management difficult, as there are specific skills and experience levels required to competently represent people charged with serious and complex cases. This preexisting problem is exacerbated by increased turnover of experienced attorneys. The unprecedented turnover rate and lack of applicants to fill vacant positions is nothing short of a constitutional crisis in the making.

Additionally, the recent base salary increase to \$50,000 for starting attorneys has created serious salary compression issues for Assistant Public Defenders who have more experience than their entry level counterparts, with a lack of attrition to meet this compression advancement in pay.

Public Defenders seek a competitive pay increase of \$5,000 for all Assistant Public Defenders and Chief Assistant Public Defenders (5901 and 5909 class codes respectively). The calculation of this increase should be based on filled positions prior to the onset of the COVID 19 pandemic in February 2020. The estimated cost of this increase statewide is \$7.8 million, plus associated benefits.

New General Revenue funds are requested because statewide the Indigent Criminal Defense Trust Fund and Grants and Donations Trust Fund will not have the recurring cash necessary to fund this issue long term.

Amended FY 2022-23 Narrative after December 15, 2021

Public Defenders seek to achieve competitive pay for their experienced Assistant Public Defenders. Retention of experienced attorneys is critically important in order to ensure that Public Defenders effectively and efficiently meet their constitutional, ethical, and statutory responsibilities. Public Defender offices experience an average annual turnover rate of roughly 19.5% statewide. In FY20-21, this spiked to an all-time high of 26.35%. This dramatic increase in turnover was due in part to the COVID-19 pandemic and to competition from the private sector and other government agencies. The private sector directly competes with Public Defender offices by offering higher pay and better incentives with more enticing benefits to entry-level attorneys and experienced Assistant Public Defenders. Additionally, salary studies have shown that other government agencies on average pay higher salaries than Public Defender offices are able to pay. Despite recruitment efforts, Public Defender Offices statewide are experiencing a severe lack of applicants, both entry-level and those with prior experience.

FY17-18            FY18-19            FY19-20            3 yr avg            FY20-21

	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
					AGY AMD REQ	
					FY 2022-23	
					OVER(UNDER)	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY FIN REQ	
	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	
	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-12TH JUD CIRCUIT						21601200
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20
STATEWIDE	18.78%	20.96%	18.78%	19.51%	26.35%	
APPEALS	14.36%	9.94%	14.36%	12.89%	12.42%	
TRIALS	19.16%	21.90%	19.16%	20.07%	27.50%	

This turnover creates a costly cycle of recruiting and training new attorneys. The continual influx of new attorneys routinely causes delays and disruptions in court dockets for defendants and victims. Additionally, the lack of experienced attorneys makes case assignments and case management difficult, as there are specific skills and experience levels required to competently represent people charged with serious and complex cases. This preexisting problem is exacerbated by increased turnover of experienced attorneys. The unprecedented turnover rate and lack of applicants to fill vacant positions is nothing short of a constitutional crisis in the making.

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New General Revenue funds are requested because statewide the Indigent Criminal Defense Trust Fund and the Grants and Donations Trust Fund will not have the recurring cash necessary to fund this issue long term.

This issue impacts all agency activities.

Summary: The rate for this issue has been increased by \$7,127,000 and the Salaries and Benefits have been increased by \$9,739,755 Statewide to enable a \$10,000 competitive pay adjustment rather than the \$5,000 adjustment originally requested.

Second Amended Narrative after January 6, 2022

Summary: This issue has been deleted and replaced with issue code 4206A00 "Attorney Recruitment and Retention."

\*\*\*\*\*

COL A12		COL A14		COL A15		COL A16		COL A14-A12		CODES
AGY FIN REQ FY 2022-23	POS AMOUNT	AGY AMD REQ FY 2022-23	POS AMOUNT	AGY AMD N/R FY 2022-23	POS AMOUNT	AGY AMD ANZ FY 2022-23	POS AMOUNT	AGY AMD REQ FY 2022-23 OVER(UNDER)	AGY FIN REQ FY 2022-23	

JUSTICE ADMINISTRATION										21000000
PUBLIC DEFENDERS										21600000
PGM: PD-12TH JUD CIRCUIT										21601200
PUBLIC PROTECTION										12
LEGAL REPRESENTATION										<u>1203.00.00.00</u>
OTHER PROGRAMS										4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS										4209A20

POSITION DETAIL OF SALARIES AND BENEFITS:

FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A12 - AGY FIN REQ FY 2022-23						
CHANGES TO CURRENTLY AUTHORIZED POSITIONS						
RA01 RATE & SALARY ADJ - BENEFITS NO FTE						
N0001 001	0.00	217,500		79,736	297,236	0.00 297,236
TOTALS FOR ISSUE BY FUND						
1000 GENERAL REVENUE FUND						
	0.00	217,500		79,736	297,236	297,236

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TOTAL: LEGAL REPRESENTATION						<u>1203.00.00.00</u>
BY FUND TYPE						
GENERAL REVENUE FUND.....	297,236				297,236-	1000
SALARY RATE.....	217,500				217,500-	

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	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ FY 2022-23	AGY AMD REQ FY 2022-23	AGY AMD N/R FY 2022-23	AGY AMD ANZ FY 2022-23	AGY AMD REQ FY 2022-23 OVER(UNDER)	AGY FIN REQ FY 2022-23
	POS AMOUNT	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
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20
SALARY RATE						000000
SALARY RATE.....	580,000				580,000-	
=====						
SALARIES AND BENEFITS						010000
GENERAL REVENUE FUND -STATE	792,628				792,628-	1000 1
=====						
TOTAL: COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20
TOTAL ISSUE.....	792,628				792,628-	
TOTAL SALARY RATE.....	580,000				580,000-	
=====						

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AGENCY ISSUE NARRATIVE:

2022-2023 BUDGET YEAR NARRATIVE: IT COMPONENT? NO

Public Defenders seek to achieve competitive pay for their experienced Assistant Public Defenders. Retention of experienced attorneys is critically important in order to ensure that Public Defenders effectively and efficiently meet their constitutional, ethical, and statutory responsibilities. Public Defender offices experience an average annual turnover rate of roughly 19.5% statewide. In FY20-21, this spiked to an all-time high of 26.35%. This dramatic increase in turnover was due in part to the COVID-19 pandemic and to competition from the private sector and other government agencies. The private sector directly competes with Public Defender offices by offering higher pay and better incentives with more enticing benefits to entry-level attorneys and experienced Assistant Public Defenders. Additionally, salary studies have shown that other government agencies on average pay higher salaries than Public Defender offices are able to pay. Despite recruitment efforts, Public Defender Offices statewide are experiencing a severe lack of applicants, both entry-level and those with prior experience.

	FY17-18	FY18-19	FY19-20	3 yr avg	FY20-21
STATEWIDE	18.78%	20.96%	18.78%	19.51%	26.35%
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This turnover creates a costly cycle of recruiting and training new attorneys. The continual influx of new attorneys

	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
					AGY AMD REQ	
					FY 2022-23	
					OVER(UNDER)	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY FIN REQ	
	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	
POS	AMOUNT	POS	AMOUNT	POS	AMOUNT	CODES
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-13TH JUD CIRCUIT						21601300
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						<u>1203.00.00.00</u>
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20

routinely causes delays and disruptions in court dockets for defendants and victims. Additionally, the lack of experienced attorneys makes case assignments and case management difficult, as there are specific skills and experience levels required to competently represent people charged with serious and complex cases. This preexisting problem is exacerbated by increased turnover of experienced attorneys. The unprecedented turnover rate and lack of applicants to fill vacant positions is nothing short of a constitutional crisis in the making.

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Amended FY 2022-23 Narrative after December 15, 2021

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FY17-18            FY18-19            FY19-20            3 yr avg            FY20-21

	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
					AGY AMD REQ	
					FY 2022-23	
					OVER(UNDER)	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY FIN REQ	
	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	
	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
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20
STATEWIDE	18.78%	20.96%	18.78%	19.51%	26.35%	
APPEALS	14.36%	9.94%	14.36%	12.89%	12.42%	
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This turnover creates a costly cycle of recruiting and training new attorneys. The continual influx of new attorneys routinely causes delays and disruptions in court dockets for defendants and victims. Additionally, the lack of experienced attorneys makes case assignments and case management difficult, as there are specific skills and experience levels required to competently represent people charged with serious and complex cases. This preexisting problem is exacerbated by increased turnover of experienced attorneys. The unprecedented turnover rate and lack of applicants to fill vacant positions is nothing short of a constitutional crisis in the making.

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This issue impacts all agency activities.

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Second Amended Narrative after January 6, 2022

Summary: This issue has been deleted and replaced with issue code 4206A00 "Attorney Recruitment and Retention."

\*\*\*\*\*

COL A12		COL A14		COL A15		COL A16		COL A14-A12		CODES
AGY FIN REQ FY 2022-23	POS AMOUNT	AGY AMD REQ FY 2022-23	POS AMOUNT	AGY AMD N/R FY 2022-23	POS AMOUNT	AGY AMD ANZ FY 2022-23	POS AMOUNT	AGY AMD REQ FY 2022-23 OVER(UNDER)	AGY FIN REQ FY 2022-23	

JUSTICE ADMINISTRATION										21000000
PUBLIC DEFENDERS										21600000
PGM: PD-13TH JUD CIRCUIT										21601300
PUBLIC PROTECTION										12
LEGAL REPRESENTATION										<u>1203.00.00.00</u>
OTHER PROGRAMS										4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS										4209A20

POSITION DETAIL OF SALARIES AND BENEFITS:

FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A12 - AGY FIN REQ FY 2022-23						
CHANGES TO CURRENTLY AUTHORIZED POSITIONS						
RA01 RATE & SALARY ADJ - BENEFITS NO FTE						
N0001 001	0.00	580,000		212,628	792,628	0.00 792,628
TOTALS FOR ISSUE BY FUND						
1000 GENERAL REVENUE FUND						
	0.00	580,000		212,628	792,628	792,628

\*\*\*\*\*

TOTAL: LEGAL REPRESENTATION						<u>1203.00.00.00</u>
BY FUND TYPE						
GENERAL REVENUE FUND.....	792,628				792,628-	1000
SALARY RATE.....	580,000				580,000-	

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	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ FY 2022-23	AGY AMD REQ FY 2022-23	AGY AMD N/R FY 2022-23	AGY AMD ANZ FY 2022-23	AGY AMD REQ FY 2022-23 OVER(UNDER)	AGY FIN REQ FY 2022-23
	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-14TH JUD CIRCUIT						21601400
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20
SALARY RATE						000000
SALARY RATE.....	131,250				131,250-	
=====						
SALARIES AND BENEFITS						010000
GENERAL REVENUE FUND -STATE	179,367				179,367-	1000 1
=====						
TOTAL: COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20
TOTAL ISSUE.....	179,367				179,367-	
TOTAL SALARY RATE.....	131,250				131,250-	
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AGENCY ISSUE NARRATIVE:

2022-2023 BUDGET YEAR NARRATIVE: IT COMPONENT? NO

Public Defenders seek to achieve competitive pay for their experienced Assistant Public Defenders. Retention of experienced attorneys is critically important in order to ensure that Public Defenders effectively and efficiently meet their constitutional, ethical, and statutory responsibilities. Public Defender offices experience an average annual turnover rate of roughly 19.5% statewide. In FY20-21, this spiked to an all-time high of 26.35%. This dramatic increase in turnover was due in part to the COVID-19 pandemic and to competition from the private sector and other government agencies. The private sector directly competes with Public Defender offices by offering higher pay and better incentives with more enticing benefits to entry-level attorneys and experienced Assistant Public Defenders. Additionally, salary studies have shown that other government agencies on average pay higher salaries than Public Defender offices are able to pay. Despite recruitment efforts, Public Defender Offices statewide are experiencing a severe lack of applicants, both entry-level and those with prior experience.

	FY17-18	FY18-19	FY19-20	3 yr avg	FY20-21
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APPEALS	14.36%	9.94%	14.36%	12.89%	12.42%
TRIALS	19.16%	21.90%	19.16%	20.07%	27.50%

This turnover creates a costly cycle of recruiting and training new attorneys. The continual influx of new attorneys

	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
					AGY AMD REQ	
					FY 2022-23	
					OVER(UNDER)	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY FIN REQ	
	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	
POS	AMOUNT	POS	AMOUNT	POS	AMOUNT	CODES
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-14TH JUD CIRCUIT						21601400
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						<u>1203.00.00.00</u>
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20

routinely causes delays and disruptions in court dockets for defendants and victims. Additionally, the lack of experienced attorneys makes case assignments and case management difficult, as there are specific skills and experience levels required to competently represent people charged with serious and complex cases. This preexisting problem is exacerbated by increased turnover of experienced attorneys. The unprecedented turnover rate and lack of applicants to fill vacant positions is nothing short of a constitutional crisis in the making.

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Public Defenders seek a competitive pay increase of \$5,000 for all Assistant Public Defenders and Chief Assistant Public Defenders (5901 and 5909 class codes respectively). The calculation of this increase should be based on filled positions prior to the onset of the COVID 19 pandemic in February 2020. The estimated cost of this increase statewide is \$7.8 million, plus associated benefits.

New General Revenue funds are requested because statewide the Indigent Criminal Defense Trust Fund and Grants and Donations Trust Fund will not have the recurring cash necessary to fund this issue long term.

Amended FY 2022-23 Narrative after December 15, 2021

Public Defenders seek to achieve competitive pay for their experienced Assistant Public Defenders. Retention of experienced attorneys is critically important in order to ensure that Public Defenders effectively and efficiently meet their constitutional, ethical, and statutory responsibilities. Public Defender offices experience an average annual turnover rate of roughly 19.5% statewide. In FY20-21, this spiked to an all-time high of 26.35%. This dramatic increase in turnover was due in part to the COVID-19 pandemic and to competition from the private sector and other government agencies. The private sector directly competes with Public Defender offices by offering higher pay and better incentives with more enticing benefits to entry-level attorneys and experienced Assistant Public Defenders. Additionally, salary studies have shown that other government agencies on average pay higher salaries than Public Defender offices are able to pay. Despite recruitment efforts, Public Defender Offices statewide are experiencing a severe lack of applicants, both entry-level and those with prior experience.

FY17-18            FY18-19            FY19-20            3 yr avg            FY20-21

	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 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	
	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
						CODES
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-14TH JUD CIRCUIT						21601400
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20
STATEWIDE	18.78%	20.96%	18.78%	19.51%	26.35%	
APPEALS	14.36%	9.94%	14.36%	12.89%	12.42%	
TRIALS	19.16%	21.90%	19.16%	20.07%	27.50%	

This turnover creates a costly cycle of recruiting and training new attorneys. The continual influx of new attorneys routinely causes delays and disruptions in court dockets for defendants and victims. Additionally, the lack of experienced attorneys makes case assignments and case management difficult, as there are specific skills and experience levels required to competently represent people charged with serious and complex cases. This preexisting problem is exacerbated by increased turnover of experienced attorneys. The unprecedented turnover rate and lack of applicants to fill vacant positions is nothing short of a constitutional crisis in the making.

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Public Defenders seek a competitive pay increase of \$10,000 for all Assistant Public Defenders and Chief Assistant Public Defenders positions (5901 and 5909 class codes respectively), to be distributed by the Public Defenders as necessary to recruit and retain qualified personnel. The calculation of this increase should be based on filled positions prior to the onset of the COVID 19 pandemic in February 2020. The estimated cost of this increase statewide is \$14.2 million, plus associated benefits.

New General Revenue funds are requested because statewide the Indigent Criminal Defense Trust Fund and the Grants and Donations Trust Fund will not have the recurring cash necessary to fund this issue long term.

This issue impacts all agency activities.

Summary: The rate for this issue has been increased by \$7,127,000 and the Salaries and Benefits have been increased by \$9,739,755 Statewide to enable a \$10,000 competitive pay adjustment rather than the \$5,000 adjustment originally requested.

Second Amended Narrative after January 6, 2022

Summary: This issue has been deleted and replaced with issue code 4206A00 "Attorney Recruitment and Retention."

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	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ FY 2022-23	AGY AMD REQ FY 2022-23	AGY AMD N/R FY 2022-23	AGY AMD ANZ FY 2022-23	AGY AMD REQ FY 2022-23 OVER(UNDER)	AGY FIN REQ FY 2022-23
	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-15TH JUD CIRCUIT						21601500
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS SALARY RATE						4209A20
SALARY RATE.....	417,500				417,500-	000000
=====						
SALARIES AND BENEFITS						010000
GENERAL REVENUE FUND -STATE	570,556				570,556-	1000 1
=====						
TOTAL: COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20
TOTAL ISSUE.....	570,556				570,556-	
TOTAL SALARY RATE.....	417,500				417,500-	
=====						

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AGENCY ISSUE NARRATIVE:

2022-2023 BUDGET YEAR NARRATIVE: IT COMPONENT? NO

Public Defenders seek to achieve competitive pay for their experienced Assistant Public Defenders. Retention of experienced attorneys is critically important in order to ensure that Public Defenders effectively and efficiently meet their constitutional, ethical, and statutory responsibilities. Public Defender offices experience an average annual turnover rate of roughly 19.5% statewide. In FY20-21, this spiked to an all-time high of 26.35%. This dramatic increase in turnover was due in part to the COVID-19 pandemic and to competition from the private sector and other government agencies. The private sector directly competes with Public Defender offices by offering higher pay and better incentives with more enticing benefits to entry-level attorneys and experienced Assistant Public Defenders. Additionally, salary studies have shown that other government agencies on average pay higher salaries than Public Defender offices are able to pay. Despite recruitment efforts, Public Defender Offices statewide are experiencing a severe lack of applicants, both entry-level and those with prior experience.

	FY17-18	FY18-19	FY19-20	3 yr avg	FY20-21
STATEWIDE	18.78%	20.96%	18.78%	19.51%	26.35%
APPEALS	14.36%	9.94%	14.36%	12.89%	12.42%
TRIALS	19.16%	21.90%	19.16%	20.07%	27.50%

This turnover creates a costly cycle of recruiting and training new attorneys. The continual influx of new attorneys

	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
					AGY AMD REQ	
					FY 2022-23	
					OVER(UNDER)	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY FIN REQ	
	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	
POS	AMOUNT	POS	AMOUNT	POS	AMOUNT	CODES
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-15TH JUD CIRCUIT						21601500
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						<u>1203.00.00.00</u>
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20

routinely causes delays and disruptions in court dockets for defendants and victims. Additionally, the lack of experienced attorneys makes case assignments and case management difficult, as there are specific skills and experience levels required to competently represent people charged with serious and complex cases. This preexisting problem is exacerbated by increased turnover of experienced attorneys. The unprecedented turnover rate and lack of applicants to fill vacant positions is nothing short of a constitutional crisis in the making.

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Amended FY 2022-23 Narrative after December 15, 2021

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FY17-18              FY18-19              FY19-20              3 yr avg              FY20-21

	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 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	
	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
						CODES
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-15TH JUD CIRCUIT						21601500
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20
STATEWIDE	18.78%	20.96%	18.78%	19.51%	26.35%	
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Second Amended Narrative after January 6, 2022

Summary: This issue has been deleted and replaced with issue code 4206A00 "Attorney Recruitment and Retention."

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	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ FY 2022-23	AGY AMD REQ FY 2022-23	AGY AMD N/R FY 2022-23	AGY AMD ANZ FY 2022-23	AGY AMD REQ FY 2022-23 OVER(UNDER)	AGY FIN REQ FY 2022-23
	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-16TH JUD CIRCUIT						21601600
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20
SALARY RATE						000000
SALARY RATE.....	75,000				75,000-	
=====						
SALARIES AND BENEFITS						010000
GENERAL REVENUE FUND -STATE	102,496				102,496-	1000 1
=====						
TOTAL: COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20
TOTAL ISSUE.....	102,496				102,496-	
TOTAL SALARY RATE.....	75,000				75,000-	
=====						

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AGENCY ISSUE NARRATIVE:

2022-2023 BUDGET YEAR NARRATIVE: IT COMPONENT? NO

Public Defenders seek to achieve competitive pay for their experienced Assistant Public Defenders. Retention of experienced attorneys is critically important in order to ensure that Public Defenders effectively and efficiently meet their constitutional, ethical, and statutory responsibilities. Public Defender offices experience an average annual turnover rate of roughly 19.5% statewide. In FY20-21, this spiked to an all-time high of 26.35%. This dramatic increase in turnover was due in part to the COVID-19 pandemic and to competition from the private sector and other government agencies. The private sector directly competes with Public Defender offices by offering higher pay and better incentives with more enticing benefits to entry-level attorneys and experienced Assistant Public Defenders. Additionally, salary studies have shown that other government agencies on average pay higher salaries than Public Defender offices are able to pay. Despite recruitment efforts, Public Defender Offices statewide are experiencing a severe lack of applicants, both entry-level and those with prior experience.

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	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
					AGY AMD REQ	
					FY 2022-23	
					OVER(UNDER)	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY FIN REQ	
	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	
POS	AMOUNT	POS	AMOUNT	POS	AMOUNT	CODES
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
<u>PGM: PD-16TH JUD CIRCUIT</u>						21601600
<u>PUBLIC PROTECTION</u>						12
<u>LEGAL REPRESENTATION</u>						<u>1203.00.00.00</u>
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20

routinely causes delays and disruptions in court dockets for defendants and victims. Additionally, the lack of experienced attorneys makes case assignments and case management difficult, as there are specific skills and experience levels required to competently represent people charged with serious and complex cases. This preexisting problem is exacerbated by increased turnover of experienced attorneys. The unprecedented turnover rate and lack of applicants to fill vacant positions is nothing short of a constitutional crisis in the making.

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FY17-18            FY18-19            FY19-20            3 yr avg            FY20-21

	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
					AGY AMD REQ	
					FY 2022-23	
					OVER(UNDER)	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY FIN REQ	
	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	
	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-16TH JUD CIRCUIT						21601600
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20
STATEWIDE	18.78%	20.96%	18.78%	19.51%	26.35%	
APPEALS	14.36%	9.94%	14.36%	12.89%	12.42%	
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Summary: This issue has been deleted and replaced with issue code 4206A00 "Attorney Recruitment and Retention."

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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 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	
	POS	AMOUNT	POS	AMOUNT	POS	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>
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20

POSITION DETAIL OF SALARIES AND BENEFITS:

	FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A12 - AGY FIN REQ FY 2022-23							
CHANGES TO CURRENTLY AUTHORIZED POSITIONS							
RA01 RATE & SALARY ADJ - BENEFITS NO FTE							
N0001 001	0.00	75,000		27,496	102,496	0.00	102,496
TOTALS FOR ISSUE BY FUND							
1000 GENERAL REVENUE FUND							102,496
	0.00	75,000		27,496	102,496		102,496

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TOTAL: LEGAL REPRESENTATION							<u>1203.00.00.00</u>
BY FUND TYPE							
GENERAL REVENUE FUND.....	102,496					102,496-	1000
SALARY RATE.....	75,000				75,000-		

=====

	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ FY 2022-23	AGY AMD REQ FY 2022-23	AGY AMD N/R FY 2022-23	AGY AMD ANZ FY 2022-23	AGY AMD REQ FY 2022-23 OVER(UNDER)	AGY FIN REQ FY 2022-23
	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT
	POS	POS	POS	POS	POS	POS
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-17TH JUD CIRCUIT						21601700
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20
SALARY RATE						000000
SALARY RATE.....	645,000				645,000-	
=====						
SALARIES AND BENEFITS						010000
GENERAL REVENUE FUND -STATE	881,458				881,458-	1000 1
=====						
TOTAL: COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20
TOTAL ISSUE.....	881,458				881,458-	
TOTAL SALARY RATE.....	645,000				645,000-	
=====						

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AGENCY ISSUE NARRATIVE:

2022-2023 BUDGET YEAR NARRATIVE: IT COMPONENT? NO

Public Defenders seek to achieve competitive pay for their experienced Assistant Public Defenders. Retention of experienced attorneys is critically important in order to ensure that Public Defenders effectively and efficiently meet their constitutional, ethical, and statutory responsibilities. Public Defender offices experience an average annual turnover rate of roughly 19.5% statewide. In FY20-21, this spiked to an all-time high of 26.35%. This dramatic increase in turnover was due in part to the COIVD-19 pandemic and to competition from the private sector and other government agencies. The private sector directly competes with Public Defender offices by offering higher pay and better incentives with more enticing benefits to entry-level attorneys and experienced Assistant Public Defenders. Additionally, salary studies have shown that other government agencies on average pay higher salaries than Public Defender offices are able to pay. Despite recruitment efforts, Public Defender Offices statewide are experiencing a severe lack of applicants, both entry-level and those with prior experience.

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	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
					AGY AMD REQ	
					FY 2022-23	
					OVER(UNDER)	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY FIN REQ	
	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	
POS	AMOUNT	POS	AMOUNT	POS	AMOUNT	CODES
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-17TH JUD CIRCUIT						21601700
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LEGAL REPRESENTATION						1203.00.00.00
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20

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FY17-18	FY18-19	FY19-20	3 yr avg	FY20-21
---------	---------	---------	----------	---------

	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
					AGY AMD REQ	
					FY 2022-23	
					OVER(UNDER)	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY FIN REQ	
	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	
	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
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APPEALS	14.36%	9.94%	14.36%	12.89%	12.42%	
TRIALS	19.16%	21.90%	19.16%	20.07%	27.50%	

This turnover creates a costly cycle of recruiting and training new attorneys. The continual influx of new attorneys routinely causes delays and disruptions in court dockets for defendants and victims. Additionally, the lack of experienced attorneys makes case assignments and case management difficult, as there are specific skills and experience levels required to competently represent people charged with serious and complex cases. This preexisting problem is exacerbated by increased turnover of experienced attorneys. The unprecedented turnover rate and lack of applicants to fill vacant positions is nothing short of a constitutional crisis in the making.

Additionally, the recent base salary increase to \$50,000 for starting attorneys has created serious salary compression issues for Assistant Public Defenders who have more experience than their entry level counterparts, with a lack of attrition to meet this compression advancement in pay.

Public Defenders seek a competitive pay increase of \$10,000 for all Assistant Public Defenders and Chief Assistant Public Defenders positions (5901 and 5909 class codes respectively), to be distributed by the Public Defenders as necessary to recruit and retain qualified personnel. The calculation of this increase should be based on filled positions prior to the onset of the COVID 19 pandemic in February 2020. The estimated cost of this increase statewide is \$14.2 million, plus associated benefits.

New General Revenue funds are requested because statewide the Indigent Criminal Defense Trust Fund and the Grants and Donations Trust Fund will not have the recurring cash necessary to fund this issue long term.

This issue impacts all agency activities.

Summary: The rate for this issue has been increased by \$7,127,000 and the Salaries and Benefits have been increased by \$9,739,755 Statewide to enable a \$10,000 competitive pay adjustment rather than the \$5,000 adjustment originally requested.

Second Amended Narrative after January 6, 2022

Summary: This issue has been deleted and replaced with issue code 4206A00 "Attorney Recruitment and Retention."

\*\*\*\*\*

	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
					AGY AMD REQ	
					FY 2022-23	
					OVER(UNDER)	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY FIN REQ	
	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	
POS	AMOUNT	POS	AMOUNT	POS	AMOUNT	CODES
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-17TH JUD CIRCUIT						21601700
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						<u>1203.00.00.00</u>
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20

POSITION DETAIL OF SALARIES AND BENEFITS:

	FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A12 - AGY FIN REQ FY 2022-23							
CHANGES TO CURRENTLY AUTHORIZED POSITIONS							
RA01 RATE & SALARY ADJ - BENEFITS NO FTE							
N0001 001	0.00	645,000		236,458	881,458	0.00	881,458
TOTALS FOR ISSUE BY FUND							
1000 GENERAL REVENUE FUND							881,458
	0.00	645,000		236,458	881,458		881,458

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TOTAL: LEGAL REPRESENTATION							<u>1203.00.00.00</u>
BY FUND TYPE							
GENERAL REVENUE FUND.....	881,458					881,458-	1000
SALARY RATE.....	645,000				645,000-		

=====



	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ FY 2022-23	AGY AMD REQ FY 2022-23	AGY AMD N/R FY 2022-23	AGY AMD ANZ FY 2022-23	AGY AMD REQ FY 2022-23 OVER(UNDER)	AGY FIN REQ FY 2022-23
	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-18TH JUD CIRCUIT						21601800
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS SALARY RATE						4209A20
SALARY RATE.....	310,000				310,000-	000000
=====						
SALARIES AND BENEFITS						010000
GENERAL REVENUE FUND -STATE	423,646				423,646-	1000 1
=====						
TOTAL: COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20
TOTAL ISSUE.....	423,646				423,646-	
TOTAL SALARY RATE.....	310,000				310,000-	
=====						

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AGENCY ISSUE NARRATIVE:

2022-2023 BUDGET YEAR NARRATIVE: IT COMPONENT? NO

Public Defenders seek to achieve competitive pay for their experienced Assistant Public Defenders. Retention of experienced attorneys is critically important in order to ensure that Public Defenders effectively and efficiently meet their constitutional, ethical, and statutory responsibilities. Public Defender offices experience an average annual turnover rate of roughly 19.5% statewide. In FY20-21, this spiked to an all-time high of 26.35%. This dramatic increase in turnover was due in part to the COVID-19 pandemic and to competition from the private sector and other government agencies. The private sector directly competes with Public Defender offices by offering higher pay and better incentives with more enticing benefits to entry-level attorneys and experienced Assistant Public Defenders. Additionally, salary studies have shown that other government agencies on average pay higher salaries than Public Defender offices are able to pay. Despite recruitment efforts, Public Defender Offices statewide are experiencing a severe lack of applicants, both entry-level and those with prior experience.

	FY17-18	FY18-19	FY19-20	3 yr avg	FY20-21
STATEWIDE	18.78%	20.96%	18.78%	19.51%	26.35%
APPEALS	14.36%	9.94%	14.36%	12.89%	12.42%
TRIALS	19.16%	21.90%	19.16%	20.07%	27.50%

This turnover creates a costly cycle of recruiting and training new attorneys. The continual influx of new attorneys

	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
					AGY AMD REQ	
					FY 2022-23	
					OVER(UNDER)	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY FIN REQ	
	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	
POS	AMOUNT	POS	AMOUNT	POS	AMOUNT	CODES
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
<u>PGM: PD-18TH JUD CIRCUIT</u>						21601800
PUBLIC PROTECTION						12
<u>LEGAL REPRESENTATION</u>						<u>1203.00.00.00</u>
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR						
ASSISTANT PUBLIC DEFENDERS						4209A20

routinely causes delays and disruptions in court dockets for defendants and victims. Additionally, the lack of experienced attorneys makes case assignments and case management difficult, as there are specific skills and experience levels required to competently represent people charged with serious and complex cases. This preexisting problem is exacerbated by increased turnover of experienced attorneys. The unprecedented turnover rate and lack of applicants to fill vacant positions is nothing short of a constitutional crisis in the making.

Additionally, the recent base salary increase to \$50,000 for starting attorneys has created serious salary compression issues for Assistant Public Defenders who have more experience than their entry level counterparts, with a lack of attrition to meet this compression advancement in pay.

Public Defenders seek a competitive pay increase of \$5,000 for all Assistant Public Defenders and Chief Assistant Public Defenders (5901 and 5909 class codes respectively). The calculation of this increase should be based on filled positions prior to the onset of the COVID 19 pandemic in February 2020. The estimated cost of this increase statewide is \$7.8 million, plus associated benefits.

New General Revenue funds are requested because statewide the Indigent Criminal Defense Trust Fund and Grants and Donations Trust Fund will not have the recurring cash necessary to fund this issue long term.

Amended FY 2022-23 Narrative after December 15, 2021

Public Defenders seek to achieve competitive pay for their experienced Assistant Public Defenders. Retention of experienced attorneys is critically important in order to ensure that Public Defenders effectively and efficiently meet their constitutional, ethical, and statutory responsibilities. Public Defender offices experience an average annual turnover rate of roughly 19.5% statewide. In FY20-21, this spiked to an all-time high of 26.35%. This dramatic increase in turnover was due in part to the COVID-19 pandemic and to competition from the private sector and other government agencies. The private sector directly competes with Public Defender offices by offering higher pay and better incentives with more enticing benefits to entry-level attorneys and experienced Assistant Public Defenders. Additionally, salary studies have shown that other government agencies on average pay higher salaries than Public Defender offices are able to pay. Despite recruitment efforts, Public Defender Offices statewide are experiencing a severe lack of applicants, both entry-level and those with prior experience.

FY17-18            FY18-19            FY19-20            3 yr avg            FY20-21

	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
					AGY AMD REQ	
					FY 2022-23	
					OVER(UNDER)	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY FIN REQ	
	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	
	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-18TH JUD CIRCUIT						21601800
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20
STATEWIDE	18.78%	20.96%	18.78%	19.51%	26.35%	
APPEALS	14.36%	9.94%	14.36%	12.89%	12.42%	
TRIALS	19.16%	21.90%	19.16%	20.07%	27.50%	

This turnover creates a costly cycle of recruiting and training new attorneys. The continual influx of new attorneys routinely causes delays and disruptions in court dockets for defendants and victims. Additionally, the lack of experienced attorneys makes case assignments and case management difficult, as there are specific skills and experience levels required to competently represent people charged with serious and complex cases. This preexisting problem is exacerbated by increased turnover of experienced attorneys. The unprecedented turnover rate and lack of applicants to fill vacant positions is nothing short of a constitutional crisis in the making.

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This issue impacts all agency activities.

Summary: The rate for this issue has been increased by \$7,127,000 and the Salaries and Benefits have been increased by \$9,739,755 Statewide to enable a \$10,000 competitive pay adjustment rather than the \$5,000 adjustment originally requested.

Second Amended Narrative after January 6, 2022

Summary: This issue has been deleted and replaced with issue code 4206A00 "Attorney Recruitment and Retention."

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	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ FY 2022-23	AGY AMD REQ FY 2022-23	AGY AMD N/R FY 2022-23	AGY AMD ANZ FY 2022-23	AGY AMD REQ FY 2022-23 OVER(UNDER)	AGY FIN REQ FY 2022-23
	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-19TH JUD CIRCUIT						21601900
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS SALARY RATE						4209A20
SALARY RATE.....	175,000				175,000-	000000
=====						
SALARIES AND BENEFITS						010000
GENERAL REVENUE FUND -STATE	239,156				239,156-	1000 1
=====						
TOTAL: COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20
TOTAL ISSUE.....	239,156				239,156-	
TOTAL SALARY RATE.....	175,000				175,000-	
=====						

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AGENCY ISSUE NARRATIVE:

2022-2023 BUDGET YEAR NARRATIVE:

IT COMPONENT? NO

Public Defenders seek to achieve competitive pay for their experienced Assistant Public Defenders. Retention of experienced attorneys is critically important in order to ensure that Public Defenders effectively and efficiently meet their constitutional, ethical, and statutory responsibilities. Public Defender offices experience an average annual turnover rate of roughly 19.5% statewide. In FY20-21, this spiked to an all-time high of 26.35%. This dramatic increase in turnover was due in part to the COVID-19 pandemic and to competition from the private sector and other government agencies. The private sector directly competes with Public Defender offices by offering higher pay and better incentives with more enticing benefits to entry-level attorneys and experienced Assistant Public Defenders. Additionally, salary studies have shown that other government agencies on average pay higher salaries than Public Defender offices are able to pay. Despite recruitment efforts, Public Defender Offices statewide are experiencing a severe lack of applicants, both entry-level and those with prior experience.

	FY17-18	FY18-19	FY19-20	3 yr avg	FY20-21
STATEWIDE	18.78%	20.96%	18.78%	19.51%	26.35%
APPEALS	14.36%	9.94%	14.36%	12.89%	12.42%
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This turnover creates a costly cycle of recruiting and training new attorneys. The continual influx of new attorneys

	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
					AGY AMD REQ	
					FY 2022-23	
					OVER(UNDER)	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY FIN REQ	
	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	
POS	AMOUNT	POS	AMOUNT	POS	AMOUNT	CODES
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-19TH JUD CIRCUIT						21601900
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20

routinely causes delays and disruptions in court dockets for defendants and victims. Additionally, the lack of experienced attorneys makes case assignments and case management difficult, as there are specific skills and experience levels required to competently represent people charged with serious and complex cases. This preexisting problem is exacerbated by increased turnover of experienced attorneys. The unprecedented turnover rate and lack of applicants to fill vacant positions is nothing short of a constitutional crisis in the making.

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Amended FY 2022-23 Narrative after December 15, 2021

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FY17-18	FY18-19	FY19-20	3 yr avg	FY20-21
---------	---------	---------	----------	---------

	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
					AGY AMD REQ	
					FY 2022-23	
					OVER(UNDER)	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY FIN REQ	
	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	
	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-19TH JUD CIRCUIT						21601900
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20
STATEWIDE	18.78%	20.96%	18.78%	19.51%	26.35%	
APPEALS	14.36%	9.94%	14.36%	12.89%	12.42%	
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Second Amended Narrative after January 6, 2022

Summary: This issue has been deleted and replaced with issue code 4206A00 "Attorney Recruitment and Retention."

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	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ FY 2022-23	AGY AMD REQ FY 2022-23	AGY AMD N/R FY 2022-23	AGY AMD ANZ FY 2022-23	AGY AMD REQ FY 2022-23 OVER(UNDER)	AGY FIN REQ FY 2022-23
	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT	CODES
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-20TH JUD CIRCUIT						21602000
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20
SALARY RATE						000000
SALARY RATE.....	402,500				402,500-	
=====						
SALARIES AND BENEFITS						010000
GENERAL REVENUE FUND -STATE	550,056				550,056-	1000 1
=====						
TOTAL: COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20
TOTAL ISSUE.....	550,056				550,056-	
TOTAL SALARY RATE.....	402,500				402,500-	
=====						

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AGENCY ISSUE NARRATIVE:

2022-2023 BUDGET YEAR NARRATIVE:

IT COMPONENT? NO

Public Defenders seek to achieve competitive pay for their experienced Assistant Public Defenders. Retention of experienced attorneys is critically important in order to ensure that Public Defenders effectively and efficiently meet their constitutional, ethical, and statutory responsibilities. Public Defender offices experience an average annual turnover rate of roughly 19.5% statewide. In FY20-21, this spiked to an all-time high of 26.35%. This dramatic increase in turnover was due in part to the COVID-19 pandemic and to competition from the private sector and other government agencies. The private sector directly competes with Public Defender offices by offering higher pay and better incentives with more enticing benefits to entry-level attorneys and experienced Assistant Public Defenders. Additionally, salary studies have shown that other government agencies on average pay higher salaries than Public Defender offices are able to pay. Despite recruitment efforts, Public Defender Offices statewide are experiencing a severe lack of applicants, both entry-level and those with prior experience.

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	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
					AGY AMD REQ	
					FY 2022-23	
					OVER(UNDER)	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY FIN REQ	
	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	
POS	AMOUNT	POS	AMOUNT	POS	AMOUNT	CODES
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
<u>PGM: PD-20TH JUD CIRCUIT</u>						21602000
PUBLIC PROTECTION						12
<u>LEGAL REPRESENTATION</u>						<u>1203.00.00.00</u>
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR						
ASSISTANT PUBLIC DEFENDERS						4209A20

routinely causes delays and disruptions in court dockets for defendants and victims. Additionally, the lack of experienced attorneys makes case assignments and case management difficult, as there are specific skills and experience levels required to competently represent people charged with serious and complex cases. This preexisting problem is exacerbated by increased turnover of experienced attorneys. The unprecedented turnover rate and lack of applicants to fill vacant positions is nothing short of a constitutional crisis in the making.

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Amended FY 2022-23 Narrative after December 15, 2021

Public Defenders seek to achieve competitive pay for their experienced Assistant Public Defenders. Retention of experienced attorneys is critically important in order to ensure that Public Defenders effectively and efficiently meet their constitutional, ethical, and statutory responsibilities. Public Defender offices experience an average annual turnover rate of roughly 19.5% statewide. In FY20-21, this spiked to an all-time high of 26.35%. This dramatic increase in turnover was due in part to the COVID-19 pandemic and to competition from the private sector and other government agencies. The private sector directly competes with Public Defender offices by offering higher pay and better incentives with more enticing benefits to entry-level attorneys and experienced Assistant Public Defenders. Additionally, salary studies have shown that other government agencies on average pay higher salaries than Public Defender offices are able to pay. Despite recruitment efforts, Public Defender Offices statewide are experiencing a severe lack of applicants, both entry-level and those with prior experience.

FY17-18            FY18-19            FY19-20            3 yr avg            FY20-21

	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
					AGY AMD REQ	
					FY 2022-23	
					OVER(UNDER)	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY FIN REQ	
	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	
	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS						21600000
PGM: PD-20TH JUD CIRCUIT						21602000
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20
STATEWIDE	18.78%	20.96%	18.78%	19.51%	26.35%	
APPEALS	14.36%	9.94%	14.36%	12.89%	12.42%	
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This turnover creates a costly cycle of recruiting and training new attorneys. The continual influx of new attorneys routinely causes delays and disruptions in court dockets for defendants and victims. Additionally, the lack of experienced attorneys makes case assignments and case management difficult, as there are specific skills and experience levels required to competently represent people charged with serious and complex cases. This preexisting problem is exacerbated by increased turnover of experienced attorneys. The unprecedented turnover rate and lack of applicants to fill vacant positions is nothing short of a constitutional crisis in the making.

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Summary: The rate for this issue has been increased by \$7,127,000 and the Salaries and Benefits have been increased by \$9,739,755 Statewide to enable a \$10,000 competitive pay adjustment rather than the \$5,000 adjustment originally requested.

Second Amended Narrative after January 6, 2022

Summary: This issue has been deleted and replaced with issue code 4206A00 "Attorney Recruitment and Retention."

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	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ FY 2022-23	AGY AMD REQ FY 2022-23	AGY AMD N/R FY 2022-23	AGY AMD ANZ FY 2022-23	AGY AMD REQ FY 2022-23 OVER(UNDER)	AGY FIN REQ FY 2022-23
	POS AMOUNT	POS AMOUNT	POS AMOUNT	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
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS SALARY RATE						4209A20
SALARY RATE.....	125,000				125,000-	000000
=====						
SALARIES AND BENEFITS						010000
GENERAL REVENUE FUND -STATE	170,826				170,826-	1000 1
=====						
TOTAL: COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20
TOTAL ISSUE.....	170,826				170,826-	
TOTAL SALARY RATE.....	125,000				125,000-	
=====						

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AGENCY ISSUE NARRATIVE:

2022-2023 BUDGET YEAR NARRATIVE:

IT COMPONENT? NO

Public Defenders seek to achieve competitive pay for their experienced Assistant Public Defenders. Retention of experienced attorneys is critically important in order to ensure that Public Defenders effectively and efficiently meet their constitutional, ethical, and statutory responsibilities. Public Defender offices experience an average annual turnover rate of roughly 19.5% statewide. In FY20-21, this spiked to an all-time high of 26.35%. This dramatic increase in turnover was due in part to the COVID-19 pandemic and to competition from the private sector and other government agencies. The private sector directly competes with Public Defender offices by offering higher pay and better incentives with more enticing benefits to entry-level attorneys and experienced Assistant Public Defenders. Additionally, salary studies have shown that other government agencies on average pay higher salaries than Public Defender offices are able to pay. Despite recruitment efforts, Public Defender Offices statewide are experiencing a severe lack of applicants, both entry-level and those with prior experience.

	FY17-18	FY18-19	FY19-20	3 yr avg	FY20-21
STATEWIDE	18.78%	20.96%	18.78%	19.51%	26.35%
APPEALS	14.36%	9.94%	14.36%	12.89%	12.42%
TRIALS	19.16%	21.90%	19.16%	20.07%	27.50%

This turnover creates a costly cycle of recruiting and training new attorneys. The continual influx of new attorneys

	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
					AGY AMD REQ	
					FY 2022-23	
					OVER(UNDER)	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY FIN REQ	
	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	
POS	AMOUNT	POS	AMOUNT	POS	AMOUNT	CODES
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS APPEL DIV						21650000
<u>PGM: PDA-2ND JUD CIRCUIT</u>						21650200
PUBLIC PROTECTION						12
<u>LEGAL REPRESENTATION</u>						<u>1203.00.00.00</u>
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR						
ASSISTANT PUBLIC DEFENDERS						4209A20

routinely causes delays and disruptions in court dockets for defendants and victims. Additionally, the lack of experienced attorneys makes case assignments and case management difficult, as there are specific skills and experience levels required to competently represent people charged with serious and complex cases. This preexisting problem is exacerbated by increased turnover of experienced attorneys. The unprecedented turnover rate and lack of applicants to fill vacant positions is nothing short of a constitutional crisis in the making.

Additionally, the recent base salary increase to \$50,000 for starting attorneys has created serious salary compression issues for Assistant Public Defenders who have more experience than their entry level counterparts, with a lack of attrition to meet this compression advancement in pay.

Public Defenders seek a competitive pay increase of \$5,000 for all Assistant Public Defenders and Chief Assistant Public Defenders (5901 and 5909 class codes respectively). The calculation of this increase should be based on filled positions prior to the onset of the COVID 19 pandemic in February 2020. The estimated cost of this increase statewide is \$7.8 million, plus associated benefits.

New General Revenue funds are requested because statewide the Indigent Criminal Defense Trust Fund and Grants and Donations Trust Fund will not have the recurring cash necessary to fund this issue long term.

Amended FY 2022-23 Narrative after December 15, 2021

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FY17-18            FY18-19            FY19-20            3 yr avg            FY20-21

	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 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	
	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
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20
STATEWIDE	18.78%	20.96%	18.78%	19.51%	26.35%	
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New General Revenue funds are requested because statewide the Indigent Criminal Defense Trust Fund and the Grants and Donations Trust Fund will not have the recurring cash necessary to fund this issue long term.

This issue impacts all agency activities.

Summary: The rate for this issue has been increased by \$7,127,000 and the Salaries and Benefits have been increased by \$9,739,755 Statewide to enable a \$10,000 competitive pay adjustment rather than the \$5,000 adjustment originally requested.

Second Amended Narrative after January 6, 2022

Summary: This issue has been deleted and replaced with issue code 4206A00 "Attorney Recruitment and Retention."

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COL A12		COL A14		COL A15		COL A16		COL A14-A12		CODES
AGY FIN REQ FY 2022-23	POS AMOUNT	AGY AMD REQ FY 2022-23	POS AMOUNT	AGY AMD N/R FY 2022-23	POS AMOUNT	AGY AMD ANZ FY 2022-23	POS AMOUNT	AGY AMD REQ FY 2022-23 OVER(UNDER)	AGY FIN REQ FY 2022-23	

JUSTICE ADMINISTRATION										21000000
PUBLIC DEFENDERS APPEL DIV										21650000
PGM: PDA-2ND JUD CIRCUIT										21650200
PUBLIC PROTECTION										12
LEGAL REPRESENTATION										<u>1203.00.00.00</u>
OTHER PROGRAMS										4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS										4209A20

POSITION DETAIL OF SALARIES AND BENEFITS:

	FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A12 - AGY FIN REQ FY 2022-23							
CHANGES TO CURRENTLY AUTHORIZED POSITIONS							
RA01 RATE & SALARY ADJ - BENEFITS NO FTE							
N0001 001	0.00	125,000		45,826	170,826	0.00	170,826
TOTALS FOR ISSUE BY FUND							
1000 GENERAL REVENUE FUND							170,826
	0.00	125,000		45,826	170,826		170,826

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TOTAL: LEGAL REPRESENTATION							<u>1203.00.00.00</u>
BY FUND TYPE							
GENERAL REVENUE FUND.....	170,826					170,826-	1000
SALARY RATE.....	125,000					125,000-	

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	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ FY 2022-23	AGY AMD REQ FY 2022-23	AGY AMD N/R FY 2022-23	AGY AMD ANZ FY 2022-23	AGY AMD REQ FY 2022-23 OVER(UNDER)	AGY FIN REQ FY 2022-23
	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS APPEL DIV						21650000
PGM: PDA-7TH JUD CIRCUIT						21650700
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS SALARY RATE						4209A20
SALARY RATE.....	125,000				125,000-	000000
=====						
SALARIES AND BENEFITS						010000
GENERAL REVENUE FUND -STATE	170,826				170,826-	1000 1
=====						
TOTAL: COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20
TOTAL ISSUE.....	170,826				170,826-	
TOTAL SALARY RATE.....	125,000				125,000-	
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AGENCY ISSUE NARRATIVE:

2022-2023 BUDGET YEAR NARRATIVE:

IT COMPONENT? NO

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	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
					AGY AMD REQ	
					FY 2022-23	
					OVER(UNDER)	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY FIN REQ	
	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	
POS	AMOUNT	POS	AMOUNT	POS	AMOUNT	CODES
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS APPEL DIV						21650000
<u>PGM: PDA-7TH JUD CIRCUIT</u>						21650700
PUBLIC PROTECTION						12
<u>LEGAL REPRESENTATION</u>						<u>1203.00.00.00</u>
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR						
ASSISTANT PUBLIC DEFENDERS						4209A20

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	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY AMD REQ	
	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	
	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
						CODES
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS APPEL DIV						21650000
PGM: PDA-7TH JUD CIRCUIT						21650700
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20
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Second Amended Narrative after January 6, 2022

Summary: This issue has been deleted and replaced with issue code 4206A00 "Attorney Recruitment and Retention."

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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 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	
	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
						CODES
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS APPEL DIV						21650000
PGM: PDA-7TH JUD CIRCUIT						21650700
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						<u>1203.00.00.00</u>
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR						
ASSISTANT PUBLIC DEFENDERS						4209A20

POSITION DETAIL OF SALARIES AND BENEFITS:

	FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A12 - AGY FIN REQ FY 2022-23							
CHANGES TO CURRENTLY AUTHORIZED POSITIONS							
RA01 RATE & SALARY ADJ - BENEFITS NO FTE							
N0001 001	0.00	125,000		45,826	170,826	0.00	170,826
TOTALS FOR ISSUE BY FUND							
1000 GENERAL REVENUE FUND							170,826
	0.00	125,000		45,826	170,826		170,826

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TOTAL: LEGAL REPRESENTATION							<u>1203.00.00.00</u>
BY FUND TYPE							
GENERAL REVENUE FUND.....	170,826					170,826-	1000
SALARY RATE.....	125,000					125,000-	

=====

	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ FY 2022-23	AGY AMD REQ FY 2022-23	AGY AMD N/R FY 2022-23	AGY AMD ANZ FY 2022-23	AGY AMD REQ FY 2022-23 OVER(UNDER)	AGY FIN REQ FY 2022-23
	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT	CODES
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS APPEL DIV						21650000
PGM: PDA-10TH JUD CIRCUIT						21651000
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS SALARY RATE						4209A20
SALARY RATE.....	141,000				141,000-	000000
=====						
SALARIES AND BENEFITS						010000
GENERAL REVENUE FUND -STATE	192,691				192,691-	1000 1
=====						
TOTAL: COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20
TOTAL ISSUE.....	192,691				192,691-	
TOTAL SALARY RATE.....	141,000				141,000-	
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AGENCY ISSUE NARRATIVE:

2022-2023 BUDGET YEAR NARRATIVE:

IT COMPONENT? NO

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					FY 2022-23	
					OVER(UNDER)	
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	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	
POS	AMOUNT	POS	AMOUNT	POS	AMOUNT	CODES
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS APPEL DIV						21650000
<u>PGM: PDA-10TH JUD CIRCUIT</u>						21651000
PUBLIC PROTECTION						12
<u>LEGAL REPRESENTATION</u>						<u>1203.00.00.00</u>
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR						
ASSISTANT PUBLIC DEFENDERS						4209A20

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	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
					AGY AMD REQ	
					FY 2022-23	
					OVER(UNDER)	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY FIN REQ	
	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	
	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
						CODES
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS APPEL DIV						21650000
PGM: PDA-10TH JUD CIRCUIT						21651000
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR						
ASSISTANT PUBLIC DEFENDERS						4209A20
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Second Amended Narrative after January 6, 2022

Summary: This issue has been deleted and replaced with issue code 4206A00 "Attorney Recruitment and Retention."

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COL A12		COL A14		COL A15		COL A16		COL A14-A12		CODES
AGY FIN REQ FY 2022-23	POS AMOUNT	AGY AMD REQ FY 2022-23	POS AMOUNT	AGY AMD N/R FY 2022-23	POS AMOUNT	AGY AMD ANZ FY 2022-23	POS AMOUNT	AGY AMD REQ FY 2022-23 OVER(UNDER)	AGY FIN REQ FY 2022-23	

JUSTICE ADMINISTRATION										21000000
PUBLIC DEFENDERS APPEL DIV										21650000
PGM: PDA-10TH JUD CIRCUIT										21651000
PUBLIC PROTECTION										12
LEGAL REPRESENTATION										<u>1203.00.00.00</u>
OTHER PROGRAMS										4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS										4209A20

POSITION DETAIL OF SALARIES AND BENEFITS:

	FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A12 - AGY FIN REQ FY 2022-23							
CHANGES TO CURRENTLY AUTHORIZED POSITIONS							
RA01 RATE & SALARY ADJ - BENEFITS NO FTE							
N0001 001	0.00	141,000		51,691	192,691	0.00	192,691
TOTALS FOR ISSUE BY FUND							
1000 GENERAL REVENUE FUND							192,691
	0.00	141,000		51,691	192,691		192,691

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TOTAL: LEGAL REPRESENTATION							<u>1203.00.00.00</u>
BY FUND TYPE							
GENERAL REVENUE FUND.....	192,691					192,691-	1000
SALARY RATE.....	141,000				141,000-		

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	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ FY 2022-23	AGY AMD REQ FY 2022-23	AGY AMD N/R FY 2022-23	AGY AMD ANZ FY 2022-23	AGY AMD REQ FY 2022-23 OVER(UNDER)	AGY FIN REQ FY 2022-23
	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS APPEL DIV						21650000
PGM: PDA-11TH JUD CIRCUIT						21651100
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS SALARY RATE						4209A20
SALARY RATE.....	60,000				60,000-	000000
=====						
SALARIES AND BENEFITS						010000
GENERAL REVENUE FUND -STATE	81,996				81,996-	1000 1
=====						
TOTAL: COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20
TOTAL ISSUE.....	81,996				81,996-	
TOTAL SALARY RATE.....	60,000				60,000-	
=====						

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AGENCY ISSUE NARRATIVE:

2022-2023 BUDGET YEAR NARRATIVE: IT COMPONENT? NO

Public Defenders seek to achieve competitive pay for their experienced Assistant Public Defenders. Retention of experienced attorneys is critically important in order to ensure that Public Defenders effectively and efficiently meet their constitutional, ethical, and statutory responsibilities. Public Defender offices experience an average annual turnover rate of roughly 19.5% statewide. In FY20-21, this spiked to an all-time high of 26.35%. This dramatic increase in turnover was due in part to the COVID-19 pandemic and to competition from the private sector and other government agencies. The private sector directly competes with Public Defender offices by offering higher pay and better incentives with more enticing benefits to entry-level attorneys and experienced Assistant Public Defenders. Additionally, salary studies have shown that other government agencies on average pay higher salaries than Public Defender offices are able to pay. Despite recruitment efforts, Public Defender Offices statewide are experiencing a severe lack of applicants, both entry-level and those with prior experience.

	FY17-18	FY18-19	FY19-20	3 yr avg	FY20-21
STATEWIDE	18.78%	20.96%	18.78%	19.51%	26.35%
APPEALS	14.36%	9.94%	14.36%	12.89%	12.42%
TRIALS	19.16%	21.90%	19.16%	20.07%	27.50%

This turnover creates a costly cycle of recruiting and training new attorneys. The continual influx of new attorneys

	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
					AGY AMD REQ	
					FY 2022-23	
					OVER(UNDER)	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY FIN REQ	
	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	
POS	AMOUNT	POS	AMOUNT	POS	AMOUNT	CODES
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS APPEL DIV						21650000
<u>PGM: PDA-11TH JUD CIRCUIT</u>						21651100
<u>PUBLIC PROTECTION</u>						12
<u>LEGAL REPRESENTATION</u>						<u>1203.00.00.00</u>
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20

routinely causes delays and disruptions in court dockets for defendants and victims. Additionally, the lack of experienced attorneys makes case assignments and case management difficult, as there are specific skills and experience levels required to competently represent people charged with serious and complex cases. This preexisting problem is exacerbated by increased turnover of experienced attorneys. The unprecedented turnover rate and lack of applicants to fill vacant positions is nothing short of a constitutional crisis in the making.

Additionally, the recent base salary increase to \$50,000 for starting attorneys has created serious salary compression issues for Assistant Public Defenders who have more experience than their entry level counterparts, with a lack of attrition to meet this compression advancement in pay.

Public Defenders seek a competitive pay increase of \$5,000 for all Assistant Public Defenders and Chief Assistant Public Defenders (5901 and 5909 class codes respectively). The calculation of this increase should be based on filled positions prior to the onset of the COVID 19 pandemic in February 2020. The estimated cost of this increase statewide is \$7.8 million, plus associated benefits.

New General Revenue funds are requested because statewide the Indigent Criminal Defense Trust Fund and Grants and Donations Trust Fund will not have the recurring cash necessary to fund this issue long term.

Amended FY 2022-23 Narrative after December 15, 2021

Public Defenders seek to achieve competitive pay for their experienced Assistant Public Defenders. Retention of experienced attorneys is critically important in order to ensure that Public Defenders effectively and efficiently meet their constitutional, ethical, and statutory responsibilities. Public Defender offices experience an average annual turnover rate of roughly 19.5% statewide. In FY20-21, this spiked to an all-time high of 26.35%. This dramatic increase in turnover was due in part to the COIVD-19 pandemic and to competition from the private sector and other government agencies. The private sector directly competes with Public Defender offices by offering higher pay and better incentives with more enticing benefits to entry-level attorneys and experienced Assistant Public Defenders. Additionally, salary studies have shown that other government agencies on average pay higher salaries than Public Defender offices are able to pay. Despite recruitment efforts, Public Defender Offices statewide are experiencing a severe lack of applicants, both entry-level and those with prior experience.

FY17-18            FY18-19            FY19-20            3 yr avg            FY20-21

	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ FY 2022-23	AGY AMD REQ FY 2022-23	AGY AMD N/R FY 2022-23	AGY AMD ANZ FY 2022-23	AGY AMD REQ FY 2022-23 OVER(UNDER)	AGY FIN REQ FY 2022-23
	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT	CODES
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS APPEL DIV						21650000
PGM: PDA-11TH JUD CIRCUIT						21651100
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20
STATEWIDE	18.78%	20.96%	18.78%	19.51%	26.35%	
APPEALS	14.36%	9.94%	14.36%	12.89%	12.42%	
TRIALS	19.16%	21.90%	19.16%	20.07%	27.50%	

This turnover creates a costly cycle of recruiting and training new attorneys. The continual influx of new attorneys routinely causes delays and disruptions in court dockets for defendants and victims. Additionally, the lack of experienced attorneys makes case assignments and case management difficult, as there are specific skills and experience levels required to competently represent people charged with serious and complex cases. This preexisting problem is exacerbated by increased turnover of experienced attorneys. The unprecedented turnover rate and lack of applicants to fill vacant positions is nothing short of a constitutional crisis in the making.

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Public Defenders seek a competitive pay increase of \$10,000 for all Assistant Public Defenders and Chief Assistant Public Defenders positions (5901 and 5909 class codes respectively), to be distributed by the Public Defenders as necessary to recruit and retain qualified personnel. The calculation of this increase should be based on filled positions prior to the onset of the COVID 19 pandemic in February 2020. The estimated cost of this increase statewide is \$14.2 million, plus associated benefits.

New General Revenue funds are requested because statewide the Indigent Criminal Defense Trust Fund and the Grants and Donations Trust Fund will not have the recurring cash necessary to fund this issue long term.

This issue impacts all agency activities.

Summary: The rate for this issue has been increased by \$7,127,000 and the Salaries and Benefits have been increased by \$9,739,755 Statewide to enable a \$10,000 competitive pay adjustment rather than the \$5,000 adjustment originally requested.

Second Amended Narrative after January 6, 2022

Summary: This issue has been deleted and replaced with issue code 4206A00 "Attorney Recruitment and Retention."

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COL A12		COL A14		COL A15		COL A16		COL A14-A12		CODES
AGY FIN REQ FY 2022-23	POS AMOUNT	AGY AMD REQ FY 2022-23	POS AMOUNT	AGY AMD N/R FY 2022-23	POS AMOUNT	AGY AMD ANZ FY 2022-23	POS AMOUNT	AGY AMD REQ FY 2022-23 OVER(UNDER)	AGY FIN REQ FY 2022-23	

JUSTICE ADMINISTRATION										21000000
PUBLIC DEFENDERS APPEL DIV										21650000
<u>PGM: PDA-11TH JUD CIRCUIT</u>										21651100
<u>PUBLIC PROTECTION</u>										12
<u>LEGAL REPRESENTATION</u>										<u>1203.00.00.00</u>
OTHER PROGRAMS										4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS										4209A20

POSITION DETAIL OF SALARIES AND BENEFITS:

	FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A12 - AGY FIN REQ FY 2022-23							
CHANGES TO CURRENTLY AUTHORIZED POSITIONS							
RA01 RATE & SALARY ADJ - BENEFITS NO FTE							
N0001 001	0.00	60,000		21,996	81,996	0.00	81,996
TOTALS FOR ISSUE BY FUND							
1000 GENERAL REVENUE FUND							81,996
	0.00	60,000		21,996	81,996		81,996

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TOTAL: LEGAL REPRESENTATION							<u>1203.00.00.00</u>
BY FUND TYPE							
GENERAL REVENUE FUND.....		81,996				81,996-	1000
SALARY RATE.....	60,000				60,000-		

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	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
	AGY FIN REQ FY 2022-23	AGY AMD REQ FY 2022-23	AGY AMD N/R FY 2022-23	AGY AMD ANZ FY 2022-23	AGY AMD REQ FY 2022-23 OVER(UNDER)	AGY FIN REQ FY 2022-23
	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT	POS AMOUNT
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS APPEL DIV						21650000
PGM: PDA-15TH JUD CIRCUIT						21651500
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS SALARY RATE						4209A20
SALARY RATE.....	130,000				130,000-	000000
=====						
SALARIES AND BENEFITS						010000
GENERAL REVENUE FUND -STATE	177,658				177,658-	1000 1
=====						
TOTAL: COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS						4209A20
TOTAL ISSUE.....	177,658				177,658-	
TOTAL SALARY RATE.....	130,000				130,000-	
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AGENCY ISSUE NARRATIVE:

2022-2023 BUDGET YEAR NARRATIVE: IT COMPONENT? NO

Public Defenders seek to achieve competitive pay for their experienced Assistant Public Defenders. Retention of experienced attorneys is critically important in order to ensure that Public Defenders effectively and efficiently meet their constitutional, ethical, and statutory responsibilities. Public Defender offices experience an average annual turnover rate of roughly 19.5% statewide. In FY20-21, this spiked to an all-time high of 26.35%. This dramatic increase in turnover was due in part to the COVID-19 pandemic and to competition from the private sector and other government agencies. The private sector directly competes with Public Defender offices by offering higher pay and better incentives with more enticing benefits to entry-level attorneys and experienced Assistant Public Defenders. Additionally, salary studies have shown that other government agencies on average pay higher salaries than Public Defender offices are able to pay. Despite recruitment efforts, Public Defender Offices statewide are experiencing a severe lack of applicants, both entry-level and those with prior experience.

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	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
					AGY AMD REQ	
					FY 2022-23	
					OVER(UNDER)	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY FIN REQ	
	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	
POS	AMOUNT	POS	AMOUNT	POS	AMOUNT	CODES
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS APPEL DIV						21650000
<u>PGM: PDA-15TH JUD CIRCUIT</u>						21651500
PUBLIC PROTECTION						12
<u>LEGAL REPRESENTATION</u>						<u>1203.00.00.00</u>
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR						
ASSISTANT PUBLIC DEFENDERS						4209A20

routinely causes delays and disruptions in court dockets for defendants and victims. Additionally, the lack of experienced attorneys makes case assignments and case management difficult, as there are specific skills and experience levels required to competently represent people charged with serious and complex cases. This preexisting problem is exacerbated by increased turnover of experienced attorneys. The unprecedented turnover rate and lack of applicants to fill vacant positions is nothing short of a constitutional crisis in the making.

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	COL A12	COL A14	COL A15	COL A16	COL A14-A12	
					AGY AMD REQ	
					FY 2022-23	
					OVER(UNDER)	
	AGY FIN REQ	AGY AMD REQ	AGY AMD N/R	AGY AMD ANZ	AGY FIN REQ	
	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	FY 2022-23	
	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT
JUSTICE ADMINISTRATION						21000000
PUBLIC DEFENDERS APPEL DIV						21650000
PGM: PDA-15TH JUD CIRCUIT						21651500
PUBLIC PROTECTION						12
LEGAL REPRESENTATION						1203.00.00.00
OTHER PROGRAMS						4200000
COMPETITIVE PAY ADJUSTMENT FOR						
ASSISTANT PUBLIC DEFENDERS						4209A20
APPEALS	14.36%	9.94%	14.36%	12.89%	12.42%	
TRIALS	19.16%	21.90%	19.16%	20.07%	27.50%	

This turnover creates a costly cycle of recruiting and training new attorneys. The continual influx of new attorneys routinely causes delays and disruptions in court dockets for defendants and victims. Additionally, the lack of experienced attorneys makes case assignments and case management difficult, as there are specific skills and experience levels required to competently represent people charged with serious and complex cases. This preexisting problem is exacerbated by increased turnover of experienced attorneys. The unprecedented turnover rate and lack of applicants to fill vacant positions is nothing short of a constitutional crisis in the making.

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\*\*\*\*\*

COL A12		COL A14		COL A15		COL A16		COL A14-A12		CODES
AGY FIN REQ FY 2022-23	POS AMOUNT	AGY AMD REQ FY 2022-23	POS AMOUNT	AGY AMD N/R FY 2022-23	POS AMOUNT	AGY AMD ANZ FY 2022-23	POS AMOUNT	AGY AMD REQ FY 2022-23 OVER(UNDER)	AGY FIN REQ FY 2022-23	

JUSTICE ADMINISTRATION										21000000
PUBLIC DEFENDERS APPEL DIV										21650000
PGM: PDA-15TH JUD CIRCUIT										21651500
PUBLIC PROTECTION										12
LEGAL REPRESENTATION										<u>1203.00.00.00</u>
OTHER PROGRAMS										4200000
COMPETITIVE PAY ADJUSTMENT FOR ASSISTANT PUBLIC DEFENDERS										4209A20

POSITION DETAIL OF SALARIES AND BENEFITS:

	FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A12 - AGY FIN REQ FY 2022-23							
CHANGES TO CURRENTLY AUTHORIZED POSITIONS							
RA01 RATE & SALARY ADJ - BENEFITS NO FTE							
N0001 001	0.00	130,000		47,658	177,658	0.00	177,658
TOTALS FOR ISSUE BY FUND							
1000 GENERAL REVENUE FUND							177,658
	0.00	130,000		47,658	177,658		177,658

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TOTAL: LEGAL REPRESENTATION							<u>1203.00.00.00</u>
BY FUND TYPE							
GENERAL REVENUE FUND.....	177,658					177,658-	1000
SALARY RATE.....	130,000					130,000-	
TOTAL: REPORT							
TOTAL REPORT.....	9,739,767					9,739,767-	
TOTAL SALARY RATE.....	7,127,000					7,127,000-	

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