

	COL A03		COL A04		COL A05		CODES
	AGY REQUEST FY 2011-12 POS	AMOUNT	AGY REQ N/R FY 2011-12 POS	AMOUNT	AG REQ ANZ FY 2011-12 POS	AMOUNT	
LEGAL AFFAIRS/ATTY GENERAL							41000000
PGM: OFF/ATTORNEY GENERAL							41100000
CIVIL ENFORCEMENT							41100100
PUBLIC PROTECTION							12
LEGAL REPRESENTATION							1203.00.00.00
ESTIMATED EXPENDITURES							1000000
ESTIMATED EXPENDITURES - OPERATIONS							1001000
SALARY RATE							000000
SALARY RATE.....	26,577,879						
=====							
SALARIES AND BENEFITS							010000
GENERAL REVENUE FUND							
-STATE	942,598						1000 1
-MATCH	3,978,512						1000 2
TOTAL GENERAL REVENUE FUND	4,921,110						1000
=====							
CRIMES COMPENSATION TF							
-STATE	2,758						2149 1
=====							
FEDERAL GRANTS TRUST FUND							
-FEDERL	11,640,818						2261 3
-RECPNT	397,445						2261 9
TOTAL FEDERAL GRANTS TRUST FUND	12,038,263						2261
=====							
LEGAL SERVICES TRUST FUND							
-STATE	11,243,894						2438 1
=====							
LEGAL AFFAIRS REVOLVING TF							
-STATE	7,121,890						2439 1
=====							
MOTOR VEHICLE WARRANTY TF							
-STATE	1,460,854						2492 1
=====							
OPERATING TRUST FUND							
-STATE	386,276						2510 1
=====							
TOTAL POSITIONS.....	605.00						
TOTAL APPRO.....	37,175,045						
=====							
OTHER PERSONAL SERVICES							030000
GENERAL REVENUE FUND							
-STATE	23,184						1000 1
-MATCH	66,220						1000 2
TOTAL GENERAL REVENUE FUND	89,404						1000
=====							
FEDERAL GRANTS TRUST FUND							
-FEDERL	125,709						2261 3
=====							
LEGAL SERVICES TRUST FUND							
-STATE	240,834						2438 1
=====							
MOTOR VEHICLE WARRANTY TF							
-STATE	85,512						2492 1
=====							

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
POS	AMOUNT	POS	AMOUNT	POS
				AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: OFF/ATTORNEY GENERAL				41100000
CIVIL ENFORCEMENT				41100100
PUBLIC PROTECTION				12
LEGAL REPRESENTATION				1203.00.00.00
ESTIMATED EXPENDITURES				1000000
ESTIMATED EXPENDITURES - OPERATIONS				1001000
OTHER PERSONAL SERVICES				030000
TOTAL APPRO.....	541,459			
EXPENSES				040000
GENERAL REVENUE FUND				
-STATE	246,860			1000 1
-MATCH	596,614			1000 2
TOTAL GENERAL REVENUE FUND	843,474			1000
FEDERAL GRANTS TRUST FUND				
-FEDERL	1,757,876			2261 3
-RECPNT	71,912			2261 9
TOTAL FEDERAL GRANTS TRUST FUND	1,829,788			2261
LEGAL SERVICES TRUST FUND				
-STATE	1,825,200			2438 1
LEGAL AFFAIRS REVOLVING TF				
-STATE	5,539			2439 1
MOTOR VEHICLE WARRANTY TF				
-STATE	427,384			2492 1
OPERATING TRUST FUND				
-MATCH	7,830			2510 2
TOTAL APPRO.....	4,939,215			
OPERATING CAPITAL OUTLAY				060000
GENERAL REVENUE FUND				
-STATE	10,592			1000 1
-MATCH	101,939			1000 2
TOTAL GENERAL REVENUE FUND	112,531			1000
FEDERAL GRANTS TRUST FUND				
-FEDERL	305,816			2261 3
LEGAL SERVICES TRUST FUND				
-STATE	520,700			2438 1
LEGAL AFFAIRS REVOLVING TF				
-STATE	51,938			2439 1
MOTOR VEHICLE WARRANTY TF				
-STATE	44,114			2492 1

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
	POS	AMOUNT	POS	AMOUNT
				AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: OFF/ATTORNEY GENERAL				41100000
CIVIL ENFORCEMENT				41100100
PUBLIC PROTECTION				12
LEGAL REPRESENTATION				1203.00.00.00
ESTIMATED EXPENDITURES				1000000
ESTIMATED EXPENDITURES - OPERATIONS				1001000
OPERATING CAPITAL OUTLAY				060000
TOTAL APPRO.....		1,035,099		
=====				
SPECIAL CATEGORIES				100000
ACQUISITION/MOTOR VEHICLES				100021
GENERAL REVENUE FUND -MATCH		53,927		1000 2
FEDERAL GRANTS TRUST FUND -FEDERL		203,551		2261 3
TOTAL APPRO.....		257,478		
=====				
MEDICAID FRAUD INFORM REWD				100053
OPERATING TRUST FUND -STATE		2,000,000		2510 1
=====				
ANTITRUST INVESTIGATIONS				100119
LEGAL AFFAIRS REVOLVING TF-STATE		1,479,256		2439 1
=====				
CONTRACTED SERVICES				100777
GENERAL REVENUE FUND -STATE		66,529		1000 1
GENERAL REVENUE FUND -MATCH		5,450		1000 2
TOTAL GENERAL REVENUE FUND		71,979		1000
=====				
FEDERAL GRANTS TRUST FUND -FEDERL		144,731		2261 3
=====				
LEGAL SERVICES TRUST FUND -STATE		719,580		2438 1
=====				
MOTOR VEHICLE WARRANTY TF -STATE		74,281		2492 1
=====				
TOTAL APPRO.....		1,010,571		
=====				

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
POS	AMOUNT	POS	AMOUNT	POS
				AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: OFF/ATTORNEY GENERAL				41100000
CIVIL ENFORCEMENT				41100100
PUBLIC PROTECTION				12
LEGAL REPRESENTATION				1203.00.00.00
ESTIMATED EXPENDITURES				1000000
ESTIMATED EXPENDITURES - OPERATIONS				1001000
SPECIAL CATEGORIES				100000
ECONOMIC CRIME LITIGATION				101020
LEGAL AFFAIRS REVOLVING TF-STATE	5,153,230			2439 1
RISK MANAGEMENT INSURANCE				103241
GENERAL REVENUE FUND -STATE	8,666			1000 1
GENERAL REVENUE FUND -MATCH	32,101			1000 2
TOTAL GENERAL REVENUE FUND	40,767			1000
FEDERAL GRANTS TRUST FUND -FEDERL	88,917			2261 3
LEGAL SERVICES TRUST FUND -STATE	122,018			2438 1
LEGAL AFFAIRS REVOLVING TF-STATE	76,826			2439 1
MOTOR VEHICLE WARRANTY TF -STATE	8,568			2492 1
TOTAL APPRO.....	337,096			
SALARY INCENTIVE PAYMENTS				103290
GENERAL REVENUE FUND -STATE	43,091			1000 1
GENERAL REVENUE FUND -MATCH	32,554			1000 2
TOTAL GENERAL REVENUE FUND	75,645			1000
FEDERAL GRANTS TRUST FUND -FEDERL	97,661			2261 3
TOTAL APPRO.....	173,306			
TR/DMS/HR SVCS/STW CONTRCT				107040
GENERAL REVENUE FUND -STATE	34,687			1000 1
GENERAL REVENUE FUND -MATCH	23,543			1000 2
TOTAL GENERAL REVENUE FUND	58,230			1000

	COL A03		COL A04		COL A05		CODES
	AGY REQUEST FY 2011-12 POS	AMOUNT	AGY REQ N/R FY 2011-12 POS	AMOUNT	AG REQ ANZ FY 2011-12 POS	AMOUNT	
LEGAL AFFAIRS/ATTY GENERAL							41000000
PGM: OFF/ATTORNEY GENERAL							41100000
CIVIL ENFORCEMENT							41100100
PUBLIC PROTECTION							12
LEGAL REPRESENTATION							1203.00.00.00
ESTIMATED EXPENDITURES							1000000
ESTIMATED EXPENDITURES - OPERATIONS							1001000
SPECIAL CATEGORIES							100000
TR/DMS/HR SVCS/STW CONTRCT							107040
FEDERAL GRANTS TRUST FUND -FEDERL		78,310					2261 3
-FEDERL -RECPNT		3,208					2261 9
TOTAL FEDERAL GRANTS TRUST FUND		81,518					2261
LEGAL SERVICES TRUST FUND -STATE		71,343					2438 1
LEGAL AFFAIRS REVOLVING TF-STATE		36,078					2439 1
MOTOR VEHICLE WARRANTY TF -STATE		9,762					2492 1
TOTAL APPRO.....		256,931					
STATE OPERATIONS-ARRA 2009							109910
FEDERAL GRANTS TRUST FUND -FEDERL		19,000					2261 3
SALARIES/BENEFIT-ARRA 2009							109995
FEDERAL GRANTS TRUST FUND -FEDERL		204,349					2261 3
DATA PROCESSING SERVICES							210000
TRC - DMS							210010
LEGAL AFFAIRS REVOLVING TF-STATE		7,448					2439 1
OTHER DATA PROCESSING SVCS							210014
GENERAL REVENUE FUND -MATCH		12,483					1000 2
FEDERAL GRANTS TRUST FUND -FEDERL		35,000					2261 3
LEGAL SERVICES TRUST FUND -STATE		192,081					2438 1
TOTAL APPRO.....		239,564					

	COL A03		COL A04		COL A05		CODES
	AGY REQUEST FY 2011-12 POS	AMOUNT	AGY REQ N/R FY 2011-12 POS	AMOUNT	AG REQ ANZ FY 2011-12 POS	AMOUNT	
LEGAL AFFAIRS/ATTY GENERAL							41000000
PGM: OFF/ATTORNEY GENERAL							41100000
CIVIL ENFORCEMENT							41100100
PUBLIC PROTECTION							12
LEGAL REPRESENTATION							1203.00.00.00
ESTIMATED EXPENDITURES							1000000
ESTIMATED EXPENDITURES - OPERATIONS							1001000
TOTAL: ESTIMATED EXPENDITURES - OPERATIONS							1001000
TOTAL POSITIONS.....	605.00						
TOTAL ISSUE.....	54,829,047						
TOTAL SALARY RATE.....	26,577,879						
=====							
CASUALTY INSURANCE PREMIUM							1001090
ADJUSTMENT							100000
SPECIAL CATEGORIES							103241
RISK MANAGEMENT INSURANCE							
GENERAL REVENUE FUND -STATE	2,694						1000 1
-MATCH	9,980						1000 2
TOTAL GENERAL REVENUE FUND	12,674						1000
FEDERAL GRANTS TRUST FUND -FEDERL	27,645						2261 3
LEGAL SERVICES TRUST FUND -STATE	37,936						2438 1
LEGAL AFFAIRS REVOLVING TF-STATE	23,886						2439 1
TOTAL APPRO.....	102,141						
=====							
FLORIDA RETIREMENT SYSTEM							1001220
CONTRIBUTION ADJUSTMENT FOR							010000
FY 2010-11 - EFFECTIVE 7/1/2010							
SALARIES AND BENEFITS							
GENERAL REVENUE FUND -STATE	8,638						1000 1
-MATCH	36,467						1000 2
TOTAL GENERAL REVENUE FUND	45,105						1000
FEDERAL GRANTS TRUST FUND -FEDERL	125,810						2261 3
-RECPNT	4,293						2261 9
TOTAL FEDERAL GRANTS TRUST FUND	130,103						2261
LEGAL SERVICES TRUST FUND -STATE	121,544						2438 1
=====							

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
POS	AMOUNT	POS	AMOUNT	POS
				AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: OFF/ATTORNEY GENERAL				41100000
CIVIL ENFORCEMENT				41100100
PUBLIC PROTECTION				12
LEGAL REPRESENTATION				1203.00.00.00
ESTIMATED EXPENDITURES				1000000
FLORIDA RETIREMENT SYSTEM				
CONTRIBUTION ADJUSTMENT FOR				
FY 2010-11 - EFFECTIVE 7/1/2010				1001220
SALARIES AND BENEFITS				010000
LEGAL AFFAIRS REVOLVING TF-STATE	77,025			2439 1
MOTOR VEHICLE WARRANTY TF -STATE	15,791			2492 1
OPERATING TRUST FUND -STATE	4,179			2510 1
TOTAL APPRO.....	393,747			
ADJUSTMENT TO STATE HEALTH				
INSURANCE PREMIUM CONTRIBUTION FOR				
FY 2010-11 - EFFECTIVE 12/1/2010				1001810
SALARIES AND BENEFITS				010000
GENERAL REVENUE FUND -STATE	4,477			1000 1
GENERAL REVENUE FUND -MATCH	18,901			1000 2
TOTAL GENERAL REVENUE FUND	23,378			1000
FEDERAL GRANTS TRUST FUND -FEDERL	55,329			2261 3
FEDERAL GRANTS TRUST FUND -RECPNT	1,888			2261 9
TOTAL FEDERAL GRANTS TRUST FUND	57,217			2261
LEGAL SERVICES TRUST FUND -STATE	53,453			2438 1
LEGAL AFFAIRS REVOLVING TF-STATE	33,874			2439 1
MOTOR VEHICLE WARRANTY TF -STATE	6,945			2492 1
OPERATING TRUST FUND -STATE	1,838			2510 1
TOTAL APPRO.....	176,705			

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
	POS	AMOUNT	POS	AMOUNT
				AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: OFF/ATTORNEY GENERAL				41100000
CIVIL ENFORCEMENT				41100100
PUBLIC PROTECTION				12
LEGAL REPRESENTATION				1203.00.00.00
ESTIMATED EXPENDITURES				1000000
ELIMINATION OF AGENCY PAYALL				
STATUS - EFFECTIVE 7/1/2010				1001820
SALARIES AND BENEFITS				010000
GENERAL REVENUE FUND	-STATE	1,288-		1000 1
	-MATCH	5,440-		1000 2
TOTAL GENERAL REVENUE FUND		6,728-		1000
FEDERAL GRANTS TRUST FUND	-FEDERL	16,475-		2261 3
	-RECPNT	562-		2261 9
TOTAL FEDERAL GRANTS TRUST FUND		17,037-		2261
LEGAL SERVICES TRUST FUND	-STATE	15,916-		2438 1
LEGAL AFFAIRS REVOLVING TF	-STATE	10,086-		2439 1
MOTOR VEHICLE WARRANTY TF	-STATE	2,067-		2492 1
OPERATING TRUST FUND	-STATE	547-		2510 1
TOTAL APPRO.....		52,381-		
ADJUSTMENT TO STATE LIFE INSURANCE				
CONTRIBUTION RATE FOR FY 2010-11 -				
EFFECTIVE 12/1/2010				1001920
SALARIES AND BENEFITS				010000
GENERAL REVENUE FUND	-STATE	391-		1000 1
	-MATCH	1,649-		1000 2
TOTAL GENERAL REVENUE FUND		2,040-		1000
FEDERAL GRANTS TRUST FUND	-FEDERL	6,714-		2261 3
	-RECPNT	229-		2261 9
TOTAL FEDERAL GRANTS TRUST FUND		6,943-		2261
LEGAL SERVICES TRUST FUND	-STATE	6,486-		2438 1
LEGAL AFFAIRS REVOLVING TF	-STATE	4,110-		2439 1

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
	POS	AMOUNT	POS	AMOUNT
				AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: OFF/ATTORNEY GENERAL				41100000
CIVIL ENFORCEMENT				41100100
PUBLIC PROTECTION				12
LEGAL REPRESENTATION				1203.00.00.00
ESTIMATED EXPENDITURES				1000000
ADJUSTMENT TO STATE LIFE INSURANCE				
CONTRIBUTION RATE FOR FY 2010-11 -				
EFFECTIVE 12/1/2010				1001920
SALARIES AND BENEFITS				010000
MOTOR VEHICLE WARRANTY TF -STATE		842-		2492 1
=====		=====		=====
OPERATING TRUST FUND -STATE		223-		2510 1
=====		=====		=====
TOTAL APPRO.....		20,644-		
=====		=====		=====
SUNCOM SERVICES RATE REDUCTION				1005600
EXPENSES				040000
GENERAL REVENUE FUND -STATE		876-		1000 1
-MATCH		664-		1000 2
-----		-----		-----
TOTAL GENERAL REVENUE FUND		1,540-		1000
=====		=====		=====
FEDERAL GRANTS TRUST FUND -FEDERL		3,067-		2261 3
=====		=====		=====
LEGAL SERVICES TRUST FUND -STATE		3,451-		2438 1
=====		=====		=====
MOTOR VEHICLE WARRANTY TF -STATE		194-		2492 1
=====		=====		=====
TOTAL APPRO.....		8,252-		
=====		=====		=====
SPECIAL CATEGORIES				100000
ANTITRUST INVESTIGATIONS				100119
LEGAL AFFAIRS REVOLVING TF-STATE		388-		2439 1
=====		=====		=====
ECONOMIC CRIME LITIGATION				101020
LEGAL AFFAIRS REVOLVING TF-STATE		1,162-		2439 1
=====		=====		=====
TOTAL: SUNCOM SERVICES RATE REDUCTION				1005600
TOTAL ISSUE.....		9,802-		
=====		=====		=====

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
POS	AMOUNT	POS	AMOUNT	POS
				AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: OFF/ATTORNEY GENERAL				41100000
CIVIL ENFORCEMENT				41100100
PUBLIC PROTECTION				12
LEGAL REPRESENTATION				1203.00.00.00
ADJUSTMENTS TO CURRENT YEAR				
ESTIMATED EXPENDITURES				1600000
ADDITIONAL RATE TO COVER				
APPROPRIATED SALARIES AND BENEFITS				1601210
SALARY RATE				000000
SALARY RATE.....	163,392			
	=====	=====	=====	

AGENCY ISSUE NARRATIVE:

2011-2012 BUDGET YEAR NARRATIVE: IT COMPONENT? NO
 The Department of Legal Affairs is requesting 1,239,590 in rate that was approved in Fiscal Year 2009-10 LBC Amendment P0024 as having recurring impact.

Budget Entity	Rate Request
Civil Enforcement	163,392
Constitutional Legal Svcs	85,954
Civil/Criminal Defense	557,212
Executive Direction	212,415
Statewide Prosecution	220,617

POSITION DETAIL OF SALARIES AND BENEFITS:

	FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A03 - AGY REQUEST FY 2011-12							
CHANGES TO CURRENTLY AUTHORIZED POSITIONS							
RA06 RATE ADJ - NO FTE - NO SALARY - NO BENEFITS							
C0001 101		163,392					
TOTAL SALARY RATE		163,392					
		=====	=====	=====	=====		=====

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
POS	AMOUNT	POS	AMOUNT	POS
				AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: OFF/ATTORNEY GENERAL				41100000
CIVIL ENFORCEMENT				41100100
PUBLIC PROTECTION				12
LEGAL REPRESENTATION				1203.00.00.00
NONRECURRING EXPENDITURES				2100000
RESTORE TRUST FUND AUTHORITY				2103058
SALARIES AND BENEFITS				010000
OPERATING TRUST FUND -STATE	380,696-			2510 1
=====				
INCREASE AUTHORITY FOR THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009				2103062
SPECIAL CATEGORIES				100000
STATE OPERATIONS-ARRA 2009				109910
FEDERAL GRANTS TRUST FUND -FEDERL	19,000-			2261 3
=====				
SALARIES/BENEFIT-ARRA 2009				109995
FEDERAL GRANTS TRUST FUND -FEDERL	204,349-			2261 3
=====				
TOTAL: INCREASE AUTHORITY FOR THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009				2103062
TOTAL ISSUE.....	223,349-			
=====				
ANNUALIZATION OF ADMINISTERED FUNDS APPROPRIATIONS				26A0000
STATE HEALTH INSURANCE ADJUSTMENT FOR FY 2010-11 - 5 MONTHS				
ANNUALIZATION				26A1810
SALARIES AND BENEFITS				010000
GENERAL REVENUE FUND -STATE	3,198			1000 1
-MATCH	13,501			1000 2

TOTAL GENERAL REVENUE FUND	16,699			1000
=====				
FEDERAL GRANTS TRUST FUND -FEDERL	39,521			2261 3
-RECPNT	1,349			2261 9

TOTAL FEDERAL GRANTS TRUST FUND	40,870			2261
=====				
LEGAL SERVICES TRUST FUND -STATE	38,181			2438 1
=====				

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
POS	AMOUNT	POS	AMOUNT	POS
				AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: OFF/ATTORNEY GENERAL				41100000
CIVIL ENFORCEMENT				41100100
PUBLIC PROTECTION				12
LEGAL REPRESENTATION				1203.00.00.00
ANNUALIZATION OF ADMINISTERED FUNDS APPROPRIATIONS				26A0000
STATE HEALTH INSURANCE ADJUSTMENT FOR FY 2010-11 - 5 MONTHS				
ANNUALIZATION				26A1810
SALARIES AND BENEFITS				010000
LEGAL AFFAIRS REVOLVING TF-STATE	24,196			2439 1
MOTOR VEHICLE WARRANTY TF -STATE	4,961			2492 1
OPERATING TRUST FUND -STATE	1,313			2510 1
TOTAL APPRO.....	126,220			
STATE LIFE INSURANCE ADJUSTMENT FOR FY 2010-11 - 5 MONTHS				
ANNUALIZATION				26A1920
SALARIES AND BENEFITS				010000
GENERAL REVENUE FUND -STATE	279-			1000 1
-MATCH	1,178-			1000 2
TOTAL GENERAL REVENUE FUND	1,457-			1000
FEDERAL GRANTS TRUST FUND -FEDERL	4,796-			2261 3
-RECPNT	164-			2261 9
TOTAL FEDERAL GRANTS TRUST FUND	4,960-			2261
LEGAL SERVICES TRUST FUND -STATE	4,633-			2438 1
LEGAL AFFAIRS REVOLVING TF-STATE	2,936-			2439 1
MOTOR VEHICLE WARRANTY TF -STATE	601-			2492 1
OPERATING TRUST FUND -STATE	159-			2510 1
TOTAL APPRO.....	14,746-			

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
POS	AMOUNT	POS	AMOUNT	POS
				AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: OFF/ATTORNEY GENERAL				41100000
CIVIL ENFORCEMENT				41100100
PUBLIC PROTECTION				12
LEGAL REPRESENTATION				1203.00.00.00
AMERICAN RECOVERY AND REINVESTMENT				
ACT OF 2009				40S0000
INCREASE AUTHORITY FOR THE				
AMERICAN RECOVERY AND REINVESTMENT				
ACT OF 2009				40S0300
SPECIAL CATEGORIES				100000
STATE OPERATIONS-ARRA 2009				109910
FEDERAL GRANTS TRUST FUND -FEDERL	12,000	12,000		2261 3
SALARIES/BENEFIT-ARRA 2009				109995
FEDERAL GRANTS TRUST FUND -FEDERL	53,403	53,403		2261 3
TOTAL: INCREASE AUTHORITY FOR THE				40S0300
AMERICAN RECOVERY AND REINVESTMENT				
ACT OF 2009				
TOTAL ISSUE.....	65,403	65,403		
LEGAL AFFAIRS				4000000
RESTORATION OF GENERAL REVENUE FUND				
SHIFTS FROM NONRECURRING TRUST				
FUNDS				4009030
SALARIES AND BENEFITS				010000
GENERAL REVENUE FUND -STATE	380,696			1000 1

AGENCY ISSUE NARRATIVE:
 2011-2012 BUDGET YEAR NARRATIVE:
 Request

IT COMPONENT? NO

The Department of Legal Affairs/Office of Attorney General requests \$4,109,071 in General Revenue to replace the non-recurring "Transfer Funding to Trust Funds from General Revenue" fund shift appropriated by the legislature for Fiscal Year 2008-09, 2009-10 and in Fiscal Year 2010-11 and the use of non-recurring General Revenue to fund recurring positions..

This fund shift comprises almost thirteen percent (13%) of the recurring General Revenue in the OAG operating budget. The legislature provided for a non-recurring transfer of \$3,000,000 to the Operating Trust fund and provided \$1,109,071 in non-recurring General Revenue. The current year fund shift is the third year of shifting the funding of positions in the

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
	POS	AMOUNT	POS	AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: OFF/ATTORNEY GENERAL				41100000
CIVIL ENFORCEMENT				41100100
PUBLIC PROTECTION				12
LEGAL REPRESENTATION				1203.00.00.00
LEGAL AFFAIRS				4000000
RESTORATION OF GENERAL REVENUE FUND				
SHIFTS FROM NONRECURRING TRUST				
FUNDS				4009030

Department of Legal Affairs to non-recurring funds. The approach used by the legislature and OAG for the fund shift of these positions was to utilize cash derived from judgments brought in proceedings related to state or federal antitrust law or the Florida RICO Act and held in the account pending a final court decision or final distribution order. The monies recovered on behalf of consumers go to consumers or for their benefit. Monies recovered on behalf of local public entities go back to them. Monies recovered on behalf of state agencies must be deposited in the General Revenue Fund. There is no longer settlement cash available to continue this fund shift.

This issue requests the replacement of the trust funds appropriated in the following Budget Entities:

\$380,696 in Civil Enforcement Budget Entity to the Operating Trust Fund
 \$87,281 in Constitutional Legal Services Budget Entity to the Operating Trust Fund
 \$2,737,402 in the Criminal / Civil Litigation Defense Budget Entity to the Operating Trust Fund
 \$438,752 in the Statewide Prosecution / Multi-Circuit Crime Budget Entity to the Operating Trust Fund, and
 \$464,940 in the Executive Direction and Support Services Budget Entity to the Operating Trust Fund

These fund shifts have resulted in temporarily transferring thirty eight attorneys and twenty five support positions from General Revenue to the non-recurring moneys from these trust funds. The majority of the positions are in the Criminal Division. The Criminal Division is responsible for representing the State in all criminal appeals, as well as in post-conviction litigation at both the trial and appellate levels before state and federal courts.

Impact of Not Funding In Criminal Division

The majority of the General Revenue in the OAG funds the Criminal Division which consists of Criminal Appeals and Capital Appeals. In order to meet the reduction requirement the OAG calculates that the Criminal Division will have to be reduced by approximately 28 positions. This will add to the 31 positions already vacant due to reductions in funding and the seventeen (17) employees cut from the division over the last three years.

The Florida's Attorney General's Criminal and Capital Appellate Division, is the State's appellate prosecutor assigned to defend the judgments and sentences imposed by the trial court, in the state courts of appeal and federal habeas courts. Every appeal, from any of the 20 judicial circuits, filed by a criminal defendant challenging his conviction or length of sentence, is processed through this division, specifically each case is docketed, assigned a case number and assigned and prosecuted by attorneys specializing in this appellate discipline. The Criminal and Capital Appellate Division litigates against the statewide appellate public defenders, the three Capital Collateral Regional Counsels, assigned conflict counsels in every judicial circuit, federal public defenders from the three federal districts and all private attorneys hired to do criminal appellate defense work and, of course, pro se litigants.

The budgetary cuts and additional deletions in the attorney ranks has reduced the number of attorneys working on

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
	POS	AMOUNT	POS	AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: OFF/ATTORNEY GENERAL				41100000
CIVIL ENFORCEMENT				41100100
PUBLIC PROTECTION				12
LEGAL REPRESENTATION				1203.00.00.00
LEGAL AFFAIRS				4000000
RESTORATION OF GENERAL REVENUE FUND				
SHIFTS FROM NONRECURRING TRUST				
FUNDS				4009030

approximately 29,522 opened and current criminal cases and, 911 opened and active capital cases--in 2009-2010 fiscal year, from 6 bureau chiefs, 110 criminal attorneys and 16 capital attorneys in 2007 to 6 bureau chiefs, 88 criminal attorneys and 13.5 capital attorneys, in 2010, respectively. The Division has 31 vacancies, which are unfunded, a majority of which are attorney positions.

The OAG criminal division has faced pressures from the state and federal courts to speed up the handling of backlogged cases. Calls for handling cases more expeditiously, has been impossible --due to the sheer number of cases per attorney caseloads. Moreover, this division has not benefitted from the "lesser reductions in funding" legislatively mandated for the State judiciary, because the criminal appeals division is a part of the Executive Branch not the Judiciary. And, there are no provisions which would allow the OAG criminal appellate division to retrieve attorney fees for litigation in state or federal court when prevailing in extraordinary state litigation or federal habeas litigation and ensuing appeals there from in the federal appellate courts. Without adequate funding from any quarter, and faced with continuing budget shortfalls from general revenue dollars, it would not appear likely that reduced backlogs of cases and shorter litigation time will occur without an infusion of necessary general revenue dollars with which to fill current-existing vacancies.

In 2009-2010, the average caseloads for currently remaining/filled FTEs are:

	Criminal (88 Atty.) Caseloads per atty.	Capital (13.5 Atty.) Caseloads per atty.
2009-2010	330	70

The depletion of the criminal appellate attorney ranks in this office has resulted in further delays in the processing of appellate cases, has strained the ability of the state to address complex legal issues, and brings into question whether appellate review is meaningful. The excessive case loads have challenged even the most seasoned appellate attorneys' abilities to competently process caseloads, thus placing unimaginable pressures on this office's ability to retain criminal appellate attorneys and their expertise, as well as meet the demands of the criminal justice system.

Impact of Not Funding In Civil Enforcement

The General Revenue in the Civil Enforcement Budget Entity is primarily used to match federal funds 25% to 75% for the Medicaid Fraud Control Unit. General Revenue is also used to fund the Cyber Crime unit. The Medicaid Fraud Control Unit provides enough General Revenue to the State to more than pay for the cost of the unit. However, as the General Revenue in the unit was included in the fund shift, OAG must make cuts in the unit to meet cuts to Civil Enforcement. If the \$380,696 in General Revenue for these positions is eliminated the actual cut could require up to 21 positions and a reduction of additional Federal funds. This reduction would further jeopardize the over \$10 million the unit has provided to General Revenue over the last fiscal year.

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
POS	AMOUNT	POS	AMOUNT	POS
				AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: OFF/ATTORNEY GENERAL				41100000
CIVIL ENFORCEMENT				41100100
PUBLIC PROTECTION				12
LEGAL REPRESENTATION				<u>1203.00.00.00</u>
LEGAL AFFAIRS				4000000
RESTORATION OF GENERAL REVENUE FUND				
SHIFTS FROM NONRECURRING TRUST				
FUNDS				4009030

The Medicaid Fraud Control Unit (MFCU) investigates the business practices of doctors, dentists, clinics, and other health care providers who bill for services never performed or who charge more than authorized for services rendered. The unit also investigates the abuse, neglect, and exploitation of residents of long-term care facilities who are elderly, ill, and/or mentally or physically disabled.

Health care fraud is an immense societal problem, both nationally and within Florida's \$16 billion-a-year Medicaid program. The MFCU is responsible for policing the Medicaid Program, as well as investigating allegations of corruption and fraud in the program's management.

The MFCU is also responsible for investigating the physical abuse, neglect, and financial exploitation of patients residing in long-term care facilities such as nursing homes, facilities for the mentally and physically disabled and assisted care living facilities. The quality of care being provided to Florida's ill, elderly, and disabled citizens is an issue of great concern and a priority within the MFCU.

The MFCU provides a Patient Abuse, Neglect and Exploitation (PANE) Project consisting of a collaborative effort among several agencies to address the abuse and exploitation of patients in long term care facilities and results have been very positive. The MFCU also continued its leadership role in a multi-state/federal investigation into pharmaceutical pricing. This investigation, which began in Florida, revealed that several generic drug manufacturers have been artificially inflating the prices of their drugs which are reported to the government in a scheme that has cost Medicare and Medicaid hundreds of millions of dollars. This ongoing investigation has already resulted in multi-million dollar settlements with several major drug companies and ongoing litigation involving other pharmaceutical manufacturers should result in additional recoveries.

Impact of Not Funding In Constitutional Legal Services Budget Entity

The General Revenue in the Constitutional Legal Services Budget Entity is primarily used for the Solicitor General. The Solicitor General's office is currently holding three positions vacant to meet the reductions already made in the OAG and this would mean an additional position would be impacted.

The primary responsibility of the Office of the Solicitor General (OSG) is to represent the State of Florida in significant litigation affecting the powers, duties, and responsibilities of all branches of state government and serve as the primary civil appellate attorney for the State. The OSG defends constitutional challenges to laws passed by the

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
POS	AMOUNT	POS	AMOUNT	POS
				AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: OFF/ATTORNEY GENERAL				41100000
CIVIL ENFORCEMENT				41100100
PUBLIC PROTECTION				12
LEGAL REPRESENTATION				1203.00.00.00
LEGAL AFFAIRS				4000000
RESTORATION OF GENERAL REVENUE FUND				
SHIFTS FROM NONRECURRING TRUST				
FUNDS				4009030

Legislature and represents the State in cases of constitutional importance before the United States Supreme Court and the Florida Supreme Court, oversees complex civil litigation cases of statewide impact, prepares amicus briefs in support of State policy goals in state and federal appellate court cases, advises the Attorney General on legal and policy issues affecting the State and advises other divisions within the OAG who are litigating on behalf of state agencies.

The vital role of defending the constitutionality of Florida statutes and handling complex litigation with statewide impact would be severely jeopardized with the reduction from the Office of Solicitor General.

Impact of Not Funding In Executive Direction and Support Services Budget Entity

The General Revenue in the Executive Direction and Support Services Budget Entity Provides funding for the Opinions, Cabinet Affairs, and Executive staff positions. The executive staff is already down by nine critical positions and cannot take the additional reduction of eight positions and still allow the Attorney General to meet his core duties.

The Attorney General is required to provide official written opinions to state and local officials, boards, agencies, and their attorneys in response to questions regarding their official duties. In addition, the Attorney General is authorized provide legal advice to the state attorneys and to Florida's representatives in Congress. The Attorney General's opinion process provides a direct means for inexpensive dispute resolution. The strategic objective is to resolve requests for opinions in a timely manner.

A reduction in Opinions staff would decrease productivity and cause governmental entities to incur substantial legal fees from litigation. In addition, misinterpretation or varying interpretations of statutes could result in violations of statutes including, but not limited to, Sunshine and/or public records law. A centralized legal resource for Department of Legal Affairs and other governmental entities could be lost.

In addition to his duties as the state's chief legal officer, the Attorney General serves as a member of the Florida Cabinet. He is also regularly called upon by the Florida Legislature to discuss and provide advice on relevant issues and pending legislation. The Cabinet Affairs staff advises the Attorney General on all matters pertaining to his constitutional and statutory role as a member of the Florida Cabinet. The Governor and Cabinet, as a collegial body, sit as the head of the following: State Board of Executive Clemency; Division of Bond Finance; Department of Veterans' Affairs; Department of Highway Safety & Motor Vehicles; Department of Law Enforcement; Department of Revenue; Administration Commission; Florida Land & Water Adjudicatory Commission; Electrical Power Plant & Transmission Line Siting Board; Board of Trustees of the Internal Improvement Fund; and Financial Services Commission. The Governor, Attorney General and Chief Financial Officer sit as the head of the State Board of Administration. The Cabinet Affairs staff regularly meets with interested parties and private citizens and responds to inquiries from the public relating to factual, policy, and legal issues related to the areas of jurisdiction of the Governor and Cabinet.

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
POS	AMOUNT	POS	AMOUNT	POS
				AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: OFF/ATTORNEY GENERAL				41100000
CIVIL ENFORCEMENT				41100100
PUBLIC PROTECTION				12
LEGAL REPRESENTATION				1203.00.00.00
LEGAL AFFAIRS				4000000
RESTORATION OF GENERAL REVENUE FUND				
SHIFTS FROM NONRECURRING TRUST				
FUNDS				4009030

Cabinet Affairs is staffed with the minimal number of personnel necessary to carry out its duties and responsibilities to the public and the Attorney General. Any reductions would significantly hamper the Attorney General's ability to carry out his constitutional duty as a member of the Florida Cabinet.

Impact of Not Funding In Office of Statewide Prosecution

The fund shift in the Office of Statewide prosecution shifted nine positions from this office and failure to restore these funds would eliminate five positions and severely reduce the effectiveness of the office in fighting multi-circuit crimes. The unit currently has nine vacant positions, at least eight of which must remain vacant the entire fiscal year in order to meet our previous cuts. The Southwest Bureau is staffed with only one prosecutor who is responsible for covering Southwest Florida. These current staffing levels do not allow us to meet our constitutional mission in those geographic areas.

The Office of Statewide Prosecution is focusing on two main priorities: gang violence and fraud. In the last three years we have made tremendous progress in both areas but there remains work to be done.

While violent crime is down in our key impact areas, it is still a threatening problem in parts of our state. Our success has been measured by the neighborhoods we have changed through arrests and successful prosecution and also through the awards earned by our investigative partners. gang units of the year for the last two years for OSP cases.

On top of these two priorities that we have tackled given the threats they pose to our state, OSP continues to handle complex criminal cases in our traditional areas of white collar crime and narcotics.

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
POS	AMOUNT	POS	AMOUNT	POS
				AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: OFF/ATTORNEY GENERAL				41100000
CIVIL ENFORCEMENT				41100100
PUBLIC PROTECTION				12
LEGAL REPRESENTATION				1203.00.00.00
LEGAL AFFAIRS				4000000
RESTORATION OF GENERAL REVENUE FUND				
SHIFTS FROM NONRECURRING TRUST				
FUNDS				4009030

POSITION DETAIL OF SALARIES AND BENEFITS:

	FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A03 - AGY REQUEST FY 2011-12							
NEW POSITIONS							
OTHER SALARY AMOUNT							
1000 GENERAL REVENUE FUND							380,696
							380,696
							=====

MEDICAID FRAUD CONTROL UNIT -							4009050
ASSET-SHARING/FORFEITURE PROGRAM							030000
OTHER PERSONAL SERVICES							
GRANTS AND DONATIONS TF -STATE		100,000					2339 1
EXPENSES							040000
GRANTS AND DONATIONS TF -STATE		250,000					2339 1
OPERATING CAPITAL OUTLAY							060000
GRANTS AND DONATIONS TF -FEDERL		150,000					2339 3

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
POS	AMOUNT	POS	AMOUNT	POS
				AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: OFF/ATTORNEY GENERAL				41100000
CIVIL ENFORCEMENT				41100100
PUBLIC PROTECTION				12
LEGAL REPRESENTATION				<u>1203.00.00.00</u>
LEGAL AFFAIRS				4000000
MEDICAID FRAUD CONTROL UNIT -				
ASSET-SHARING/FORFEITURE PROGRAM				4009050
SPECIAL CATEGORIES				100000
CONTRACTED SERVICES				100777
GRANTS AND DONATIONS TF -STATE	1,500,000			2339 1
TOTAL: MEDICAID FRAUD CONTROL UNIT -				4009050
ASSET-SHARING/FORFEITURE PROGRAM				
TOTAL ISSUE.....	2,000,000			

AGENCY ISSUE NARRATIVE:

2011-2012 BUDGET YEAR NARRATIVE:

IT COMPONENT? NO

MFCU requests budget authority to spend money received under the federal asset-sharing program with the US Department of Justice and the Section 932.701 Florida Statutes, the Florida Contraband Forfeiture Act. This budget will enhance MFCU's investigations in the area of multi-state/federal investigation of pharmaceutical pricing and Medicaid provider fraud.

OPS budget is for temporary employees needed to assist with ediscovery documents. (organization and scanning.) (5 administrative assistants at \$8.00/hr * 40 hrs per week * 52 weeks + FICA = \$89,565) (1 law clerk \$15/hr * 20 hrs per week * 32 weeks = \$10,334)

Expense budget is for attorney travel for depositions, court appearances, settlement negotiations, etc.

OCO Surveillance equipment will be used to transmit information to support investigations involving suspected Home Health Care fraud and patient abuse/neglect. This equipment will provide continuous high resolution surveillance of specific residences, nursing homes, assisted living facilities and provider business locations. (10 units @ \$15,000 per unit = \$150,000)

Contractual Services budget is for expert witnesses and court reporters for complex civil cases of pharmaceutical pricing and Medicaid providers. (Expert Witnesses \$1,000,000 and Court Reporters \$500,000.)

TOTAL: LEGAL REPRESENTATION				<u>1203.00.00.00</u>
BY FUND TYPE				
GENERAL REVENUE FUND	6,746,337			1000
TRUST FUNDS	50,626,004	65,403		2000
TOTAL POSITIONS.....	605.00			
TOTAL PROG COMP.....	57,372,341	65,403		
TOTAL SALARY RATE.....	26,741,271			

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
POS	AMOUNT	POS	AMOUNT	POS
				AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: OFF/ATTORNEY GENERAL				41100000
CONSTITUTIONAL LEGAL SVCS				41100200
PUBLIC PROTECTION				12
LEGAL REPRESENTATION				1203.00.00.00
ESTIMATED EXPENDITURES				1000000
ESTIMATED EXPENDITURES - OPERATIONS				1001000
SALARY RATE				000000
SALARY RATE.....	1,422,464			
=====				
SALARIES AND BENEFITS				010000
GENERAL REVENUE FUND -STATE	1,888,886			1000 1
CRIMES COMPENSATION TF -STATE	402			2149 1
OPERATING TRUST FUND -STATE	149,578			2510 1
TOTAL POSITIONS.....	22.50			
TOTAL APPRO.....	2,038,866			
=====				
OTHER PERSONAL SERVICES				030000
GENERAL REVENUE FUND -STATE	21,754			1000 1
=====				
EXPENSES				040000
GENERAL REVENUE FUND -STATE	179,744			1000 1
=====				
OPERATING CAPITAL OUTLAY				060000
GENERAL REVENUE FUND -STATE	24,162			1000 1
=====				
SPECIAL CATEGORIES				100000
CONTRACTED SERVICES				100777
GENERAL REVENUE FUND -STATE	5,920			1000 1
=====				
RISK MANAGEMENT INSURANCE				103241
GENERAL REVENUE FUND -STATE	11,950			1000 1
=====				

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
POS	AMOUNT	POS	AMOUNT	POS
				AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: OFF/ATTORNEY GENERAL				41100000
CONSTITUTIONAL LEGAL SVCS				41100200
PUBLIC PROTECTION				12
LEGAL REPRESENTATION				1203.00.00.00
ESTIMATED EXPENDITURES				1000000
ESTIMATED EXPENDITURES - OPERATIONS				1001000
SPECIAL CATEGORIES				100000
TR/DMS/HR SVCS/STW CONTRCT				107040
GENERAL REVENUE FUND -STATE	9,259			1000 1
OPERATING TRUST FUND -STATE	472			2510 1
TOTAL APPRO.....	9,731			
TOTAL: ESTIMATED EXPENDITURES - OPERATIONS				1001000
TOTAL POSITIONS.....	22.50			
TOTAL ISSUE.....	2,292,127			
TOTAL SALARY RATE.....	1,422,464			
CASUALTY INSURANCE PREMIUM				
ADJUSTMENT				1001090
SPECIAL CATEGORIES				100000
RISK MANAGEMENT INSURANCE				103241
GENERAL REVENUE FUND -STATE	3,715			1000 1
FLORIDA RETIREMENT SYSTEM				
CONTRIBUTION ADJUSTMENT FOR				
FY 2010-11 - EFFECTIVE 7/1/2010				1001220
SALARIES AND BENEFITS				010000
GENERAL REVENUE FUND -STATE	16,247			1000 1
OPERATING TRUST FUND -STATE	1,521			2510 1
TOTAL APPRO.....	17,768			

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
	POS	AMOUNT	POS	AMOUNT
				AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: OFF/ATTORNEY GENERAL				41100000
CONSTITUTIONAL LEGAL SVCS				41100200
PUBLIC PROTECTION				12
LEGAL REPRESENTATION				1203.00.00.00
ESTIMATED EXPENDITURES				1000000
ADJUSTMENT TO STATE HEALTH				
INSURANCE PREMIUM CONTRIBUTION FOR				
FY 2010-11 - EFFECTIVE 12/1/2010				1001810
SALARIES AND BENEFITS				010000
GENERAL REVENUE FUND -STATE		6,987		1000 1
OPERATING TRUST FUND -STATE		555		2510 1
TOTAL APPRO.....		7,542		
ELIMINATION OF AGENCY PAYALL				
STATUS - EFFECTIVE 7/1/2010				1001820
SALARIES AND BENEFITS				010000
GENERAL REVENUE FUND -STATE		3,990-		1000 1
OPERATING TRUST FUND -STATE		328-		2510 1
TOTAL APPRO.....		4,318-		
ADJUSTMENT TO STATE LIFE INSURANCE				
CONTRIBUTION RATE FOR FY 2010-11 -				
EFFECTIVE 12/1/2010				1001920
SALARIES AND BENEFITS				010000
GENERAL REVENUE FUND -STATE		1,402-		1000 1
OPERATING TRUST FUND -STATE		154-		2510 1
TOTAL APPRO.....		1,556-		
SUNCOM SERVICES RATE REDUCTION				1005600
EXPENSES				040000
GENERAL REVENUE FUND -STATE		186-		1000 1

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
POS	AMOUNT	POS	AMOUNT	POS
				AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: OFF/ATTORNEY GENERAL				41100000
CONSTITUTIONAL LEGAL SVCS				41100200
PUBLIC PROTECTION				12
LEGAL REPRESENTATION				1203.00.00.00
ADJUSTMENTS TO CURRENT YEAR				
ESTIMATED EXPENDITURES				1600000
ADDITIONAL RATE TO COVER				
APPROPRIATED SALARIES AND BENEFITS				1601210
SALARY RATE				000000
SALARY RATE.....	85,954			

AGENCY ISSUE NARRATIVE:

2011-2012 BUDGET YEAR NARRATIVE: IT COMPONENT? NO
 The Department of Legal Affairs is requesting 1,239,590 in rate that was approved in Fiscal Year 2009-10 LBC Amendment P0024 as having recurring impact.

Budget Entity	Rate Request
Civil Enforcement	163,392
Constitutional Legal Svcs	85,954
Civil/Criminal Defense	557,212
Executive Direction	212,415
Statewide Prosecution	220,617

POSITION DETAIL OF SALARIES AND BENEFITS:

	FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A03 - AGY REQUEST FY 2011-12							
CHANGES TO CURRENTLY AUTHORIZED POSITIONS							
RA06 RATE ADJ - NO FTE - NO SALARY - NO BENEFITS							
C0001 001		85,954					
TOTAL SALARY RATE		85,954					

	COL A03		COL A04		COL A05		CODES
	AGY REQUEST FY 2011-12	POS	AGY REQ N/R FY 2011-12	POS	AG REQ ANZ FY 2011-12	POS	
LEGAL AFFAIRS/ATTY GENERAL							41000000
PGM: OFF/ATTORNEY GENERAL							41100000
CONSTITUTIONAL LEGAL SVCS							41100200
PUBLIC PROTECTION							12
LEGAL REPRESENTATION							1203.00.00.00
NONRECURRING EXPENDITURES							2100000
RESTORE TRUST FUND AUTHORITY							2103058
SALARIES AND BENEFITS							010000
OPERATING TRUST FUND	-STATE	54,009-					2510 1
=====							
RESTORATION OF GENERAL REVENUE FUND							2103063
SHIFTS FROM NONRECURRING TRUST FUNDS							010000
SALARIES AND BENEFITS							2103063
GENERAL REVENUE FUND	-STATE	33,272-					1000 1
=====							
ANNUALIZATION OF ADMINISTERED FUNDS APPROPRIATIONS							26A0000
STATE HEALTH INSURANCE ADJUSTMENT FOR FY 2010-11 - 5 MONTHS							26A1810
ANNUALIZATION							010000
SALARIES AND BENEFITS							26A1810
GENERAL REVENUE FUND	-STATE	4,991					1000 1
OPERATING TRUST FUND	-STATE	396					2510 1
TOTAL APPRO.....		5,387					
=====							
STATE LIFE INSURANCE ADJUSTMENT FOR FY 2010-11 - 5 MONTHS							26A1920
ANNUALIZATION							010000
SALARIES AND BENEFITS							26A1920
GENERAL REVENUE FUND	-STATE	1,001-					1000 1
OPERATING TRUST FUND	-STATE	110-					2510 1
TOTAL APPRO.....		1,111-					
=====							

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
POS	AMOUNT	POS	AMOUNT	POS
				AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: OFF/ATTORNEY GENERAL				41100000
CONSTITUTIONAL LEGAL SVCS				41100200
PUBLIC PROTECTION				12
LEGAL REPRESENTATION				1203.00.00.00
LEGAL AFFAIRS				4000000
RESTORATION OF GENERAL REVENUE FUND				
SHIFTS FROM NONRECURRING TRUST				
FUNDS				4009030
SALARIES AND BENEFITS				010000
GENERAL REVENUE FUND	-STATE	87,281		1000 1

AGENCY ISSUE NARRATIVE:

2011-2012 BUDGET YEAR NARRATIVE: IT COMPONENT? NO
 Request

The Department of Legal Affairs/Office of Attorney General requests \$4,109,071 in General Revenue to replace the non-recurring "Transfer Funding to Trust Funds from General Revenue" fund shift appropriated by the legislature for Fiscal Year 2008-09, 2009-10 and in Fiscal Year 2010-11 and the use of non-recurring General Revenue to fund recurring positions..

This fund shift comprises almost thirteen percent (13%) of the recurring General Revenue in the OAG operating budget. The legislature provided for a non-recurring transfer of \$3,000,000 to the Operating Trust fund and provided \$1,109,071 in non-recurring General Revenue. The current year fund shift is the third year of shifting the funding of positions in the Department of Legal Affairs to non-recurring funds. The approach used by the legislature and OAG for the fund shift of these positions was to utilize cash derived from judgments brought in proceedings related to state or federal antitrust law or the Florida RICO Act and held in the account pending a final court decision or final distribution order. The monies recovered on behalf of consumers go to consumers or for their benefit. Monies recovered on behalf of local public entities go back to them. Monies recovered on behalf of state agencies must be deposited in the General Revenue Fund. There is no longer settlement cash available to continue this fund shift.

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- \$438,752 in the Statewide Prosecution / Multi-Circuit Crime Budget Entity to the Operating Trust Fund, and
- \$464,940 in the Executive Direction and Support Services Budget Entity to the Operating Trust Fund

These fund shifts have resulted in temporarily transferring thirty eight attorneys and twenty five support positions from General Revenue to the non-recurring moneys from these trust funds. The majority of the positions are in the Criminal Division. The Criminal Division is responsible for representing the State in all criminal appeals, as well as in post-conviction litigation at both the trial and appellate levels before state and federal courts.

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
	POS	AMOUNT	POS	AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: OFF/ATTORNEY GENERAL				41100000
CONSTITUTIONAL LEGAL SVCS				41100200
PUBLIC PROTECTION				12
LEGAL REPRESENTATION				1203.00.00.00
LEGAL AFFAIRS				4000000
RESTORATION OF GENERAL REVENUE FUND				
SHIFTS FROM NONRECURRING TRUST				
FUNDS				4009030

Impact of Not Funding In Criminal Division

The majority of the General Revenue in the OAG funds the Criminal Division which consists of Criminal Appeals and Capital Appeals. In order to meet the reduction requirement the OAG calculates that the Criminal Division will have to be reduced by approximately 28 positions. This will add to the 31 positions already vacant due to reductions in funding and the seventeen (17) employees cut from the division over the last three years.

The Florida's Attorney General's Criminal and Capital Appellate Division, is the State's appellate prosecutor assigned to defend the judgments and sentences imposed by the trial court, in the state courts of appeal and federal habeas courts. Every appeal, from any of the 20 judicial circuits, filed by a criminal defendant challenging his conviction or length of sentence, is processed through this division, specifically each case is docketed, assigned a case number and assigned and prosecuted by attorneys specializing in this appellate discipline. The Criminal and Capital Appellate Division litigates against the statewide appellate public defenders, the three Capital Collateral Regional Counsels, assigned conflict counsels in every judicial circuit, federal public defenders from the three federal districts and all private attorneys hired to do criminal appellate defense work and, of course, pro se litigants.

The budgetary cuts and additional deletions in the attorney ranks has reduced the number of attorneys working on approximately 29,522 opened and current criminal cases and, 911 opened and active capital cases--in 2009-2010 fiscal year, from 6 bureau chiefs, 110 criminal attorneys and 16 capital attorneys in 2007 to 6 bureau chiefs, 88 criminal attorneys and 13.5 capital attorneys, in 2010, respectively. The Division has 31 vacancies, which are unfunded, a majority of which are attorney positions.

The OAG criminal division has faced pressures from the state and federal courts to speed up the handling of backlogged cases. Calls for handling cases more expeditiously, has been impossible --due to the sheer number of cases per attorney caseloads. Moreover, this division has not benefitted from the "lesser reductions in funding" legislatively mandated for the State judiciary, because the criminal appeals division is a part of the Executive Branch not the Judiciary. And, there are no provisions which would allow the OAG criminal appellate division to retrieve attorney fees for litigation in state or federal court when prevailing in extraordinary state litigation or federal habeas litigation and ensuing appeals there from in the federal appellate courts. Without adequate funding from any quarter, and faced with continuing budget shortfalls from general revenue dollars, it would not appear likely that reduced backlogs of cases and shorter litigation time will occur without an infusion of necessary general revenue dollars with which to fill current-existing vacancies.

In 2009-2010, the average caseloads for currently remaining/filled FTEs are:

Criminal (88 Atty.)	Capital (13.5 Atty.)
Caseloads per atty.	Caseloads per atty.

2009-2010	330	70
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	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
POS	AMOUNT	POS	AMOUNT	POS
				AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: OFF/ATTORNEY GENERAL				41100000
CONSTITUTIONAL LEGAL SVCS				41100200
PUBLIC PROTECTION				12
LEGAL REPRESENTATION				1203.00.00.00
LEGAL AFFAIRS				4000000
RESTORATION OF GENERAL REVENUE FUND				
SHIFTS FROM NONRECURRING TRUST				
FUNDS				4009030

The depletion of the criminal appellate attorney ranks in this office has resulted in further delays in the processing of appellate cases, has strained the ability of the state to address complex legal issues, and brings into question whether appellate review is meaningful. The excessive case loads have challenged even the most seasoned appellate attorneys' abilities to competently process caseloads, thus placing unimaginable pressures on this office's ability to retain criminal appellate attorneys and their expertise, as well as meet the demands of the criminal justice system.

Impact of Not Funding In Civil Enforcement

The General Revenue in the Civil Enforcement Budget Entity is primarily used to match federal funds 25% to 75% for the Medicaid Fraud Control Unit. General Revenue is also used to fund the Cyber Crime unit. The Medicaid Fraud Control Unit provides enough General Revenue to the State to more than pay for the cost of the unit. However, as the General Revenue in the unit was included in the fund shift, OAG must make cuts in the unit to meet cuts to Civil Enforcement. If the \$380,696 in General Revenue for these positions is eliminated the actual cut could require up to 21 positions and a reduction of additional Federal funds. This reduction would further jeopardize the over \$10 million the unit has provided to General Revenue over the last fiscal year.

The Medicaid Fraud Control Unit (MFCU) investigates the business practices of doctors, dentists, clinics, and other health care providers who bill for services never performed or who charge more than authorized for services rendered. The unit also investigates the abuse, neglect, and exploitation of residents of long-term care facilities who are elderly, ill, and/or mentally or physically disabled.

Health care fraud is an immense societal problem, both nationally and within Florida's \$16 billion-a-year Medicaid program. The MFCU is responsible for policing the Medicaid Program, as well as investigating allegations of corruption and fraud in the program's management.

The MFCU is also responsible for investigating the physical abuse, neglect, and financial exploitation of patients residing in long-term care facilities such as nursing homes, facilities for the mentally and physically disabled and assisted care living facilities. The quality of care being provided to Florida's ill, elderly, and disabled citizens is an issue of great concern and a priority within the MFCU.

The MFCU provides a Patient Abuse, Neglect and Exploitation (PANE) Project consisting of a collaborative effort among several agencies to address the abuse and exploitation of patients in long term care facilities and results have been very positive. The MFCU also continued its leadership role in a multi-state/federal investigation into pharmaceutical pricing. This investigation, which began in Florida, revealed that several generic drug manufacturers have been artificially inflating the prices of their drugs which are reported to the government in a scheme that has cost Medicare and Medicaid hundreds of millions of dollars. This ongoing investigation has already resulted in multi-million dollar

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
POS	AMOUNT	POS	AMOUNT	POS
				AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: OFF/ATTORNEY GENERAL				41100000
CONSTITUTIONAL LEGAL SVCS				41100200
PUBLIC PROTECTION				12
LEGAL REPRESENTATION				1203.00.00.00
LEGAL AFFAIRS				4000000
RESTORATION OF GENERAL REVENUE FUND				
SHIFTS FROM NONRECURRING TRUST				
FUNDS				4009030

settlements with several major drug companies and ongoing litigation involving other pharmaceutical manufacturers should result in additional recoveries.

Impact of Not Funding In Constitutional Legal Services Budget Entity

The General Revenue in the Constitutional Legal Services Budget Entity is primarily used for the Solicitor General. The Solicitor General's office is currently holding three positions vacant to meet the reductions already made in the OAG and this would mean an additional position would be impacted.

The primary responsibility of the Office of the Solicitor General (OSG) is to represent the State of Florida in significant litigation affecting the powers, duties, and responsibilities of all branches of state government and serve as the primary civil appellate attorney for the State. The OSG defends constitutional challenges to laws passed by the Legislature and represents the State in cases of constitutional importance before the United States Supreme Court and the Florida Supreme Court, oversees complex civil litigation cases of statewide impact, prepares amicus briefs in support of State policy goals in state and federal appellate court cases, advises the Attorney General on legal and policy issues affecting the State and advises other divisions within the OAG who are litigating on behalf of state agencies.

The vital role of defending the constitutionality of Florida statutes and handling complex litigation with statewide impact would be severely jeopardized with the reduction from the Office of Solicitor General.

Impact of Not Funding In Executive Direction and Support Services Budget Entity

The General Revenue in the Executive Direction and Support Services Budget Entity Provides funding for the Opinions, Cabinet Affairs, and Executive staff positions. The executive staff is already down by nine critical positions and cannot take the additional reduction of eight positions and still allow the Attorney General to meet his core duties.

The Attorney General is required to provide official written opinions to state and local officials, boards, agencies, and their attorneys in response to questions regarding their official duties. In addition, the Attorney General is authorized provide legal advice to the state attorneys and to Florida's representatives in Congress. The Attorney General's opinion process provides a direct means for inexpensive dispute resolution. The strategic objective is to resolve requests for opinions in a timely manner.

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
	POS	AMOUNT	POS	AMOUNT
				AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: OFF/ATTORNEY GENERAL				41100000
CONSTITUTIONAL LEGAL SVCS				41100200
PUBLIC PROTECTION				12
LEGAL REPRESENTATION				1203.00.00.00
LEGAL AFFAIRS				4000000
RESTORATION OF GENERAL REVENUE FUND				
SHIFTS FROM NONRECURRING TRUST				
FUNDS				4009030

A reduction in Opinions staff would decrease productivity and cause governmental entities to incur substantial legal fees from litigation. In addition, misinterpretation or varying interpretations of statutes could result in violations of statutes including, but not limited to, Sunshine and/or public records law. A centralized legal resource for Department of Legal Affairs and other governmental entities could be lost.

In addition to his duties as the state's chief legal officer, the Attorney General serves as a member of the Florida Cabinet. He is also regularly called upon by the Florida Legislature to discuss and provide advice on relevant issues and pending legislation. The Cabinet Affairs staff advises the Attorney General on all matters pertaining to his constitutional and statutory role as a member of the Florida Cabinet. The Governor and Cabinet, as a collegial body, sit as the head of the following: State Board of Executive Clemency; Division of Bond Finance; Department of Veterans' Affairs; Department of Highway Safety & Motor Vehicles; Department of Law Enforcement; Department of Revenue; Administration Commission; Florida Land & Water Adjudicatory Commission; Electrical Power Plant & Transmission Line Siting Board; Board of Trustees of the Internal Improvement Fund; and Financial Services Commission. The Governor, Attorney General and Chief Financial Officer sit as the head of the State Board of Administration. The Cabinet Affairs staff regularly meets with interested parties and private citizens and responds to inquiries from the public relating to factual, policy, and legal issues related to the areas of jurisdiction of the Governor and Cabinet.

Cabinet Affairs is staffed with the minimal number of personnel necessary to carry out its duties and responsibilities to the public and the Attorney General. Any reductions would significantly hamper the Attorney General's ability to carry out his constitutional duty as a member of the Florida Cabinet.

Impact of Not Funding In Office of Statewide Prosecution

The fund shift in the Office of Statewide prosecution shifted nine positions from this office and failure to restore these funds would eliminate five positions and severely reduce the effectiveness of the office in fighting multi-circuit crimes. The unit currently has nine vacant positions, at least eight of which must remain vacant the entire fiscal year in order to meet our previous cuts. The Southwest Bureau is staffed with only one prosecutor who is responsible for covering Southwest Florida. These current staffing levels do not allow us to meet our constitutional mission in those geographic areas.

The Office of Statewide Prosecution is focusing on two main priorities: gang violence and fraud. In the last three years we have made tremendous progress in both areas but there remains work to be done.

While violent crime is down in our key impact areas, it is still a threatening problem in parts of our state. Our success has been measured by the neighborhoods we have changed through arrests and successful prosecution and also through the awards earned by our investigative partners gang units of the year for the last two years for OSP cases.

	COL A03		COL A04		COL A05		CODES
	AGY REQUEST FY 2011-12	POS	AGY REQ N/R FY 2011-12	POS	AG REQ ANZ FY 2011-12	POS	
LEGAL AFFAIRS/ATTY GENERAL							41000000
PGM: OFF/ATTORNEY GENERAL							41100000
CONSTITUTIONAL LEGAL SVCS							41100200
PUBLIC PROTECTION							12
LEGAL REPRESENTATION							<u>1203.00.00.00</u>
LEGAL AFFAIRS							4000000
RESTORATION OF GENERAL REVENUE FUND							
SHIFTS FROM NONRECURRING TRUST FUNDS							4009030

On top of these two priorities that we have tackled given the threats they pose to our state, OSP continues to handle complex criminal cases in our traditional areas of white collar crime and narcotics.

POSITION DETAIL OF SALARIES AND BENEFITS:

	FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A03 - AGY REQUEST FY 2011-12							
NEW POSITIONS							
OTHER SALARY AMOUNT							
1000 GENERAL REVENUE FUND							87,281

							87,281
							=====

TOTAL: LEGAL REPRESENTATION							<u>1203.00.00.00</u>
BY FUND TYPE							
GENERAL REVENUE FUND		2,221,045					1000
TRUST FUNDS		98,323					2000
		-----					-----
TOTAL POSITIONS.....	22.50						
TOTAL PROG COMP.....		2,319,368					
TOTAL SALARY RATE.....		1,508,418					
		=====					=====

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
POS	AMOUNT	POS	AMOUNT	POS
				AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: OFF/ATTORNEY GENERAL				41100000
CRIMINAL/CIVIL LIT DEFENSE				41100300
PUBLIC PROTECTION				12
LEGAL REPRESENTATION				1203.00.00.00
ESTIMATED EXPENDITURES				1000000
ESTIMATED EXPENDITURES - OPERATIONS				1001000
SALARY RATE				000000
SALARY RATE.....	18,407,669			
=====				
SALARIES AND BENEFITS				010000
GENERAL REVENUE FUND -STATE	10,942,950			1000 1
CRIMES COMPENSATION TF -STATE	3,000			2149 1
LEGAL SERVICES TRUST FUND -STATE	11,165,149			2438 1
OPERATING TRUST FUND -STATE	1,831,872			2510 1
TOTAL POSITIONS.....	357.50			
TOTAL APPRO.....	23,942,971			
=====				
OTHER PERSONAL SERVICES				030000
GENERAL REVENUE FUND -STATE	46,057			1000 1
LEGAL SERVICES TRUST FUND -STATE	806,161			2438 1
TOTAL APPRO.....	852,218			
=====				
EXPENSES				040000
GENERAL REVENUE FUND -STATE	1,487,408			1000 1
LEGAL SERVICES TRUST FUND -STATE	1,975,081			2438 1
OPERATING TRUST FUND -STATE	20,620			2510 1
TOTAL APPRO.....	3,483,109			
=====				
OPERATING CAPITAL OUTLAY				060000
GENERAL REVENUE FUND -STATE	187,380			1000 1
LEGAL SERVICES TRUST FUND -STATE	362,691			2438 1
TOTAL APPRO.....	550,071			
=====				

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
POS	AMOUNT	POS	AMOUNT	POS
				AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: OFF/ATTORNEY GENERAL				41100000
CRIMINAL/CIVIL LIT DEFENSE				41100300
PUBLIC PROTECTION				12
LEGAL REPRESENTATION				1203.00.00.00
ESTIMATED EXPENDITURES				1000000
ESTIMATED EXPENDITURES - OPERATIONS				1001000
LUMP SUM				090000
ATTY GEN'L - RESERVE FTE				090218
	50.00			
=====				
SPECIAL CATEGORIES				100000
CONTRACTED SERVICES				100777
GENERAL REVENUE FUND -STATE	104,367			1000 1
LEGAL SERVICES TRUST FUND -STATE	1,273,819			2438 1
TOTAL APPRO.....	1,378,186			
=====				
LITIGATION EXPENSES				101981
LEGAL SERVICES TRUST FUND -STATE	46,500			2438 1
=====				
RISK MANAGEMENT INSURANCE				103241
GENERAL REVENUE FUND -STATE	84,873			1000 1
LEGAL SERVICES TRUST FUND -STATE	70,088			2438 1
TOTAL APPRO.....	154,961			
=====				
TR/DMS/HR SVCS/STW CONTRCT				107040
GENERAL REVENUE FUND -STATE	77,137			1000 1
LEGAL SERVICES TRUST FUND -STATE	69,408			2438 1
TOTAL APPRO.....	146,545			
=====				
DATA PROCESSING SERVICES				210000
OTHER DATA PROCESSING SVCS				210014
LEGAL SERVICES TRUST FUND -STATE	30,972			2438 1
=====				

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
POS	AMOUNT	POS	AMOUNT	POS
				AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: OFF/ATTORNEY GENERAL				41100000
CRIMINAL/CIVIL LIT DEFENSE				41100300
PUBLIC PROTECTION				12
LEGAL REPRESENTATION				1203.00.00.00
ESTIMATED EXPENDITURES				1000000
ESTIMATED EXPENDITURES - OPERATIONS				1001000
TOTAL: ESTIMATED EXPENDITURES - OPERATIONS				1001000
TOTAL POSITIONS.....	407.50			
TOTAL ISSUE.....	30,585,533			
TOTAL SALARY RATE.....	18,407,669			
=====				
CASUALTY INSURANCE PREMIUM				1001090
ADJUSTMENT				100000
SPECIAL CATEGORIES				103241
RISK MANAGEMENT INSURANCE				
GENERAL REVENUE FUND -STATE	26,387			1000 1
LEGAL SERVICES TRUST FUND -STATE	21,791			2438 1
TOTAL APPRO.....	48,178			
=====				
FLORIDA RETIREMENT SYSTEM				1001220
CONTRIBUTION ADJUSTMENT FOR				010000
FY 2010-11 - EFFECTIVE 7/1/2010				
SALARIES AND BENEFITS				
GENERAL REVENUE FUND -STATE	88,693			1000 1
LEGAL SERVICES TRUST FUND -STATE	106,629			2438 1
OPERATING TRUST FUND -STATE	17,516			2510 1
TOTAL APPRO.....	212,838			
=====				
ADJUSTMENT TO STATE HEALTH				1001810
INSURANCE PREMIUM CONTRIBUTION FOR				010000
FY 2010-11 - EFFECTIVE 12/1/2010				
SALARIES AND BENEFITS				
GENERAL REVENUE FUND -STATE	49,746			1000 1
LEGAL SERVICES TRUST FUND -STATE	50,747			2438 1
OPERATING TRUST FUND -STATE	8,337			2510 1
TOTAL APPRO.....	108,830			
=====				

	COL A03		COL A04		COL A05		CODES
	AGY REQUEST FY 2011-12	POS	AGY REQ N/R FY 2011-12	POS	AG REQ ANZ FY 2011-12	POS	
LEGAL AFFAIRS/ATTY GENERAL							41000000
PGM: OFF/ATTORNEY GENERAL							41100000
CRIMINAL/CIVIL LIT DEFENSE							41100300
PUBLIC PROTECTION							12
LEGAL REPRESENTATION							<u>1203.00.00.00</u>
ESTIMATED EXPENDITURES							1000000
ELIMINATION OF AGENCY PAYALL							
STATUS - EFFECTIVE 7/1/2010							1001820
SALARIES AND BENEFITS							010000
GENERAL REVENUE FUND -STATE	22,559-						1000 1
LEGAL SERVICES TRUST FUND -STATE	23,811-						2438 1
OPERATING TRUST FUND -STATE	3,912-						2510 1
TOTAL APPRO.....	50,282-						
ADJUSTMENT TO STATE LIFE INSURANCE							
CONTRIBUTION RATE FOR FY 2010-11 -							
EFFECTIVE 12/1/2010							1001920
SALARIES AND BENEFITS							010000
GENERAL REVENUE FUND -STATE	5,822-						1000 1
LEGAL SERVICES TRUST FUND -STATE	8,258-						2438 1
OPERATING TRUST FUND -STATE	1,357-						2510 1
TOTAL APPRO.....	15,437-						
SUNCOM SERVICES RATE REDUCTION							1005600
EXPENSES							040000
GENERAL REVENUE FUND -STATE	2,648-						1000 1
LEGAL SERVICES TRUST FUND -STATE	1,704-						2438 1
TOTAL APPRO.....	4,352-						

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
POS	AMOUNT	POS	AMOUNT	POS
				AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: OFF/ATTORNEY GENERAL				41100000
CRIMINAL/CIVIL LIT DEFENSE				41100300
PUBLIC PROTECTION				12
LEGAL REPRESENTATION				1203.00.00.00
ADJUSTMENTS TO CURRENT YEAR				
ESTIMATED EXPENDITURES				1600000
ADDITIONAL RATE TO COVER				
APPROPRIATED SALARIES AND BENEFITS				1601210
SALARY RATE				000000
SALARY RATE.....	557,212			
	=====	=====	=====	

AGENCY ISSUE NARRATIVE:

2011-2012 BUDGET YEAR NARRATIVE: IT COMPONENT? NO
 The Department of Legal Affairs is requesting 1,239,590 in rate that was approved in Fiscal Year 2009-10 LBC Amendment P0024 as having recurring impact.

Budget Entity	Rate Request
Civil Enforcement	163,392
Constitutional Legal Svcs	85,954
Civil/Criminal Defense	557,212
Executive Direction	212,415
Statewide Prosecution	220,617

POSITION DETAIL OF SALARIES AND BENEFITS:

	FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A03 - AGY REQUEST FY 2011-12							
CHANGES TO CURRENTLY AUTHORIZED POSITIONS							
RA06 RATE ADJ - NO FTE - NO SALARY - NO BENEFITS							
C0001 001		557,212					
TOTAL SALARY RATE		557,212					
		=====	=====	=====	=====		=====

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
POS	AMOUNT	POS	AMOUNT	POS
				AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: OFF/ATTORNEY GENERAL				41100000
CRIMINAL/CIVIL LIT DEFENSE				41100300
PUBLIC PROTECTION				12
LEGAL REPRESENTATION				1203.00.00.00
NONRECURRING EXPENDITURES				2100000
RESTORE TRUST FUND AUTHORITY				2103058
SALARIES AND BENEFITS				010000
OPERATING TRUST FUND -STATE	1,807,344-			2510 1
EXPENSES				040000
OPERATING TRUST FUND -STATE	20,620-			2510 1
TOTAL: RESTORE TRUST FUND AUTHORITY				2103058
TOTAL ISSUE.....	1,827,964-			
RESTORATION OF GENERAL REVENUE FUND				
SHIFTS FROM NONRECURRING TRUST				
FUNDS				2103063
SALARIES AND BENEFITS				010000
GENERAL REVENUE FUND -STATE	909,438-			1000 1
ANNUALIZATION OF ADMINISTERED				
FUNDS APPROPRIATIONS				26A0000
STATE HEALTH INSURANCE ADJUSTMENT				
FOR FY 2010-11 - 5 MONTHS				
ANNUALIZATION				26A1810
SALARIES AND BENEFITS				010000
GENERAL REVENUE FUND -STATE	35,533			1000 1
LEGAL SERVICES TRUST FUND -STATE	36,248			2438 1
OPERATING TRUST FUND -STATE	5,955			2510 1
TOTAL APPRO.....	77,736			

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
POS	AMOUNT	POS	AMOUNT	POS
				AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: OFF/ATTORNEY GENERAL				41100000
CRIMINAL/CIVIL LIT DEFENSE				41100300
PUBLIC PROTECTION				12
LEGAL REPRESENTATION				1203.00.00.00
ANNUALIZATION OF ADMINISTERED FUNDS APPROPRIATIONS				26A0000
STATE LIFE INSURANCE ADJUSTMENT FOR FY 2010-11 - 5 MONTHS				
ANNUALIZATION SALARIES AND BENEFITS				26A1920
				010000
GENERAL REVENUE FUND -STATE	4,159-			1000 1
LEGAL SERVICES TRUST FUND -STATE	5,899-			2438 1
OPERATING TRUST FUND -STATE	969-			2510 1
TOTAL APPRO.....	11,027-			
LEGAL AFFAIRS				4000000
RESTORATION OF GENERAL REVENUE FUND				
SHIFTS FROM NONRECURRING TRUST FUNDS				4009030
SALARIES AND BENEFITS				010000
GENERAL REVENUE FUND -STATE	2,737,402			1000 1

AGENCY ISSUE NARRATIVE:

2011-2012 BUDGET YEAR NARRATIVE:
 Request

IT COMPONENT? NO

The Department of Legal Affairs/Office of Attorney General requests \$4,109,071 in General Revenue to replace the non-recurring "Transfer Funding to Trust Funds from General Revenue" fund shift appropriated by the legislature for Fiscal Year 2008-09, 2009-10 and in Fiscal Year 2010-11 and the use of non-recurring General Revenue to fund recurring positions..

This fund shift comprises almost thirteen percent (13%) of the recurring General Revenue in the OAG operating budget. The legislature provided for a non-recurring transfer of \$3,000,000 to the Operating Trust fund and provided \$1,109,071 in non-recurring General Revenue. The current year fund shift is the third year of shifting the funding of positions in the Department of Legal Affairs to non-recurring funds. The approach used by the legislature and OAG for the fund shift of these positions was to utilize cash derived from judgments brought in proceedings related to state or federal antitrust law or the Florida RICO Act and held in the account pending a final court decision or final distribution order. The monies recovered on behalf of consumers go to consumers or for their benefit. Monies recovered on behalf of local public entities go back to them. Monies recovered on behalf of state agencies must be deposited in the General Revenue Fund. There is no longer settlement cash available to continue this fund shift.

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
	POS	AMOUNT	POS	AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: OFF/ATTORNEY GENERAL				41100000
CRIMINAL/CIVIL LIT DEFENSE				41100300
PUBLIC PROTECTION				12
LEGAL REPRESENTATION				<u>1203.00.00.00</u>
LEGAL AFFAIRS				4000000
RESTORATION OF GENERAL REVENUE FUND				
SHIFTS FROM NONRECURRING TRUST				
FUNDS				4009030

This issue requests the replacement of the trust funds appropriated in the following Budget Entities:

\$380,696 in Civil Enforcement Budget Entity to the Operating Trust Fund
 \$87,281 in Constitutional Legal Services Budget Entity to the Operating Trust Fund
 \$2,737,402 in the Criminal / Civil Litigation Defense Budget Entity to the Operating Trust Fund
 \$438,752 in the Statewide Prosecution / Multi-Circuit Crime Budget Entity to the Operating Trust Fund, and
 \$464,940 in the Executive Direction and Support Services Budget Entity to the Operating Trust Fund

These fund shifts have resulted in temporarily transferring thirty eight attorneys and twenty five support positions from General Revenue to the non-recurring moneys from these trust funds. The majority of the positions are in the Criminal Division. The Criminal Division is responsible for representing the State in all criminal appeals, as well as in post-conviction litigation at both the trial and appellate levels before state and federal courts.

Impact of Not Funding In Criminal Division

The majority of the General Revenue in the OAG funds the Criminal Division which consists of Criminal Appeals and Capital Appeals. In order to meet the reduction requirement the OAG calculates that the Criminal Division will have to be reduced by approximately 28 positions. This will add to the 31 positions already vacant due to reductions in funding and the seventeen (17) employees cut from the division over the last three years.

The Florida's Attorney General's Criminal and Capital Appellate Division, is the State's appellate prosecutor assigned to defend the judgments and sentences imposed by the trial court, in the state courts of appeal and federal habeas courts. Every appeal, from any of the 20 judicial circuits, filed by a criminal defendant challenging his conviction or length of sentence, is processed through this division, specifically each case is docketed, assigned a case number and assigned and prosecuted by attorneys specializing in this appellate discipline. The Criminal and Capital Appellate Division litigates against the statewide appellate public defenders, the three Capital Collateral Regional Counsels, assigned conflict counsels in every judicial circuit, federal public defenders from the three federal districts and all private attorneys hired to do criminal appellate defense work and, of course, pro se litigants.

The budgetary cuts and additional deletions in the attorney ranks has reduced the number of attorneys working on approximately 29,522 opened and current criminal cases and, 911 opened and active capital cases--in 2009-2010 fiscal year, from 6 bureau chiefs, 110 criminal attorneys and 16 capital attorneys in 2007 to 6 bureau chiefs, 88 criminal attorneys and 13.5 capital attorneys, in 2010, respectively. The Division has 31 vacancies, which are unfunded, a majority of which are attorney positions.

The OAG criminal division has faced pressures from the state and federal courts to speed up the handling of backlogged cases. Calls for handling cases more expeditiously, has been impossible --due to the sheer number of cases per attorney

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
	POS	AMOUNT	POS	AMOUNT
				AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: OFF/ATTORNEY GENERAL				41100000
CRIMINAL/CIVIL LIT DEFENSE				41100300
PUBLIC PROTECTION				12
LEGAL REPRESENTATION				<u>1203.00.00.00</u>
LEGAL AFFAIRS				4000000
RESTORATION OF GENERAL REVENUE FUND				
SHIFTS FROM NONRECURRING TRUST				
FUNDS				4009030

caseloads. Moreover, this division has not benefitted from the "lesser reductions in funding" legislatively mandated for the State judiciary, because the criminal appeals division is a part of the Executive Branch not the Judiciary. And, there are no provisions which would allow the OAG criminal appellate division to retrieve attorney fees for litigation in state or federal court when prevailing in extraordinary state litigation or federal habeas litigation and ensuing appeals there from in the federal appellate courts. Without adequate funding from any quarter, and faced with continuing budget shortfalls from general revenue dollars, it would not appear likely that reduced backlogs of cases and shorter litigation time will occur without an infusion of necessary general revenue dollars with which to fill current-existing vacancies.

In 2009-2010, the average caseloads for currently remaining/filled FTEs are:

	Criminal (88 Atty.) Caseloads per atty.	Capital (13.5 Atty.) Caseloads per atty.
2009-2010	330	70

The depletion of the criminal appellate attorney ranks in this office has resulted in further delays in the processing of appellate cases, has strained the ability of the state to address complex legal issues, and brings into question whether appellate review is meaningful. The excessive case loads have challenged even the most seasoned appellate attorneys' abilities to competently process caseloads, thus placing unimaginable pressures on this office's ability to retain criminal appellate attorneys and their expertise, as well as meet the demands of the criminal justice system.

Impact of Not Funding In Civil Enforcement

The General Revenue in the Civil Enforcement Budget Entity is primarily used to match federal funds 25% to 75% for the Medicaid Fraud Control Unit. General Revenue is also used to fund the Cyber Crime unit. The Medicaid Fraud Control Unit provides enough General Revenue to the State to more than pay for the cost of the unit. However, as the General Revenue in the unit was included in the fund shift, OAG must make cuts in the unit to meet cuts to Civil Enforcement. If the \$380,696 in General Revenue for these positions is eliminated the actual cut could require up to 21 positions and a reduction of additional Federal funds. This reduction would further jeopardize the over \$10 million the unit has provided to General Revenue over the last fiscal year.

The Medicaid Fraud Control Unit (MFCU) investigates the business practices of doctors, dentists, clinics, and other health care providers who bill for services never performed or who charge more than authorized for services rendered. The unit also investigates the abuse, neglect, and exploitation of residents of long-term care facilities who are elderly, ill, and/or mentally or physically disabled.

Health care fraud is an immense societal problem, both nationally and within Florida's \$16 billion-a-year Medicaid

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
	POS	AMOUNT	POS	AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: OFF/ATTORNEY GENERAL				41100000
CRIMINAL/CIVIL LIT DEFENSE				41100300
PUBLIC PROTECTION				12
LEGAL REPRESENTATION				<u>1203.00.00.00</u>
LEGAL AFFAIRS				4000000
RESTORATION OF GENERAL REVENUE FUND				
SHIFTS FROM NONRECURRING TRUST				
FUNDS				4009030

program. The MFCU is responsible for policing the Medicaid Program, as well as investigating allegations of corruption and fraud in the program's management.

The MFCU is also responsible for investigating the physical abuse, neglect, and financial exploitation of patients residing in long-term care facilities such as nursing homes, facilities for the mentally and physically disabled and assisted care living facilities. The quality of care being provided to Florida's ill, elderly, and disabled citizens is an issue of great concern and a priority within the MFCU.

The MFCU provides a Patient Abuse, Neglect and Exploitation (PANE) Project consisting of a collaborative effort among several agencies to address the abuse and exploitation of patients in long term care facilities and results have been very positive. The MFCU also continued its leadership role in a multi-state/federal investigation into pharmaceutical pricing. This investigation, which began in Florida, revealed that several generic drug manufacturers have been artificially inflating the prices of their drugs which are reported to the government in a scheme that has cost Medicare and Medicaid hundreds of millions of dollars. This ongoing investigation has already resulted in multi-million dollar settlements with several major drug companies and ongoing litigation involving other pharmaceutical manufacturers should result in additional recoveries.

Impact of Not Funding In Constitutional Legal Services Budget Entity

The General Revenue in the Constitutional Legal Services Budget Entity is primarily used for the Solicitor General. The Solicitor General's office is currently holding three positions vacant to meet the reductions already made in the OAG and this would mean an additional position would be impacted.

The primary responsibility of the Office of the Solicitor General (OSG) is to represent the State of Florida in significant litigation affecting the powers, duties, and responsibilities of all branches of state government and serve as the primary civil appellate attorney for the State. The OSG defends constitutional challenges to laws passed by the Legislature and represents the State in cases of constitutional importance before the United States Supreme Court and the Florida Supreme Court, oversees complex civil litigation cases of statewide impact, prepares amicus briefs in support of State policy goals in state and federal appellate court cases, advises the Attorney General on legal and policy issues affecting the State and advises other divisions within the OAG who are litigating on behalf of state agencies.

The vital role of defending the constitutionality of Florida statutes and handling complex litigation with statewide impact would be severely jeopardized with the reduction from the Office of Solicitor General.

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
	POS	AMOUNT	POS	AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: OFF/ATTORNEY GENERAL				41100000
CRIMINAL/CIVIL LIT DEFENSE				41100300
PUBLIC PROTECTION				12
LEGAL REPRESENTATION				1203.00.00.00
LEGAL AFFAIRS				4000000
RESTORATION OF GENERAL REVENUE FUND				
SHIFTS FROM NONRECURRING TRUST				
FUNDS				4009030

Impact of Not Funding In Executive Direction and Support Services Budget Entity

The General Revenue in the Executive Direction and Support Services Budget Entity Provides funding for the Opinions, Cabinet Affairs, and Executive staff positions. The executive staff is already down by nine critical positions and cannot take the additional reduction of eight positions and still allow the Attorney General to meet his core duties.

The Attorney General is required to provide official written opinions to state and local officials, boards, agencies, and their attorneys in response to questions regarding their official duties. In addition, the Attorney General is authorized provide legal advice to the state attorneys and to Florida's representatives in Congress. The Attorney General's opinion process provides a direct means for inexpensive dispute resolution. The strategic objective is to resolve requests for opinions in a timely manner.

A reduction in Opinions staff would decrease productivity and cause governmental entities to incur substantial legal fees from litigation. In addition, misinterpretation or varying interpretations of statutes could result in violations of statutes including, but not limited to, Sunshine and/or public records law. A centralized legal resource for Department of Legal Affairs and other governmental entities could be lost.

In addition to his duties as the state's chief legal officer, the Attorney General serves as a member of the Florida Cabinet. He is also regularly called upon by the Florida Legislature to discuss and provide advice on relevant issues and pending legislation. The Cabinet Affairs staff advises the Attorney General on all matters pertaining to his constitutional and statutory role as a member of the Florida Cabinet. The Governor and Cabinet, as a collegial body, sit as the head of the following: State Board of Executive Clemency; Division of Bond Finance; Department of Veterans' Affairs; Department of Highway Safety & Motor Vehicles; Department of Law Enforcement; Department of Revenue; Administration Commission; Florida Land & Water Adjudicatory Commission; Electrical Power Plant & Transmission Line Siting Board; Board of Trustees of the Internal Improvement Fund; and Financial Services Commission. The Governor, Attorney General and Chief Financial Officer sit as the head of the State Board of Administration. The Cabinet Affairs staff regularly meets with interested parties and private citizens and responds to inquiries from the public relating to factual, policy, and legal issues related to the areas of jurisdiction of the Governor and Cabinet.

Cabinet Affairs is staffed with the minimal number of personnel necessary to carry out its duties and responsibilities to the public and the Attorney General. Any reductions would significantly hamper the Attorney General's ability to carry out his constitutional duty as a member of the Florida Cabinet.

Impact of Not Funding In Office of Statewide Prosecution

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
POS	AMOUNT	POS	AMOUNT	POS
				AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: OFF/ATTORNEY GENERAL				41100000
CRIMINAL/CIVIL LIT DEFENSE				41100300
PUBLIC PROTECTION				12
LEGAL REPRESENTATION				1203.00.00.00
LEGAL AFFAIRS				4000000
RESTORATION OF GENERAL REVENUE FUND				
SHIFTS FROM NONRECURRING TRUST				
FUNDS				4009030

The fund shift in the Office of Statewide prosecution shifted nine positions from this office and failure to restore these funds would eliminate five positions and severely reduce the effectiveness of the office in fighting multi-circuit crimes. The unit currently has nine vacant positions, at least eight of which must remain vacant the entire fiscal year in order to meet our previous cuts. The Southwest Bureau is staffed with only one prosecutor who is responsible for covering Southwest Florida. These current staffing levels do not allow us to meet our constitutional mission in those geographic areas.

The Office of Statewide Prosecution is focusing on two main priorities: gang violence and fraud. In the last three years we have made tremendous progress in both areas but there remains work to be done.

While violent crime is down in our key impact areas, it is still a threatening problem in parts of our state. Our success has been measured by the neighborhoods we have changed through arrests and successful prosecution and also through the awards earned by our investigative partners. gang units of the year for the last two years for OSP cases.

On top of these two priorities that we have tackled given the threats they pose to our state, OSP continues to handle complex criminal cases in our traditional areas of white collar crime and narcotics.

POSITION DETAIL OF SALARIES AND BENEFITS:

	FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A03 - AGY REQUEST FY 2011-12							
NEW POSITIONS							
OTHER SALARY AMOUNT							
1000 GENERAL REVENUE FUND							2,737,402

							2,737,402
							=====

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
	POS	AMOUNT	POS	AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: OFF/ATTORNEY GENERAL				41100000
<u>CRIMINAL/CIVIL LIT DEFENSE</u>				41100300
PUBLIC PROTECTION				12
<u>LEGAL REPRESENTATION</u>				<u>1203.00.00.00</u>
TOTAL: LEGAL REPRESENTATION				<u>1203.00.00.00</u>
BY FUND TYPE				
GENERAL REVENUE FUND	14,923,307			1000
TRUST FUNDS	16,028,710			2000
TOTAL POSITIONS.....	407.50			
TOTAL PROG COMP.....	30,952,017			
TOTAL SALARY RATE.....	18,964,881			
	=====	=====	=====	

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
POS	AMOUNT	POS	AMOUNT	POS
				AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: OFF/ATTORNEY GENERAL				41100000
VICTIM SERVICES				41100400
GOV OPERATIONS/SUPPORT				16
EXEC LEADERSHIP/SUPPRT SVC				1602.00.00.00
ESTIMATED EXPENDITURES				1000000
ESTIMATED EXPENDITURES - OPERATIONS				1001000
SALARY RATE				000000
SALARY RATE.....	3,836,490			
=====				
SALARIES AND BENEFITS				010000
GENERAL REVENUE FUND -STATE	324			1000 1
CRIMES COMPENSATION TF -STATE	4,755,645			2149 1
CRIME STOPPERS TF -STATE	89,415			2202 1
FEDERAL GRANTS TRUST FUND -RECPNT	47,219			2261 9
FL.CRIME PREV TR IN REV TF-STATE	322,414			2302 1
TOTAL POSITIONS.....	90.00			
TOTAL APPRO.....	5,215,017			
=====				
OTHER PERSONAL SERVICES				030000
CRIMES COMPENSATION TF -STATE	55,060			2149 1
CRIME STOPPERS TF -STATE	5,100			2202 1
FL.CRIME PREV TR IN REV TF-STATE	155,796			2302 1
TOTAL APPRO.....	215,956			
=====				
EXPENSES				040000
CRIMES COMPENSATION TF -STATE	783,053			2149 1
CRIME STOPPERS TF -STATE	63,415			2202 1
FEDERAL GRANTS TRUST FUND -FEDERL	75,000			2261 3
FL.CRIME PREV TR IN REV TF-STATE	99,596			2302 1
TOTAL APPRO.....	1,021,064			
=====				
OPERATING CAPITAL OUTLAY				060000
CRIMES COMPENSATION TF -STATE	123,407			2149 1
CRIME STOPPERS TF -STATE	2,380			2202 1
FL.CRIME PREV TR IN REV TF-STATE	7,695			2302 1
=====				

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
	POS	AMOUNT	POS	AMOUNT
				AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: OFF/ATTORNEY GENERAL				41100000
VICTIM SERVICES				41100400
GOV OPERATIONS/SUPPORT				16
EXEC LEADERSHIP/SUPPRT SVC				1602.00.00.00
ESTIMATED EXPENDITURES				1000000
ESTIMATED EXPENDITURES - OPERATIONS				1001000
OPERATING CAPITAL OUTLAY				060000
TOTAL APPRO.....		133,482		
SPECIAL CATEGORIES				100000
AWARDS TO CLAIMANTS				100189
CRIMES COMPENSATION TF -STATE		24,842,082		2149 1
FEDERAL GRANTS TRUST FUND -FEDERL		11,687,000		2261 3
TOTAL APPRO.....		36,529,082		
CONTRACTED SERVICES				100777
GENERAL REVENUE FUND -STATE		2,131,192		1000 1
CRIMES COMPENSATION TF -STATE		45,243		2149 1
FEDERAL GRANTS TRUST FUND -FEDERL		30,000		2261 3
FL.CRIME PREV TR IN REV TF-STATE		108,408		2302 1
TOTAL APPRO.....		2,314,843		
G/A-MINORITY CRIME PREV.				102015
GENERAL REVENUE FUND -STATE		4,389,055		1000 1
G/A-CRIME STOPPERS				102700
GENERAL REVENUE FUND -STATE		3,500,000		1000 1
CRIME STOPPERS TF -STATE		1,000,000		2202 1
TOTAL APPRO.....		4,500,000		
RISK MANAGEMENT INSURANCE				103241
CRIMES COMPENSATION TF -STATE		40,135		2149 1
CRIME STOPPERS TF -STATE		902		2202 1
FL.CRIME PREV TR IN REV TF-STATE		1,353		2302 1

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
POS	AMOUNT	POS	AMOUNT	POS
				AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: OFF/ATTORNEY GENERAL				41100000
VICTIM SERVICES				41100400
GOV OPERATIONS/SUPPORT				16
EXEC LEADERSHIP/SUPPRT SVC				1602.00.00.00
ESTIMATED EXPENDITURES				1000000
ESTIMATED EXPENDITURES - OPERATIONS				1001000
SPECIAL CATEGORIES				100000
RISK MANAGEMENT INSURANCE				103241
TOTAL APPRO.....	42,390			
=====				
G/A-VICTIM ASSISTANCE SVCS				104133
FEDERAL GRANTS TRUST FUND -FEDERL	25,000,000			2261 3
=====				
TR/DMS/HR SVCS/STW CONTRCT				107040
CRIMES COMPENSATION TF -STATE	33,094			2149 1
CRIME STOPPERS TF -STATE	294			2202 1
FL.CRIME PREV TR IN REV TF-STATE	2,243			2302 1
TOTAL APPRO.....	35,631			
=====				
TOTAL: ESTIMATED EXPENDITURES - OPERATIONS				1001000
TOTAL POSITIONS.....	90.00			
TOTAL ISSUE.....	79,396,520			
TOTAL SALARY RATE.....	3,836,490			
=====				
CASUALTY INSURANCE PREMIUM				1001090
ADJUSTMENT				100000
SPECIAL CATEGORIES				103241
RISK MANAGEMENT INSURANCE				
CRIMES COMPENSATION TF -STATE	12,478			2149 1
CRIME STOPPERS TF -STATE	281			2202 1
TOTAL APPRO.....	12,759			
=====				

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
POS	AMOUNT	POS	AMOUNT	POS
				AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: OFF/ATTORNEY GENERAL				41100000
VICTIM SERVICES				41100400
GOV OPERATIONS/SUPPORT				16
EXEC LEADERSHIP/SUPPRT SVC				1602.00.00.00
ESTIMATED EXPENDITURES				1000000
FLORIDA RETIREMENT SYSTEM				
CONTRIBUTION ADJUSTMENT FOR				
FY 2010-11 - EFFECTIVE 7/1/2010				1001220
SALARIES AND BENEFITS				010000
GENERAL REVENUE FUND -STATE	3			1000 1
CRIMES COMPENSATION TF -STATE	31,242			2149 1
CRIME STOPPERS TF -STATE	586			2202 1
FEDERAL GRANTS TRUST FUND -RECPNT	312			2261 9
FL.CRIME PREV TR IN REV TF-STATE	2,117			2302 1
TOTAL APPRO.....	34,260			
ADJUSTMENT TO STATE HEALTH				
INSURANCE PREMIUM CONTRIBUTION FOR				
FY 2010-11 - EFFECTIVE 12/1/2010				1001810
SALARIES AND BENEFITS				010000
GENERAL REVENUE FUND -STATE	3			1000 1
CRIMES COMPENSATION TF -STATE	24,220			2149 1
CRIME STOPPERS TF -STATE	454			2202 1
FEDERAL GRANTS TRUST FUND -RECPNT	241			2261 9
FL.CRIME PREV TR IN REV TF-STATE	1,641			2302 1
TOTAL APPRO.....	26,559			
ELIMINATION OF AGENCY PAYALL				
STATUS - EFFECTIVE 7/1/2010				1001820
SALARIES AND BENEFITS				010000
CRIMES COMPENSATION TF -STATE	5,340-			2149 1
CRIME STOPPERS TF -STATE	100-			2202 1
FEDERAL GRANTS TRUST FUND -RECPNT	54-			2261 9
FL.CRIME PREV TR IN REV TF-STATE	362-			2302 1
TOTAL APPRO.....	5,856-			

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
POS	AMOUNT	POS	AMOUNT	POS
				AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: OFF/ATTORNEY GENERAL				41100000
VICTIM SERVICES				41100400
GOV OPERATIONS/SUPPORT				16
EXEC LEADERSHIP/SUPPRT SVC				1602.00.00.00
ESTIMATED EXPENDITURES				1000000
ADJUSTMENT TO STATE LIFE INSURANCE				
CONTRIBUTION RATE FOR FY 2010-11 -				
EFFECTIVE 12/1/2010				1001920
SALARIES AND BENEFITS				010000
CRIMES COMPENSATION TF -STATE	1,910-			2149 1
CRIME STOPPERS TF -STATE	35-			2202 1
FEDERAL GRANTS TRUST FUND -RECPNT	19-			2261 9
FL.CRIME PREV TR IN REV TF-STATE	129-			2302 1
TOTAL APPRO.....	2,093-			
SUNCOM SERVICES RATE REDUCTION				1005600
EXPENSES				040000
CRIMES COMPENSATION TF -STATE	1,199-			2149 1
CRIME STOPPERS TF -STATE	19-			2202 1
FL.CRIME PREV TR IN REV TF-STATE	32-			2302 1
TOTAL APPRO.....	1,250-			
ADJUSTMENTS TO CURRENT YEAR				
ESTIMATED EXPENDITURES				1600000
INCREASE IN VICTIMS OF CRIME ACT				
(VOCA) GRANT AWARD				1601200
SPECIAL CATEGORIES				100000
AWARDS TO CLAIMANTS				100189
FEDERAL GRANTS TRUST FUND -FEDERL	1,505,000			2261 3

AGENCY ISSUE NARRATIVE:

2011-2012 BUDGET YEAR NARRATIVE:

IT COMPONENT? NO

The Office of the Attorney General administers the Federal Victims of Crime Act (VOCA) assistance grants. Through the United State Department of Justice, Office of Victims of Crime, these federal funds are awarded annually to the states to provide direct services to the victims of crime. The Office of the Attorney General is the designated pass-through agency to administer the federal grant funds in Florida. Grants are awarded to local community public and not for profit agencies for use in responding to the emotional and physical need of crime victims, assisting victims by stabilizing their lives after victimization, assisting victims to understand and participate in the criminal justice system, and

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
POS	AMOUNT	POS	AMOUNT	POS
				AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: OFF/ATTORNEY GENERAL				41100000
VICTIM SERVICES				41100400
GOV OPERATIONS/SUPPORT				16
EXEC LEADERSHIP/SUPPRT SVC				1602.00.00.00
ADJUSTMENTS TO CURRENT YEAR				
ESTIMATED EXPENDITURES				1600000
INCREASE IN VICTIMS OF CRIME ACT				
(VOCA) GRANT AWARD				1601200

providing victims with a measure of safety and security.

The grant for Fiscal Year 2009 was \$11,687,000. The Office of the Attorney General requested and received \$11,687,000 in spending authority in the Fiscal Year 2010-11 Appropriations Act based on the 2009 grant award. The 2010 VOCA grant was awarded July 17, 2010, after the appropriations process was complete. The actual award for the 2010 grant is \$13,192,000; \$1,505,000 more than the spending authority appropriated.

NONRECURRING EXPENDITURES					2100000
INCREASE SERVICES FOR VICTIMS OF					
SEXUAL ASSAULT					2103015
SPECIAL CATEGORIES					100000
CONTRACTED SERVICES					100777
GENERAL REVENUE FUND	-STATE	250,000-			1000 1
		=====			
INCREASE IN THE 2009 VICTIMS					
OF CRIME ACT GRANT					2103064
SPECIAL CATEGORIES					100000
AWARDS TO CLAIMANTS					100189
FEDERAL GRANTS TRUST FUND	-FEDERL	4,790,000-			2261 3
		=====			
TRANSFER FUNDING FROM TRUST FUNDS					
TO GENERAL REVENUE - DEDUCT					2103065
SPECIAL CATEGORIES					100000
G/A-CRIME STOPPERS					102700
CRIME STOPPERS TF	-STATE	3,500,000			2202 1
		=====			

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
POS	AMOUNT	POS	AMOUNT	POS
				AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: OFF/ATTORNEY GENERAL				41100000
VICTIM SERVICES				41100400
GOV OPERATIONS/SUPPORT				16
EXEC LEADERSHIP/SUPPRT SVC				1602.00.00.00
NONRECURRING EXPENDITURES				2100000
TRANSFER FUNDING FROM TRUST FUNDS				
TO GENERAL REVENUE - ADD				2103066
SPECIAL CATEGORIES				100000
G/A-CRIME STOPPERS				102700
GENERAL REVENUE FUND -STATE	3,500,000-			1000 1
ANNUALIZATION OF ADMINISTERED FUNDS APPROPRIATIONS				26A0000
STATE HEALTH INSURANCE ADJUSTMENT FOR FY 2010-11 - 5 MONTHS				
ANNUALIZATION				26A1810
SALARIES AND BENEFITS				010000
GENERAL REVENUE FUND -STATE	2			1000 1
CRIMES COMPENSATION TF -STATE	17,300			2149 1
CRIME STOPPERS TF -STATE	324			2202 1
FEDERAL GRANTS TRUST FUND -RECPNT	172			2261 9
FL.CRIME PREV TR IN REV TF-STATE	1,172			2302 1
TOTAL APPRO.....	18,970			
STATE LIFE INSURANCE ADJUSTMENT FOR FY 2010-11 - 5 MONTHS				
ANNUALIZATION				26A1920
SALARIES AND BENEFITS				010000
CRIMES COMPENSATION TF -STATE	1,364-			2149 1
CRIME STOPPERS TF -STATE	25-			2202 1
FEDERAL GRANTS TRUST FUND -RECPNT	14-			2261 9
FL.CRIME PREV TR IN REV TF-STATE	92-			2302 1
TOTAL APPRO.....	1,495-			

	COL A03		COL A04		COL A05		CODES
	AGY REQUEST FY 2011-12	POS	AGY REQ N/R FY 2011-12	POS	AG REQ ANZ FY 2011-12	POS	
LEGAL AFFAIRS/ATTY GENERAL							41000000
PGM: OFF/ATTORNEY GENERAL							41100000
VICTIM SERVICES							41100400
GOV OPERATIONS/SUPPORT							16
<u>EXEC LEADERSHIP/SUPPRT SVC</u>							<u>1602.00.00.00</u>
TOTAL: EXEC LEADERSHIP/SUPPRT SVC							<u>1602.00.00.00</u>
BY FUND TYPE							
GENERAL REVENUE FUND	6,270,579						1000
TRUST FUNDS	69,672,795						2000
TOTAL POSITIONS.....	90.00						
TOTAL PROG COMP.....	75,943,374						
TOTAL SALARY RATE.....	3,836,490						
	=====		=====		=====		

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
	POS	AMOUNT	POS	AMOUNT
				AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: OFF/ATTORNEY GENERAL				41100000
EXECUTIVE DIR/SUPPORT SVCS				41100500
PUBLIC PROTECTION				12
LEGAL REPRESENTATION				<u>1203.00.00.00</u>
ESTIMATED EXPENDITURES				1000000
ESTIMATED EXPENDITURES - OPERATIONS				1001000
SALARY RATE				000000
SALARY RATE.....	6,894			
=====				
SALARIES AND BENEFITS				010000
OPERATING TRUST FUND -STATE	138,960			2510 1
=====				
TOTAL: ESTIMATED EXPENDITURES - OPERATIONS				1001000
TOTAL ISSUE.....	138,960			
TOTAL SALARY RATE.....	6,894			
=====				
NONRECURRING EXPENDITURES				2100000
RESTORE TRUST FUND AUTHORITY				2103058
SALARIES AND BENEFITS				010000
OPERATING TRUST FUND -STATE	131,272-			2510 1
=====				
TOTAL: LEGAL REPRESENTATION				<u>1203.00.00.00</u>
BY FUND TYPE				
TRUST FUNDS.....	7,688			2000
SALARY RATE.....	6,894			
=====				

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
POS	AMOUNT	POS	AMOUNT	POS
				AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: OFF/ATTORNEY GENERAL				41100000
EXECUTIVE DIR/SUPPORT SVCS				41100500
GOV OPERATIONS/SUPPORT				16
EXEC LEADERSHIP/SUPPRT SVC				1602.00.00.00
ESTIMATED EXPENDITURES				1000000
ESTIMATED EXPENDITURES - OPERATIONS				1001000
SALARY RATE				000000
SALARY RATE.....	6,215,311			
=====				
SALARIES AND BENEFITS				010000
GENERAL REVENUE FUND -STATE	5,437,916			1000 1
ADMINISTRATIVE TRUST FUND -STATE	3,180,607			2021 1
CRIMES COMPENSATION TF -STATE	1,978			2149 1
LEGAL SERVICES TRUST FUND -STATE	489			2438 1
OPERATING TRUST FUND -STATE	167,307			2510 1
TOTAL POSITIONS.....	133.00			
TOTAL APPRO.....	8,788,297			
=====				
OTHER PERSONAL SERVICES				030000
GENERAL REVENUE FUND -STATE	50,000			1000 1
ADMINISTRATIVE TRUST FUND -STATE	140,826			2021 1
TOTAL APPRO.....	190,826			
=====				
EXPENSES				040000
GENERAL REVENUE FUND -STATE	317,374			1000 1
ADMINISTRATIVE TRUST FUND -STATE	958,004			2021 1
TOTAL APPRO.....	1,275,378			
=====				
OPERATING CAPITAL OUTLAY				060000
GENERAL REVENUE FUND -STATE	90,461			1000 1
ADMINISTRATIVE TRUST FUND -STATE	472,801			2021 1
TOTAL APPRO.....	563,262			
=====				

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
POS	AMOUNT	POS	AMOUNT	POS
				AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: OFF/ATTORNEY GENERAL				41100000
EXECUTIVE DIR/SUPPORT SVCS				41100500
GOV OPERATIONS/SUPPORT				16
EXEC LEADERSHIP/SUPPRT SVC				1602.00.00.00
ESTIMATED EXPENDITURES				1000000
ESTIMATED EXPENDITURES - OPERATIONS				1001000
SPECIAL CATEGORIES				100000
ATTY GENERAL'S LAW LIBRARY				100001
GENERAL REVENUE FUND -STATE	282,676			1000 1
COMMISSION/STATUS OF WOMEN				100120
GENERAL REVENUE FUND -STATE	105,827			1000 1
CONTRACTED SERVICES				100777
GENERAL REVENUE FUND -STATE	175,531			1000 1
ADMINISTRATIVE TRUST FUND -STATE	55,268			2021 1
TOTAL APPRO.....	230,799			
RISK MANAGEMENT INSURANCE				103241
GENERAL REVENUE FUND -STATE	47,907			1000 1
ADMINISTRATIVE TRUST FUND -STATE	24,802			2021 1
TOTAL APPRO.....	72,709			
TR/DMS/HR SVCS/STW CONTRCT				107040
GENERAL REVENUE FUND -STATE	41,321			1000 1
ADMINISTRATIVE TRUST FUND -STATE	15,357			2021 1
TOTAL APPRO.....	56,678			
DATA PROCESSING SERVICES				210000
OTHER DATA PROCESSING SVCS				210014
GENERAL REVENUE FUND -STATE	135,441			1000 1
ADMINISTRATIVE TRUST FUND -STATE	157,876			2021 1

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
	POS	AMOUNT	POS	AMOUNT
				AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: OFF/ATTORNEY GENERAL				41100000
EXECUTIVE DIR/SUPPORT SVCS				41100500
GOV OPERATIONS/SUPPORT				16
EXEC LEADERSHIP/SUPPRT SVC				1602.00.00.00
ESTIMATED EXPENDITURES				1000000
ESTIMATED EXPENDITURES - OPERATIONS				1001000
DATA PROCESSING SERVICES				210000
OTHER DATA PROCESSING SVCS				210014
TOTAL APPRO.....		293,317		
TOTAL: ESTIMATED EXPENDITURES - OPERATIONS				1001000
TOTAL POSITIONS.....	133.00			
TOTAL ISSUE.....		11,859,769		
TOTAL SALARY RATE.....		6,215,311		
CASUALTY INSURANCE PREMIUM				
ADJUSTMENT				1001090
SPECIAL CATEGORIES				100000
RISK MANAGEMENT INSURANCE				103241
GENERAL REVENUE FUND -STATE		14,894		1000 1
ADMINISTRATIVE TRUST FUND -STATE		7,711		2021 1
TOTAL APPRO.....		22,605		
FLORIDA RETIREMENT SYSTEM				
CONTRIBUTION ADJUSTMENT FOR				
FY 2010-11 - EFFECTIVE 7/1/2010				1001220
SALARIES AND BENEFITS				010000
GENERAL REVENUE FUND -STATE		37,064		1000 1
ADMINISTRATIVE TRUST FUND -STATE		25,545		2021 1
CRIMES COMPENSATION TF -STATE		14		2149 1
LEGAL SERVICES TRUST FUND -STATE		7		2438 1
OPERATING TRUST FUND -STATE		1,341		2510 1
TOTAL APPRO.....		63,971		

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
POS	AMOUNT	POS	AMOUNT	POS
				AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: OFF/ATTORNEY GENERAL				41100000
EXECUTIVE DIR/SUPPORT SVCS				41100500
GOV OPERATIONS/SUPPORT				16
EXEC LEADERSHIP/SUPPRT SVC				1602.00.00.00
ESTIMATED EXPENDITURES				1000000
ADJUSTMENT TO STATE HEALTH				
INSURANCE PREMIUM CONTRIBUTION FOR				
FY 2010-11 - EFFECTIVE 12/1/2010				1001810
SALARIES AND BENEFITS				010000
GENERAL REVENUE FUND -STATE	24,770			1000 1
ADMINISTRATIVE TRUST FUND -STATE	14,487			2021 1
CRIMES COMPENSATION TF -STATE	8			2149 1
LEGAL SERVICES TRUST FUND -STATE	4			2438 1
OPERATING TRUST FUND -STATE	761			2510 1
TOTAL APPRO.....	40,030			
ELIMINATION OF AGENCY PAYALL				
STATUS - EFFECTIVE 7/1/2010				1001820
SALARIES AND BENEFITS				010000
GENERAL REVENUE FUND -STATE	12,203-			1000 1
ADMINISTRATIVE TRUST FUND -STATE	7,384-			2021 1
CRIMES COMPENSATION TF -STATE	4-			2149 1
LEGAL SERVICES TRUST FUND -STATE	2-			2438 1
OPERATING TRUST FUND -STATE	388-			2510 1
TOTAL APPRO.....	19,981-			
ADJUSTMENT TO STATE LIFE INSURANCE				
CONTRIBUTION RATE FOR FY 2010-11 -				
EFFECTIVE 12/1/2010				1001920
SALARIES AND BENEFITS				010000
GENERAL REVENUE FUND -STATE	3,133-			1000 1
ADMINISTRATIVE TRUST FUND -STATE	2,548-			2021 1
CRIMES COMPENSATION TF -STATE	2-			2149 1
LEGAL SERVICES TRUST FUND -STATE	1-			2438 1
OPERATING TRUST FUND -STATE	133-			2510 1
TOTAL APPRO.....	5,817-			

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
POS	AMOUNT	POS	AMOUNT	POS
				AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: OFF/ATTORNEY GENERAL				41100000
EXECUTIVE DIR/SUPPORT SVCS				41100500
GOV OPERATIONS/SUPPORT				16
EXEC LEADERSHIP/SUPPRT SVC				1602.00.00.00
ESTIMATED EXPENDITURES				1000000
SUNCOM SERVICES RATE REDUCTION				1005600
EXPENSES				040000
GENERAL REVENUE FUND -STATE	1,379-			1000 1
ADMINISTRATIVE TRUST FUND -STATE	897-			2021 1
TOTAL APPRO.....	2,276-			

ADJUSTMENTS TO CURRENT YEAR	
ESTIMATED EXPENDITURES	1600000
ADDITIONAL RATE TO COVER	
APPROPRIATED SALARIES AND BENEFITS	1601210
SALARY RATE	000000
SALARY RATE.....	212,415

AGENCY ISSUE NARRATIVE:

2011-2012 BUDGET YEAR NARRATIVE:

IT COMPONENT? NO

The Department of Legal Affairs is requesting 1,239,590 in rate that was approved in Fiscal Year 2009-10 LBC Amendment P0024 as having recurring impact.

Budget Entity	Rate Request
Civil Enforcement	163,392
Constitutional Legal Svcs	85,954
Civil/Criminal Defense	557,212
Executive Direction	212,415
Statewide Prosecution	220,617

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
POS	AMOUNT	POS	AMOUNT	POS
				AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: OFF/ATTORNEY GENERAL				41100000
EXECUTIVE DIR/SUPPORT SVCS				41100500
GOV OPERATIONS/SUPPORT				16
EXEC LEADERSHIP/SUPPRT SVC				1602.00.00.00
ADJUSTMENTS TO CURRENT YEAR				
ESTIMATED EXPENDITURES				1600000
ADDITIONAL RATE TO COVER				
APPROPRIATED SALARIES AND BENEFITS				1601210

POSITION DETAIL OF SALARIES AND BENEFITS:

	FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A03 - AGY REQUEST FY 2011-12							
CHANGES TO CURRENTLY AUTHORIZED POSITIONS							
RA06 RATE ADJ - NO FTE - NO SALARY - NO BENEFITS							
C0001 001		212,415					
TOTAL SALARY RATE		212,415					

NONRECURRING EXPENDITURES							2100000
CUBAN-AMERICAN BAR ASSOCIATION							2103016
SPECIAL CATEGORIES							100000
CONTRACTED SERVICES							100777
GENERAL REVENUE FUND -STATE		50,000-					1000 1
RESTORE TRUST FUND AUTHORITY							2103058
SALARIES AND BENEFITS							010000
OPERATING TRUST FUND -STATE		167,307-					2510 1

	COL A03		COL A04		COL A05		CODES
	AGY REQUEST FY 2011-12	POS	AGY REQ N/R FY 2011-12	POS	AG REQ ANZ FY 2011-12	POS	
LEGAL AFFAIRS/ATTY GENERAL							41000000
PGM: OFF/ATTORNEY GENERAL							41100000
EXECUTIVE DIR/SUPPORT SVCS							41100500
GOV OPERATIONS/SUPPORT							16
EXEC LEADERSHIP/SUPPRT SVC							1602.00.00.00
NONRECURRING EXPENDITURES							2100000
RESTORATION OF GENERAL REVENUE FUND							
SHIFTS FROM NONRECURRING TRUST FUNDS							2103063
SALARIES AND BENEFITS							010000
GENERAL REVENUE FUND -STATE	166,361-						1000 1
=====							
ANNUALIZATION OF ADMINISTERED FUNDS APPROPRIATIONS							26A0000
STATE HEALTH INSURANCE ADJUSTMENT FOR FY 2010-11 - 5 MONTHS							
ANNUALIZATION							26A1810
SALARIES AND BENEFITS							010000
GENERAL REVENUE FUND -STATE	17,693						1000 1
ADMINISTRATIVE TRUST FUND -STATE	10,348						2021 1
CRIMES COMPENSATION TF -STATE	6						2149 1
LEGAL SERVICES TRUST FUND -STATE	3						2438 1
OPERATING TRUST FUND -STATE	544						2510 1
TOTAL APPRO.....	28,594						
=====							
STATE LIFE INSURANCE ADJUSTMENT FOR FY 2010-11 - 5 MONTHS							
ANNUALIZATION							26A1920
SALARIES AND BENEFITS							010000
GENERAL REVENUE FUND -STATE	2,238-						1000 1
ADMINISTRATIVE TRUST FUND -STATE	1,820-						2021 1
CRIMES COMPENSATION TF -STATE	1-						2149 1
LEGAL SERVICES TRUST FUND -STATE	1-						2438 1
OPERATING TRUST FUND -STATE	95-						2510 1
TOTAL APPRO.....	4,155-						
=====							

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
POS	AMOUNT	POS	AMOUNT	POS
				AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: OFF/ATTORNEY GENERAL				41100000
EXECUTIVE DIR/SUPPORT SVCS				41100500
GOV OPERATIONS/SUPPORT				16
EXEC LEADERSHIP/SUPPRT SVC				1602.00.00.00
LEGAL AFFAIRS				4000000
RESTORATION OF GENERAL REVENUE FUND				
SHIFTS FROM NONRECURRING TRUST				
FUNDS				4009030
SALARIES AND BENEFITS				010000
GENERAL REVENUE FUND	-STATE	464,940		1000 1

AGENCY ISSUE NARRATIVE:

2011-2012 BUDGET YEAR NARRATIVE: IT COMPONENT? NO
 Request

The Department of Legal Affairs/Office of Attorney General requests \$4,109,071 in General Revenue to replace the non-recurring "Transfer Funding to Trust Funds from General Revenue" fund shift appropriated by the legislature for Fiscal Year 2008-09, 2009-10 and in Fiscal Year 2010-11 and the use of non-recurring General Revenue to fund recurring positions..

This fund shift comprises almost thirteen percent (13%) of the recurring General Revenue in the OAG operating budget. The legislature provided for a non-recurring transfer of \$3,000,000 to the Operating Trust fund and provided \$1,109,071 in non-recurring General Revenue. The current year fund shift is the third year of shifting the funding of positions in the Department of Legal Affairs to non-recurring funds. The approach used by the legislature and OAG for the fund shift of these positions was to utilize cash derived from judgments brought in proceedings related to state or federal antitrust law or the Florida RICO Act and held in the account pending a final court decision or final distribution order. The monies recovered on behalf of consumers go to consumers or for their benefit. Monies recovered on behalf of local public entities go back to them. Monies recovered on behalf of state agencies must be deposited in the General Revenue Fund. There is no longer settlement cash available to continue this fund shift.

This issue requests the replacement of the trust funds appropriated in the following Budget Entities:

- \$380,696 in Civil Enforcement Budget Entity to the Operating Trust Fund
- \$87,281 in Constitutional Legal Services Budget Entity to the Operating Trust Fund
- \$2,737,402 in the Criminal / Civil Litigation Defense Budget Entity to the Operating Trust Fund
- \$438,752 in the Statewide Prosecution / Multi-Circuit Crime Budget Entity to the Operating Trust Fund, and
- \$464,940 in the Executive Direction and Support Services Budget Entity to the Operating Trust Fund

These fund shifts have resulted in temporarily transferring thirty eight attorneys and twenty five support positions from General Revenue to the non-recurring moneys from these trust funds. The majority of the positions are in the Criminal Division. The Criminal Division is responsible for representing the State in all criminal appeals, as well as in post-conviction litigation at both the trial and appellate levels before state and federal courts.

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
	POS	AMOUNT	POS	AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: OFF/ATTORNEY GENERAL				41100000
EXECUTIVE DIR/SUPPORT SVCS				41100500
GOV OPERATIONS/SUPPORT				16
EXEC LEADERSHIP/SUPPRT SVC				<u>1602.00.00.00</u>
LEGAL AFFAIRS				4000000
RESTORATION OF GENERAL REVENUE FUND				
SHIFTS FROM NONRECURRING TRUST				
FUNDS				4009030

Impact of Not Funding In Criminal Division

The majority of the General Revenue in the OAG funds the Criminal Division which consists of Criminal Appeals and Capital Appeals. In order to meet the reduction requirement the OAG calculates that the Criminal Division will have to be reduced by approximately 28 positions. This will add to the 31 positions already vacant due to reductions in funding and the seventeen (17) employees cut from the division over the last three years.

The Florida's Attorney General's Criminal and Capital Appellate Division, is the State's appellate prosecutor assigned to defend the judgments and sentences imposed by the trial court, in the state courts of appeal and federal habeas courts. Every appeal, from any of the 20 judicial circuits, filed by a criminal defendant challenging his conviction or length of sentence, is processed through this division, specifically each case is docketed, assigned a case number and assigned and prosecuted by attorneys specializing in this appellate discipline. The Criminal and Capital Appellate Division litigates against the statewide appellate public defenders, the three Capital Collateral Regional Counsels, assigned conflict counsels in every judicial circuit, federal public defenders from the three federal districts and all private attorneys hired to do criminal appellate defense work and, of course, pro se litigants.

The budgetary cuts and additional deletions in the attorney ranks has reduced the number of attorneys working on approximately 29,522 opened and current criminal cases and, 911 opened and active capital cases--in 2009-2010 fiscal year, from 6 bureau chiefs, 110 criminal attorneys and 16 capital attorneys in 2007 to 6 bureau chiefs, 88 criminal attorneys and 13.5 capital attorneys, in 2010, respectively. The Division has 31 vacancies, which are unfunded, a majority of which are attorney positions.

The OAG criminal division has faced pressures from the state and federal courts to speed up the handling of backlogged cases. Calls for handling cases more expeditiously, has been impossible --due to the sheer number of cases per attorney caseloads. Moreover, this division has not benefitted from the "lesser reductions in funding" legislatively mandated for the State judiciary, because the criminal appeals division is a part of the Executive Branch not the Judiciary. And, there are no provisions which would allow the OAG criminal appellate division to retrieve attorney fees for litigation in state or federal court when prevailing in extraordinary state litigation or federal habeas litigation and ensuing appeals there from in the federal appellate courts. Without adequate funding from any quarter, and faced with continuing budget shortfalls from general revenue dollars, it would not appear likely that reduced backlogs of cases and shorter litigation time will occur without an infusion of necessary general revenue dollars with which to fill current-existing vacancies.

In 2009-2010, the average caseloads for currently remaining/filled FTEs are:

Criminal (88 Atty.)	Capital (13.5 Atty.)
Caseloads per atty.	Caseloads per atty.

2009-2010

330

70

COL A03		COL A04		COL A05		CODES
AGY REQUEST	AGY REQ N/R	AGY REQ N/R	AGY REQ N/R	AG REQ ANZ	AG REQ ANZ	
FY 2011-12	FY 2011-12	FY 2011-12	FY 2011-12	FY 2011-12	FY 2011-12	
POS	AMOUNT	POS	AMOUNT	POS	AMOUNT	
LEGAL AFFAIRS/ATTY GENERAL						41000000
PGM: OFF/ATTORNEY GENERAL						41100000
EXECUTIVE DIR/SUPPORT SVCS						41100500
GOV OPERATIONS/SUPPORT						16
EXEC LEADERSHIP/SUPPRT SVC						1602.00.00.00
LEGAL AFFAIRS						4000000
RESTORATION OF GENERAL REVENUE FUND						
SHIFTS FROM NONRECURRING TRUST						
FUNDS						4009030

The depletion of the criminal appellate attorney ranks in this office has resulted in further delays in the processing of appellate cases, has strained the ability of the state to address complex legal issues, and brings into question whether appellate review is meaningful. The excessive case loads have challenged even the most seasoned appellate attorneys' abilities to competently process caseloads, thus placing unimaginable pressures on this office's ability to retain criminal appellate attorneys and their expertise, as well as meet the demands of the criminal justice system.

Impact of Not Funding In Civil Enforcement

The General Revenue in the Civil Enforcement Budget Entity is primarily used to match federal funds 25% to 75% for the Medicaid Fraud Control Unit. General Revenue is also used to fund the Cyber Crime unit. The Medicaid Fraud Control Unit provides enough General Revenue to the State to more than pay for the cost of the unit. However, as the General Revenue in the unit was included in the fund shift, OAG must make cuts in the unit to meet cuts to Civil Enforcement. If the \$380,696 in General Revenue for these positions is eliminated the actual cut could require up to 21 positions and a reduction of additional Federal funds. This reduction would further jeopardize the over \$10 million the unit has provided to General Revenue over the last fiscal year.

The Medicaid Fraud Control Unit (MFCU) investigates the business practices of doctors, dentists, clinics, and other health care providers who bill for services never performed or who charge more than authorized for services rendered. The unit also investigates the abuse, neglect, and exploitation of residents of long-term care facilities who are elderly, ill, and/or mentally or physically disabled.

Health care fraud is an immense societal problem, both nationally and within Florida's \$16 billion-a-year Medicaid program. The MFCU is responsible for policing the Medicaid Program, as well as investigating allegations of corruption and fraud in the program's management.

The MFCU is also responsible for investigating the physical abuse, neglect, and financial exploitation of patients residing in long-term care facilities such as nursing homes, facilities for the mentally and physically disabled and assisted care living facilities. The quality of care being provided to Florida's ill, elderly, and disabled citizens is an issue of great concern and a priority within the MFCU.

The MFCU provides a Patient Abuse, Neglect and Exploitation (PANE) Project consisting of a collaborative effort among several agencies to address the abuse and exploitation of patients in long term care facilities and results have been very positive. The MFCU also continued its leadership role in a multi-state/federal investigation into pharmaceutical pricing. This investigation, which began in Florida, revealed that several generic drug manufacturers have been artificially inflating the prices of their drugs which are reported to the government in a scheme that has cost Medicare and Medicaid hundreds of millions of dollars. This ongoing investigation has already resulted in multi-million dollar

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
POS	AMOUNT	POS	AMOUNT	POS
				AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: OFF/ATTORNEY GENERAL				41100000
EXECUTIVE DIR/SUPPORT SVCS				41100500
GOV OPERATIONS/SUPPORT				16
EXEC LEADERSHIP/SUPPRT SVC				1602.00.00.00
LEGAL AFFAIRS				4000000
RESTORATION OF GENERAL REVENUE FUND				
SHIFTS FROM NONRECURRING TRUST				
FUNDS				4009030

settlements with several major drug companies and ongoing litigation involving other pharmaceutical manufacturers should result in additional recoveries.

Impact of Not Funding In Constitutional Legal Services Budget Entity

The General Revenue in the Constitutional Legal Services Budget Entity is primarily used for the Solicitor General. The Solicitor General's office is currently holding three positions vacant to meet the reductions already made in the OAG and this would mean an additional position would be impacted.

The primary responsibility of the Office of the Solicitor General (OSG) is to represent the State of Florida in significant litigation affecting the powers, duties, and responsibilities of all branches of state government and serve as the primary civil appellate attorney for the State. The OSG defends constitutional challenges to laws passed by the Legislature and represents the State in cases of constitutional importance before the United States Supreme Court and the Florida Supreme Court, oversees complex civil litigation cases of statewide impact, prepares amicus briefs in support of State policy goals in state and federal appellate court cases, advises the Attorney General on legal and policy issues affecting the State and advises other divisions within the OAG who are litigating on behalf of state agencies.

The vital role of defending the constitutionality of Florida statutes and handling complex litigation with statewide impact would be severely jeopardized with the reduction from the Office of Solicitor General.

Impact of Not Funding In Executive Direction and Support Services Budget Entity

The General Revenue in the Executive Direction and Support Services Budget Entity Provides funding for the Opinions, Cabinet Affairs, and Executive staff positions. The executive staff is already down by nine critical positions and cannot take the additional reduction of eight positions and still allow the Attorney General to meet his core duties.

The Attorney General is required to provide official written opinions to state and local officials, boards, agencies, and their attorneys in response to questions regarding their official duties. In addition, the Attorney General is authorized provide legal advice to the state attorneys and to Florida's representatives in Congress. The Attorney General's opinion process provides a direct means for inexpensive dispute resolution. The strategic objective is to resolve requests for opinions in a timely manner.

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
	POS	AMOUNT	POS	AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: OFF/ATTORNEY GENERAL				41100000
EXECUTIVE DIR/SUPPORT SVCS				41100500
GOV OPERATIONS/SUPPORT				16
EXEC LEADERSHIP/SUPPRT SVC				1602.00.00.00
LEGAL AFFAIRS				4000000
RESTORATION OF GENERAL REVENUE FUND				
SHIFTS FROM NONRECURRING TRUST				
FUNDS				4009030

A reduction in Opinions staff would decrease productivity and cause governmental entities to incur substantial legal fees from litigation. In addition, misinterpretation or varying interpretations of statutes could result in violations of statutes including, but not limited to, Sunshine and/or public records law. A centralized legal resource for Department of Legal Affairs and other governmental entities could be lost.

In addition to his duties as the state's chief legal officer, the Attorney General serves as a member of the Florida Cabinet. He is also regularly called upon by the Florida Legislature to discuss and provide advice on relevant issues and pending legislation. The Cabinet Affairs staff advises the Attorney General on all matters pertaining to his constitutional and statutory role as a member of the Florida Cabinet. The Governor and Cabinet, as a collegial body, sit as the head of the following: State Board of Executive Clemency; Division of Bond Finance; Department of Veterans' Affairs; Department of Highway Safety & Motor Vehicles; Department of Law Enforcement; Department of Revenue; Administration Commission; Florida Land & Water Adjudicatory Commission; Electrical Power Plant & Transmission Line Siting Board; Board of Trustees of the Internal Improvement Fund; and Financial Services Commission. The Governor, Attorney General and Chief Financial Officer sit as the head of the State Board of Administration. The Cabinet Affairs staff regularly meets with interested parties and private citizens and responds to inquiries from the public relating to factual, policy, and legal issues related to the areas of jurisdiction of the Governor and Cabinet.

Cabinet Affairs is staffed with the minimal number of personnel necessary to carry out its duties and responsibilities to the public and the Attorney General. Any reductions would significantly hamper the Attorney General's ability to carry out his constitutional duty as a member of the Florida Cabinet.

Impact of Not Funding In Office of Statewide Prosecution

The fund shift in the Office of Statewide prosecution shifted nine positions from this office and failure to restore these funds would eliminate five positions and severely reduce the effectiveness of the office in fighting multi-circuit crimes. The unit currently has nine vacant positions, at least eight of which must remain vacant the entire fiscal year in order to meet our previous cuts. The Southwest Bureau is staffed with only one prosecutor who is responsible for covering Southwest Florida. These current staffing levels do not allow us to meet our constitutional mission in those geographic areas.

The Office of Statewide Prosecution is focusing on two main priorities: gang violence and fraud. In the last three years we have made tremendous progress in both areas but there remains work to be done.

While violent crime is down in our key impact areas, it is still a threatening problem in parts of our state. Our success has been measured by the neighborhoods we have changed through arrests and successful prosecution and also through the awards earned by our investigative partners gang units of the year for the last two years for OSP cases.

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
POS	AMOUNT	POS	AMOUNT	POS
				AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: STATEWIDE PROSECUTION				41200000
PROS/MULTI-CIRCUIT CRIME				41200100
PUBLIC PROTECTION				12
DRUG CONTRL/SUBSTNCE ABUSE				1201.00.00.00
ESTIMATED EXPENDITURES				1000000
ESTIMATED EXPENDITURES - OPERATIONS				1001000
SALARY RATE				000000
SALARY RATE.....	285,708			
=====				
SALARIES AND BENEFITS				010000
GENERAL REVENUE FUND	4.00			
-STATE	229,863			1000 1
=====				
SPECIAL CATEGORIES				100000
STATEWIDE PROSECUTION				100118
GENERAL REVENUE FUND		75,846		1000 1
=====				
TOTAL: ESTIMATED EXPENDITURES - OPERATIONS				1001000
TOTAL POSITIONS.....	4.00			
TOTAL ISSUE.....		305,709		
TOTAL SALARY RATE.....	285,708			
=====				
FLORIDA RETIREMENT SYSTEM				
CONTRIBUTION ADJUSTMENT FOR				
FY 2010-11 - EFFECTIVE 7/1/2010				1001220
SALARIES AND BENEFITS				010000
GENERAL REVENUE FUND		2,864		1000 1
=====				
ADJUSTMENT TO STATE HEALTH				
INSURANCE PREMIUM CONTRIBUTION FOR				
FY 2010-11 - EFFECTIVE 12/1/2010				1001810
SALARIES AND BENEFITS				010000
GENERAL REVENUE FUND		1,368		1000 1
=====				

	COL A03		COL A04		COL A05		CODES
	AGY REQUEST FY 2011-12	POS	AGY REQ N/R FY 2011-12	POS	AG REQ ANZ FY 2011-12	POS	
LEGAL AFFAIRS/ATTY GENERAL							41000000
PGM: STATEWIDE PROSECUTION							41200000
PROS/MULTI-CIRCUIT CRIME							41200100
PUBLIC PROTECTION							12
<u>DRUG CONTRL/SUBSTNCE ABUSE</u>							<u>1201.00.00.00</u>
ESTIMATED EXPENDITURES							1000000
ELIMINATION OF AGENCY PAYALL							
STATUS - EFFECTIVE 7/1/2010							1001820
SALARIES AND BENEFITS							010000
GENERAL REVENUE FUND -STATE		981-					1000 1
=====							
ADJUSTMENT TO STATE LIFE INSURANCE							
CONTRIBUTION RATE FOR FY 2010-11 -							
EFFECTIVE 12/1/2010							1001920
SALARIES AND BENEFITS							010000
GENERAL REVENUE FUND -STATE		225-					1000 1
=====							
ANNUALIZATION OF ADMINISTERED							
FUNDS APPROPRIATIONS							26A0000
STATE HEALTH INSURANCE ADJUSTMENT							
FOR FY 2010-11 - 5 MONTHS							
ANNUALIZATION							26A1810
SALARIES AND BENEFITS							010000
GENERAL REVENUE FUND -STATE		977					1000 1
=====							
STATE LIFE INSURANCE ADJUSTMENT							
FOR FY 2010-11 - 5 MONTHS							
ANNUALIZATION							26A1920
SALARIES AND BENEFITS							010000
GENERAL REVENUE FUND -STATE		161-					1000 1
=====							
TOTAL: DRUG CONTRL/SUBSTNCE ABUSE							<u>1201.00.00.00</u>
BY FUND TYPE							
GENERAL REVENUE FUND.....	4.00		309,551				1000
SALARY RATE.....		285,708					
=====							

	COL A03		COL A04		COL A05		CODES
	AGY REQUEST FY 2011-12 POS	AMOUNT	AGY REQ N/R FY 2011-12 POS	AMOUNT	AG REQ ANZ FY 2011-12 POS	AMOUNT	
LEGAL AFFAIRS/ATTY GENERAL							41000000
PGM: STATEWIDE PROSECUTION							41200000
PROS/MULTI-CIRCUIT CRIME							41200100
PUBLIC PROTECTION							12
LEGAL REPRESENTATION							1203.00.00.00
ESTIMATED EXPENDITURES							1000000
ESTIMATED EXPENDITURES - OPERATIONS							1001000
SALARY RATE							000000
SALARY RATE.....	3,506,531						
=====							
SALARIES AND BENEFITS							010000
GENERAL REVENUE FUND	-STATE	3,663,889					1000 1
-MATCH		75,355					1000 2
TOTAL GENERAL REVENUE FUND		3,739,244					1000
CRIMES COMPENSATION TF	-STATE	1,272					2149 1
FEDERAL GRANTS TRUST FUND	-RECPNT	254,783					2261 9
OPERATING TRUST FUND	-STATE	594,244					2510 1
TOTAL POSITIONS.....		61.50					
TOTAL APPRO.....		4,589,543					
=====							
SPECIAL CATEGORIES							100000
STATEWIDE PROSECUTION							100118
GENERAL REVENUE FUND	-STATE	760,354					1000 1
-MATCH		10,101					1000 2
TOTAL GENERAL REVENUE FUND		770,455					1000
FEDERAL GRANTS TRUST FUND	-RECPNT	39,602					2261 9
OPERATING TRUST FUND	-STATE	367,371					2510 1
TOTAL APPRO.....		1,177,428					
=====							
RISK MANAGEMENT INSURANCE							103241
GENERAL REVENUE FUND	-STATE	32,024					1000 1
OPERATING TRUST FUND	-STATE	902					2510 1

	COL A03		COL A04		COL A05		CODES
	AGY REQUEST FY 2011-12 POS	AMOUNT	AGY REQ N/R FY 2011-12 POS	AMOUNT	AG REQ ANZ FY 2011-12 POS	AMOUNT	
LEGAL AFFAIRS/ATTY GENERAL							41000000
PGM: STATEWIDE PROSECUTION							41200000
PROS/MULTI-CIRCUIT CRIME							41200100
PUBLIC PROTECTION							12
LEGAL REPRESENTATION							1203.00.00.00
ESTIMATED EXPENDITURES							1000000
ESTIMATED EXPENDITURES - OPERATIONS							1001000
SPECIAL CATEGORIES							100000
RISK MANAGEMENT INSURANCE							103241
TOTAL APPRO.....		32,926					
=====							
TR/DMS/HR SVCS/STW CONTRCT							107040
GENERAL REVENUE FUND -STATE		26,253					1000 1
OPERATING TRUST FUND -STATE		2,327					2510 1
TOTAL APPRO.....		28,580					
=====							
STATE OPERATIONS-ARRA 2009							109910
FEDERAL GRANTS TRUST FUND -FEDERL		1,500					2261 3
=====							
SALARIES/BENEFIT-ARRA 2009							109995
FEDERAL GRANTS TRUST FUND -FEDERL		92,052					2261 3
=====							
TOTAL: ESTIMATED EXPENDITURES - OPERATIONS							1001000
TOTAL POSITIONS.....		61.50					
TOTAL ISSUE.....		5,922,029					
TOTAL SALARY RATE.....		3,506,531					
=====							
CASUALTY INSURANCE PREMIUM							1001090
ADJUSTMENT							100000
SPECIAL CATEGORIES							103241
RISK MANAGEMENT INSURANCE							
GENERAL REVENUE FUND -STATE		9,956					1000 1
=====							

	COL A03		COL A04		COL A05		CODES
	AGY REQUEST FY 2011-12 POS	AMOUNT	AGY REQ N/R FY 2011-12 POS	AMOUNT	AG REQ ANZ FY 2011-12 POS	AMOUNT	
LEGAL AFFAIRS/ATTY GENERAL							41000000
PGM: STATEWIDE PROSECUTION							41200000
PROS/MULTI-CIRCUIT CRIME							41200100
PUBLIC PROTECTION							12
LEGAL REPRESENTATION							1203.00.00.00
ESTIMATED EXPENDITURES							1000000
FLORIDA RETIREMENT SYSTEM							
CONTRIBUTION ADJUSTMENT FOR							
FY 2010-11 - EFFECTIVE 7/1/2010							1001220
SALARIES AND BENEFITS							010000
GENERAL REVENUE FUND	-STATE	33,488					1000 1
GENERAL REVENUE FUND	-MATCH	691					1000 2
TOTAL GENERAL REVENUE FUND		34,179					1000
FEDERAL GRANTS TRUST FUND -RECPNT		2,744					2261 9
OPERATING TRUST FUND	-STATE	6,417					2510 1
TOTAL APPRO.....		43,340					
ADJUSTMENT TO STATE HEALTH							
INSURANCE PREMIUM CONTRIBUTION FOR							
FY 2010-11 - EFFECTIVE 12/1/2010							1001810
SALARIES AND BENEFITS							010000
GENERAL REVENUE FUND	-STATE	17,288					1000 1
GENERAL REVENUE FUND	-MATCH	356					1000 2
TOTAL GENERAL REVENUE FUND		17,644					1000
FEDERAL GRANTS TRUST FUND -RECPNT		1,202					2261 9
OPERATING TRUST FUND	-STATE	2,812					2510 1
TOTAL APPRO.....		21,658					

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
POS	AMOUNT	POS	AMOUNT	POS
				AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: STATEWIDE PROSECUTION				41200000
PROS/MULTI-CIRCUIT CRIME				41200100
PUBLIC PROTECTION				12
LEGAL REPRESENTATION				1203.00.00.00
ESTIMATED EXPENDITURES				1000000
ELIMINATION OF AGENCY PAYALL				
STATUS - EFFECTIVE 7/1/2010				1001820
SALARIES AND BENEFITS				010000
GENERAL REVENUE FUND	-STATE	12,040-		1000 1
	-MATCH	248-		1000 2
TOTAL GENERAL REVENUE FUND		12,288-		1000
FEDERAL GRANTS TRUST FUND	-RECPNT	866-		2261 9
OPERATING TRUST FUND	-STATE	2,026-		2510 1
TOTAL APPRO.....		15,180-		
ADJUSTMENT TO STATE LIFE INSURANCE				
CONTRIBUTION RATE FOR FY 2010-11 -				1001920
EFFECTIVE 12/1/2010				010000
SALARIES AND BENEFITS				
GENERAL REVENUE FUND	-STATE	2,833-		1000 1
	-MATCH	58-		1000 2
TOTAL GENERAL REVENUE FUND		2,891-		1000
FEDERAL GRANTS TRUST FUND	-RECPNT	275-		2261 9
OPERATING TRUST FUND	-STATE	641-		2510 1
TOTAL APPRO.....		3,807-		

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
POS	AMOUNT	POS	AMOUNT	POS
				AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: STATEWIDE PROSECUTION				41200000
PROS/MULTI-CIRCUIT CRIME				41200100
PUBLIC PROTECTION				12
LEGAL REPRESENTATION				1203.00.00.00
ESTIMATED EXPENDITURES				1000000
SUNCOM SERVICES RATE REDUCTION				1005600
SPECIAL CATEGORIES				100000
STATEWIDE PROSECUTION				100118
GENERAL REVENUE FUND -STATE	987-			1000 1
OPERATING TRUST FUND -STATE	109-			2510 1
TOTAL APPRO.....	1,096-			

ADJUSTMENTS TO CURRENT YEAR	
ESTIMATED EXPENDITURES	1600000
ADDITIONAL RATE TO COVER	
APPROPRIATED SALARIES AND BENEFITS	1601210
SALARY RATE	000000
SALARY RATE..... 220,617	

AGENCY ISSUE NARRATIVE:

2011-2012 BUDGET YEAR NARRATIVE:

IT COMPONENT? NO

The Department of Legal Affairs is requesting 1,239,590 in rate that was approved in Fiscal Year 2009-10 LBC Amendment P0024 as having recurring impact.

Budget Entity	Rate Request
Civil Enforcement	163,392
Constitutional Legal Svcs	85,954
Civil/Criminal Defense	557,212
Executive Direction	212,415
Statewide Prosecution	220,617

	COL A03		COL A04		COL A05		CODES
	AGY REQUEST FY 2011-12	POS	AGY REQ N/R FY 2011-12	POS	AG REQ ANZ FY 2011-12	POS	
LEGAL AFFAIRS/ATTY GENERAL							41000000
PGM: STATEWIDE PROSECUTION							41200000
PROS/MULTI-CIRCUIT CRIME							41200100
PUBLIC PROTECTION							12
LEGAL REPRESENTATION							1203.00.00.00
ADJUSTMENTS TO CURRENT YEAR ESTIMATED EXPENDITURES							1600000
ADDITIONAL RATE TO COVER APPROPRIATED SALARIES AND BENEFITS							1601210

POSITION DETAIL OF SALARIES AND BENEFITS:

	FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A03 - AGY REQUEST FY 2011-12							
CHANGES TO CURRENTLY AUTHORIZED POSITIONS							
RA06 RATE ADJ - NO FTE - NO SALARY - NO BENEFITS							
C0001 001		220,617					
TOTAL SALARY RATE		220,617					

NONRECURRING EXPENDITURES	2100000
RESTORE TRUST FUND AUTHORITY	2103058
SALARIES AND BENEFITS	010000

OPERATING TRUST FUND -STATE	438,752-	2510	1
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AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA) GRANT FUNDS DEDICATED TO PROSECUTION	2103067
SPECIAL CATEGORIES	100000
STATE OPERATIONS-ARRA 2009	109910

FEDERAL GRANTS TRUST FUND -FEDERL	1,500-	2261	3
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SALARIES/BENEFIT-ARRA 2009	109995
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FEDERAL GRANTS TRUST FUND -FEDERL	92,052-	2261	3
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	COL A03		COL A04		COL A05		CODES
	AGY REQUEST FY 2011-12	POS	AGY REQ N/R FY 2011-12	POS	AG REQ ANZ FY 2011-12	POS	
LEGAL AFFAIRS/ATTY GENERAL							41000000
PGM: STATEWIDE PROSECUTION							41200000
PROS/MULTI-CIRCUIT CRIME							41200100
PUBLIC PROTECTION							12
LEGAL REPRESENTATION							1203.00.00.00
NONRECURRING EXPENDITURES							2100000
AMERICAN RECOVERY AND REINVESTMENT							
ACT (ARRA) GRANT FUNDS DEDICATED TO							
PROSECUTION							2103067
TOTAL: AMERICAN RECOVERY AND REINVESTMENT							2103067
ACT (ARRA) GRANT FUNDS DEDICATED TO							
PROSECUTION							
TOTAL ISSUE.....			93,552-				
ANNUALIZATION OF ADMINISTERED							
FUNDS APPROPRIATIONS							26A0000
STATE HEALTH INSURANCE ADJUSTMENT							
FOR FY 2010-11 - 5 MONTHS							
ANNUALIZATION							26A1810
SALARIES AND BENEFITS							010000
GENERAL REVENUE FUND	-STATE		12,349				1000 1
-MATCH			254				1000 2
TOTAL GENERAL REVENUE FUND			12,603				1000
FEDERAL GRANTS TRUST FUND -RECPNT			859				2261 9
OPERATING TRUST FUND -STATE			2,009				2510 1
TOTAL APPRO.....			15,471				
STATE LIFE INSURANCE ADJUSTMENT							
FOR FY 2010-11 - 5 MONTHS							
ANNUALIZATION							26A1920
SALARIES AND BENEFITS							010000
GENERAL REVENUE FUND	-STATE		2,024-				1000 1
-MATCH			41-				1000 2
TOTAL GENERAL REVENUE FUND			2,065-				1000
FEDERAL GRANTS TRUST FUND -RECPNT			196-				2261 9
OPERATING TRUST FUND -STATE			458-				2510 1

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
	POS	AMOUNT	POS	AMOUNT
				AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: STATEWIDE PROSECUTION				41200000
PROS/MULTI-CIRCUIT CRIME				41200100
PUBLIC PROTECTION				12
LEGAL REPRESENTATION				1203.00.00.00
ANNUALIZATION OF ADMINISTERED FUNDS APPROPRIATIONS				26A0000
STATE LIFE INSURANCE ADJUSTMENT FOR FY 2010-11 - 5 MONTHS				
ANNUALIZATION				26A1920
SALARIES AND BENEFITS				010000
TOTAL APPRO.....		2,719-		
AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009				40S0000
INCREASE AUTHORITY FOR THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009				40S0300
SPECIAL CATEGORIES				100000
STATE OPERATIONS-ARRA 2009				109910
FEDERAL GRANTS TRUST FUND -FEDERL		1,500	1,500	2261 3
SALARIES/BENEFIT-ARRA 2009				109995
FEDERAL GRANTS TRUST FUND -FEDERL		39,973	39,973	2261 3
TOTAL: INCREASE AUTHORITY FOR THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009				40S0300
TOTAL ISSUE.....		41,473	41,473	

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
POS	AMOUNT	POS	AMOUNT	POS
				AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: STATEWIDE PROSECUTION				41200000
PROS/MULTI-CIRCUIT CRIME				41200100
PUBLIC PROTECTION				12
LEGAL REPRESENTATION				1203.00.00.00
LEGAL AFFAIRS				4000000
RESTORATION OF GENERAL REVENUE FUND				
SHIFTS FROM NONRECURRING TRUST				
FUNDS				4009030
SALARIES AND BENEFITS				010000
GENERAL REVENUE FUND	-STATE	438,752		1000 1

AGENCY ISSUE NARRATIVE:

2011-2012 BUDGET YEAR NARRATIVE:
 Request

IT COMPONENT? NO

The Department of Legal Affairs/Office of Attorney General requests \$4,109,071 in General Revenue to replace the non-recurring "Transfer Funding to Trust Funds from General Revenue" fund shift appropriated by the legislature for Fiscal Year 2008-09, 2009-10 and in Fiscal Year 2010-11 and the use of non-recurring General Revenue to fund recurring positions..

This fund shift comprises almost thirteen percent (13%) of the recurring General Revenue in the OAG operating budget. The legislature provided for a non-recurring transfer of \$3,000,000 to the Operating Trust fund and provided \$1,109,071 in non-recurring General Revenue. The current year fund shift is the third year of shifting the funding of positions in the Department of Legal Affairs to non-recurring funds. The approach used by the legislature and OAG for the fund shift of these positions was to utilize cash derived from judgments brought in proceedings related to state or federal antitrust law or the Florida RICO Act and held in the account pending a final court decision or final distribution order. The monies recovered on behalf of consumers go to consumers or for their benefit. Monies recovered on behalf of local public entities go back to them. Monies recovered on behalf of state agencies must be deposited in the General Revenue Fund. There is no longer settlement cash available to continue this fund shift.

This issue requests the replacement of the trust funds appropriated in the following Budget Entities:

- \$380,696 in Civil Enforcement Budget Entity to the Operating Trust Fund
- \$87,281 in Constitutional Legal Services Budget Entity to the Operating Trust Fund
- \$2,737,402 in the Criminal / Civil Litigation Defense Budget Entity to the Operating Trust Fund
- \$438,752 in the Statewide Prosecution / Multi-Circuit Crime Budget Entity to the Operating Trust Fund, and
- \$464,940 in the Executive Direction and Support Services Budget Entity to the Operating Trust Fund

These fund shifts have resulted in temporarily transferring thirty eight attorneys and twenty five support positions from General Revenue to the non-recurring moneys from these trust funds. The majority of the positions are in the Criminal Division. The Criminal Division is responsible for representing the State in all criminal appeals, as well as in post-conviction litigation at both the trial and appellate levels before state and federal courts.

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
	POS	AMOUNT	POS	AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: STATEWIDE PROSECUTION				41200000
PROS/MULTI-CIRCUIT CRIME				41200100
PUBLIC PROTECTION				12
LEGAL REPRESENTATION				1203.00.00.00
LEGAL AFFAIRS				4000000
RESTORATION OF GENERAL REVENUE FUND				
SHIFTS FROM NONRECURRING TRUST				
FUNDS				4009030

Impact of Not Funding In Criminal Division

The majority of the General Revenue in the OAG funds the Criminal Division which consists of Criminal Appeals and Capital Appeals. In order to meet the reduction requirement the OAG calculates that the Criminal Division will have to be reduced by approximately 28 positions. This will add to the 31 positions already vacant due to reductions in funding and the seventeen (17) employees cut from the division over the last three years.

The Florida's Attorney General's Criminal and Capital Appellate Division, is the State's appellate prosecutor assigned to defend the judgments and sentences imposed by the trial court, in the state courts of appeal and federal habeas courts. Every appeal, from any of the 20 judicial circuits, filed by a criminal defendant challenging his conviction or length of sentence, is processed through this division, specifically each case is docketed, assigned a case number and assigned and prosecuted by attorneys specializing in this appellate discipline. The Criminal and Capital Appellate Division litigates against the statewide appellate public defenders, the three Capital Collateral Regional Counsels, assigned conflict counsels in every judicial circuit, federal public defenders from the three federal districts and all private attorneys hired to do criminal appellate defense work and, of course, pro se litigants.

The budgetary cuts and additional deletions in the attorney ranks has reduced the number of attorneys working on approximately 29,522 opened and current criminal cases and, 911 opened and active capital cases--in 2009-2010 fiscal year, from 6 bureau chiefs, 110 criminal attorneys and 16 capital attorneys in 2007 to 6 bureau chiefs, 88 criminal attorneys and 13.5 capital attorneys, in 2010, respectively. The Division has 31 vacancies, which are unfunded, a majority of which are attorney positions.

The OAG criminal division has faced pressures from the state and federal courts to speed up the handling of backlogged cases. Calls for handling cases more expeditiously, has been impossible --due to the sheer number of cases per attorney caseloads. Moreover, this division has not benefitted from the "lesser reductions in funding" legislatively mandated for the State judiciary, because the criminal appeals division is a part of the Executive Branch not the Judiciary. And, there are no provisions which would allow the OAG criminal appellate division to retrieve attorney fees for litigation in state or federal court when prevailing in extraordinary state litigation or federal habeas litigation and ensuing appeals there from in the federal appellate courts. Without adequate funding from any quarter, and faced with continuing budget shortfalls from general revenue dollars, it would not appear likely that reduced backlogs of cases and shorter litigation time will occur without an infusion of necessary general revenue dollars with which to fill current-existing vacancies.

In 2009-2010, the average caseloads for currently remaining/filled FTEs are:

Criminal (88 Atty.)	Capital (13.5 Atty.)
Caseloads per atty.	Caseloads per atty.

2009-2010	330	70
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	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
POS	AMOUNT	POS	AMOUNT	POS
				AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: STATEWIDE PROSECUTION				41200000
PROS/MULTI-CIRCUIT CRIME				41200100
PUBLIC PROTECTION				12
LEGAL REPRESENTATION				1203.00.00.00
LEGAL AFFAIRS				4000000
RESTORATION OF GENERAL REVENUE FUND				
SHIFTS FROM NONRECURRING TRUST				
FUNDS				4009030

The depletion of the criminal appellate attorney ranks in this office has resulted in further delays in the processing of appellate cases, has strained the ability of the state to address complex legal issues, and brings into question whether appellate review is meaningful. The excessive case loads have challenged even the most seasoned appellate attorneys' abilities to competently process caseloads, thus placing unimaginable pressures on this office's ability to retain criminal appellate attorneys and their expertise, as well as meet the demands of the criminal justice system.

Impact of Not Funding In Civil Enforcement

The General Revenue in the Civil Enforcement Budget Entity is primarily used to match federal funds 25% to 75% for the Medicaid Fraud Control Unit. General Revenue is also used to fund the Cyber Crime unit. The Medicaid Fraud Control Unit provides enough General Revenue to the State to more than pay for the cost of the unit. However, as the General Revenue in the unit was included in the fund shift, OAG must make cuts in the unit to meet cuts to Civil Enforcement. If the \$380,696 in General Revenue for these positions is eliminated the actual cut could require up to 21 positions and a reduction of additional Federal funds. This reduction would further jeopardize the over \$10 million the unit has provided to General Revenue over the last fiscal year.

The Medicaid Fraud Control Unit (MFCU) investigates the business practices of doctors, dentists, clinics, and other health care providers who bill for services never performed or who charge more than authorized for services rendered. The unit also investigates the abuse, neglect, and exploitation of residents of long-term care facilities who are elderly, ill, and/or mentally or physically disabled.

Health care fraud is an immense societal problem, both nationally and within Florida's \$16 billion-a-year Medicaid program. The MFCU is responsible for policing the Medicaid Program, as well as investigating allegations of corruption and fraud in the program's management.

The MFCU is also responsible for investigating the physical abuse, neglect, and financial exploitation of patients residing in long-term care facilities such as nursing homes, facilities for the mentally and physically disabled and assisted care living facilities. The quality of care being provided to Florida's ill, elderly, and disabled citizens is an issue of great concern and a priority within the MFCU.

The MFCU provides a Patient Abuse, Neglect and Exploitation (PANE) Project consisting of a collaborative effort among several agencies to address the abuse and exploitation of patients in long term care facilities and results have been very positive. The MFCU also continued its leadership role in a multi-state/federal investigation into pharmaceutical pricing. This investigation, which began in Florida, revealed that several generic drug manufacturers have been artificially inflating the prices of their drugs which are reported to the government in a scheme that has cost Medicare and Medicaid hundreds of millions of dollars. This ongoing investigation has already resulted in multi-million dollar

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
POS	AMOUNT	POS	AMOUNT	POS
				AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: STATEWIDE PROSECUTION				41200000
PROS/MULTI-CIRCUIT CRIME				41200100
PUBLIC PROTECTION				12
LEGAL REPRESENTATION				1203.00.00.00
LEGAL AFFAIRS				4000000
RESTORATION OF GENERAL REVENUE FUND				
SHIFTS FROM NONRECURRING TRUST				
FUNDS				4009030

settlements with several major drug companies and ongoing litigation involving other pharmaceutical manufacturers should result in additional recoveries.

Impact of Not Funding In Constitutional Legal Services Budget Entity

The General Revenue in the Constitutional Legal Services Budget Entity is primarily used for the Solicitor General. The Solicitor General's office is currently holding three positions vacant to meet the reductions already made in the OAG and this would mean an additional position would be impacted.

The primary responsibility of the Office of the Solicitor General (OSG) is to represent the State of Florida in significant litigation affecting the powers, duties, and responsibilities of all branches of state government and serve as the primary civil appellate attorney for the State. The OSG defends constitutional challenges to laws passed by the Legislature and represents the State in cases of constitutional importance before the United States Supreme Court and the Florida Supreme Court, oversees complex civil litigation cases of statewide impact, prepares amicus briefs in support of State policy goals in state and federal appellate court cases, advises the Attorney General on legal and policy issues affecting the State and advises other divisions within the OAG who are litigating on behalf of state agencies.

The vital role of defending the constitutionality of Florida statutes and handling complex litigation with statewide impact would be severely jeopardized with the reduction from the Office of Solicitor General.

Impact of Not Funding In Executive Direction and Support Services Budget Entity

The General Revenue in the Executive Direction and Support Services Budget Entity Provides funding for the Opinions, Cabinet Affairs, and Executive staff positions. The executive staff is already down by nine critical positions and cannot take the additional reduction of eight positions and still allow the Attorney General to meet his core duties.

The Attorney General is required to provide official written opinions to state and local officials, boards, agencies, and their attorneys in response to questions regarding their official duties. In addition, the Attorney General is authorized provide legal advice to the state attorneys and to Florida's representatives in Congress. The Attorney General's opinion process provides a direct means for inexpensive dispute resolution. The strategic objective is to resolve requests for opinions in a timely manner.

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
	POS	AMOUNT	POS	AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: STATEWIDE PROSECUTION				41200000
PROS/MULTI-CIRCUIT CRIME				41200100
PUBLIC PROTECTION				12
LEGAL REPRESENTATION				1203.00.00.00
LEGAL AFFAIRS				4000000
RESTORATION OF GENERAL REVENUE FUND				
SHIFTS FROM NONRECURRING TRUST				
FUNDS				4009030

A reduction in Opinions staff would decrease productivity and cause governmental entities to incur substantial legal fees from litigation. In addition, misinterpretation or varying interpretations of statutes could result in violations of statutes including, but not limited to, Sunshine and/or public records law. A centralized legal resource for Department of Legal Affairs and other governmental entities could be lost.

In addition to his duties as the state's chief legal officer, the Attorney General serves as a member of the Florida Cabinet. He is also regularly called upon by the Florida Legislature to discuss and provide advice on relevant issues and pending legislation. The Cabinet Affairs staff advises the Attorney General on all matters pertaining to his constitutional and statutory role as a member of the Florida Cabinet. The Governor and Cabinet, as a collegial body, sit as the head of the following: State Board of Executive Clemency; Division of Bond Finance; Department of Veterans' Affairs; Department of Highway Safety & Motor Vehicles; Department of Law Enforcement; Department of Revenue; Administration Commission; Florida Land & Water Adjudicatory Commission; Electrical Power Plant & Transmission Line Siting Board; Board of Trustees of the Internal Improvement Fund; and Financial Services Commission. The Governor, Attorney General and Chief Financial Officer sit as the head of the State Board of Administration. The Cabinet Affairs staff regularly meets with interested parties and private citizens and responds to inquiries from the public relating to factual, policy, and legal issues related to the areas of jurisdiction of the Governor and Cabinet.

Cabinet Affairs is staffed with the minimal number of personnel necessary to carry out its duties and responsibilities to the public and the Attorney General. Any reductions would significantly hamper the Attorney General's ability to carry out his constitutional duty as a member of the Florida Cabinet.

Impact of Not Funding In Office of Statewide Prosecution

The fund shift in the Office of Statewide prosecution shifted nine positions from this office and failure to restore these funds would eliminate five positions and severely reduce the effectiveness of the office in fighting multi-circuit crimes. The unit currently has nine vacant positions, at least eight of which must remain vacant the entire fiscal year in order to meet our previous cuts. The Southwest Bureau is staffed with only one prosecutor who is responsible for covering Southwest Florida. These current staffing levels do not allow us to meet our constitutional mission in those geographic areas.

The Office of Statewide Prosecution is focusing on two main priorities: gang violence and fraud. In the last three years we have made tremendous progress in both areas but there remains work to be done.

While violent crime is down in our key impact areas, it is still a threatening problem in parts of our state. Our success has been measured by the neighborhoods we have changed through arrests and successful prosecution and also through the awards earned by our investigative partners gang units of the year for the last two years for OSP cases.

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
POS	AMOUNT	POS	AMOUNT	POS
				AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: FL ELECTIONS COMM				41300000
CAMPAIGN FIN/ELECTN FRAUD				41300100
GOV OPERATIONS/SUPPORT				16
EXEC LEADERSHIP/SUPPRT SVC				1602.00.00.00
ESTIMATED EXPENDITURES				1000000
ESTIMATED EXPENDITURES - OPERATIONS				1001000
SALARY RATE				000000
SALARY RATE.....	702,039			
=====				
SALARIES AND BENEFITS				010000
ELECTIONS COMMISSION TF -STATE	14.00	957,009		2511 1
=====				
OTHER PERSONAL SERVICES				030000
ELECTIONS COMMISSION TF -STATE	76,354			2511 1
=====				
EXPENSES				040000
ELECTIONS COMMISSION TF -STATE	232,821			2511 1
=====				
OPERATING CAPITAL OUTLAY				060000
ELECTIONS COMMISSION TF -STATE	10,000			2511 1
=====				
SPECIAL CATEGORIES				100000
TRANS TO DIV ADM HEARINGS				100565
ELECTIONS COMMISSION TF -STATE	85,063			2511 1
=====				
CONTRACTED SERVICES				100777
ELECTIONS COMMISSION TF -STATE	13,348			2511 1
=====				
RISK MANAGEMENT INSURANCE				103241
ELECTIONS COMMISSION TF -STATE	6,764			2511 1
=====				

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
	POS	AMOUNT	POS	AMOUNT
				AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: FL ELECTIONS COMM				41300000
CAMPAIGN FIN/ELECTN FRAUD				41300100
GOV OPERATIONS/SUPPORT				16
EXEC LEADERSHIP/SUPPRT SVC				1602.00.00.00
ESTIMATED EXPENDITURES				1000000
ESTIMATED EXPENDITURES - OPERATIONS				1001000
SPECIAL CATEGORIES				100000
TR/DMS/HR SVCS/STW CONTRCT				107040
ELECTIONS COMMISSION TF -STATE		6,349		2511 1
TOTAL: ESTIMATED EXPENDITURES - OPERATIONS				1001000
TOTAL POSITIONS.....	14.00			
TOTAL ISSUE.....	1,387,708			
TOTAL SALARY RATE.....	702,039			
CASUALTY INSURANCE PREMIUM				1001090
ADJUSTMENT				100000
SPECIAL CATEGORIES				103241
RISK MANAGEMENT INSURANCE				
ELECTIONS COMMISSION TF -STATE		2,103		2511 1
FLORIDA RETIREMENT SYSTEM				1001220
CONTRIBUTION ADJUSTMENT FOR				010000
FY 2010-11 - EFFECTIVE 7/1/2010				
SALARIES AND BENEFITS				
ELECTIONS COMMISSION TF -STATE		7,123		2511 1
ADJUSTMENT TO STATE HEALTH				1001810
INSURANCE PREMIUM CONTRIBUTION FOR				010000
FY 2010-11 - EFFECTIVE 12/1/2010				
SALARIES AND BENEFITS				
ELECTIONS COMMISSION TF -STATE		4,875		2511 1

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
POS	AMOUNT	POS	AMOUNT	POS
				AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: FL ELECTIONS COMM				41300000
CAMPAIGN FIN/ELECTN FRAUD				41300100
GOV OPERATIONS/SUPPORT				16
EXEC LEADERSHIP/SUPPRT SVC				1602.00.00.00
ESTIMATED EXPENDITURES				1000000
ELIMINATION OF AGENCY PAYALL				
STATUS - EFFECTIVE 7/1/2010				1001820
SALARIES AND BENEFITS				010000
ELECTIONS COMMISSION TF -STATE	1,253-			2511 1
ADJUSTMENT TO STATE LIFE INSURANCE				
CONTRIBUTION RATE FOR FY 2010-11 -				
EFFECTIVE 12/1/2010				1001920
SALARIES AND BENEFITS				010000
ELECTIONS COMMISSION TF -STATE	706-			2511 1
SUNCOM SERVICES RATE REDUCTION				1005600
EXPENSES				040000
ELECTIONS COMMISSION TF -STATE	252-			2511 1
ANNUALIZATION OF ADMINISTERED				
FUNDS APPROPRIATIONS				26A0000
STATE HEALTH INSURANCE ADJUSTMENT				
FOR FY 2010-11 - 5 MONTHS				
ANNUALIZATION				26A1810
SALARIES AND BENEFITS				010000
ELECTIONS COMMISSION TF -STATE	3,482			2511 1
STATE LIFE INSURANCE ADJUSTMENT				
FOR FY 2010-11 - 5 MONTHS				
ANNUALIZATION				26A1920
SALARIES AND BENEFITS				010000
ELECTIONS COMMISSION TF -STATE	504-			2511 1

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
POS	AMOUNT	POS	AMOUNT	POS
				AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: FL ELECTIONS COMM				41300000
CAMPAIGN FIN/ELECTN FRAUD				41300100
GOV OPERATIONS/SUPPORT				16
EXEC LEADERSHIP/SUPPRT SVC				1602.00.00.00
LEGAL AFFAIRS				4000000
ELECTIONS COMMISSION SALARY				
INCREASES				4002A00
SALARY RATE				000000
SALARY RATE.....	66,991			
=====				
SALARIES AND BENEFITS				010000
ELECTIONS COMMISSION TF -STATE	66,991			2511 1
=====				
TOTAL: ELECTIONS COMMISSION SALARY				4002A00
INCREASES				
TOTAL ISSUE.....	66,991			
TOTAL SALARY RATE.....	66,991			
=====				

AGENCY ISSUE NARRATIVE:

2011-2012 BUDGET YEAR NARRATIVE: IT COMPONENT? NO

In accordance with FL 106.24(1)(a) the Department of Legal Affairs submits the following on behalf of the FEC.

The quality and experience of the investigative and legal staff is critical to the mission of the Florida Elections Commission (FEC) to ensure fair elections in this state. Therefore, the Commission is requesting an additional \$66,991 in salary & benefits funds to prevent staff turnover and reward superior service of long term employees who have obtained an expertise in election law. Half of the FEC employees have not received any salary increase in three or more years.

Additionally, a salary comparison between the FEC and the Florida Commission on Ethics shows large discrepancies. The Commission on Ethics was chosen for the comparison because it has similar organizational structure, procedures, and responsibilities as the FEC. Although the Commission on Ethics oversees different areas of law, both commissions receive complaints from the public, conduct investigations, determine probable cause, and adjudicate violations. The investigators for both commissions are responsible for investigating and writing narrative investigative reports. Attorneys for both commissions work closely with the staff to investigate complaints. Similar to the chief prosecuting attorney for the Commission on Ethics, FEC attorneys make staff recommendations; litigate cases before the Division of Administrative Hearings (DOAH); present cases to the Commission; negotiate consent orders; and handle appeals. Yet, the average annual salary of an investigator for the Commission on Ethics is 32% more than an investigator at the FEC, and attorneys for the Commission on Ethics earn an average of 18% more a year than attorneys for the FEC.

Compensation of FEC employees would be commensurate with performance evaluations, and employee experience and tenure.

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
POS	AMOUNT	POS	AMOUNT	POS
				AMOUNT
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: FL ELECTIONS COMM				41300000
CAMPAIGN FIN/ELECTN FRAUD				41300100
GOV OPERATIONS/SUPPORT				16
EXEC LEADERSHIP/SUPPRT SVC				1602.00.00.00
LEGAL AFFAIRS				4000000
ELECTIONS COMMISSION SALARY INCREASES				4002A00

POSITION DETAIL OF SALARIES AND BENEFITS:

	FTE	BASE RATE	ADDITIVES	BENEFITS	SUBTOTAL	LAPSE %	LAPSED SALARIES AND BENEFITS
A03 - AGY REQUEST FY 2011-12							
CHANGES TO CURRENTLY AUTHORIZED POSITIONS							
RA00 RATE AND SALARY ADJ - NO FTE/BENEFITS							
N0002 001	0.00	66,991			66,991	0.00	66,991
TOTALS FOR ISSUE BY FUND							
2511 ELECTIONS COMMISSION TF							66,991
	0.00	66,991			66,991		66,991

TRANSFER GENERAL REVENUE TO THE ELECTIONS COMMISSION TO SUPPLEMENT PROJECTED TRUST FUND DEFICIT							4002100
SPECIAL CATEGORIES							100000
TR/ELECTION COMMISSION TF							104137
GENERAL REVENUE FUND -STATE	1,200,000	1,200,000					1000 1

AGENCY ISSUE NARRATIVE:

2011-2012 BUDGET YEAR NARRATIVE:

IT COMPONENT? NO

In accordance with FL 106.24(1)(a) the Department of Legal Affairs submits the following on behalf of the FEC.

The mission of the Florida Elections Commission is to ensure fair elections. The FEC's regulatory work strengthens the integrity of and public confidence in the electoral process. To continue this important work, the FEC will need an infusion of money from general revenue into the Elections Commission Trust Fund because this trust fund will run a deficit during the 2011/12 fiscal year. It is projected that the trust fund will not have sufficient funds to cover

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
	POS	AMOUNT	POS	AMOUNT
				AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: FL ELECTIONS COMM				41300000
CAMPAIGN FIN/ELECTN FRAUD				41300100
GOV OPERATIONS/SUPPORT				16
EXEC LEADERSHIP/SUPPRT SVC				1602.00.00.00
LEGAL AFFAIRS				4000000
TRANSFER GENERAL REVENUE TO THE				
ELECTIONS COMMISSION TO SUPPLEMENT				
PROJECTED TRUST FUND DEFICIT				4002100

agency operating expenses for the 2011/12 fiscal year, essentially "closing the doors" to any meaningful campaign regulation in the state.

The revenue streams for the Elections Commission Trust Fund come from a: (1) 1% election assessment for all candidates [ss. 99.092(1) and 99.093(1) F.S.], (2) 3% filing fee from circuit judge candidates [s. 105.031(3), F.S.], and (3) 3% filing fee from county judge or school board candidates [s. 105.031(3), F.S.]. Revenue projections by Commission staff for budget year 2010/11 indicate a reduction in the amount of revenue normally received through election year assessments, the Commission's primary revenue source. The 2010 election year has seen a 29% reduction in the number of circuit judge candidates qualifying for office as compared to 2006, the last election year for state-wide offices. This has affected current revenues and contributes to the larger trend of future revenue shortfalls that will begin in fiscal year 2011/12.

On July 1, 2004, pursuant to Section 106.07(8)(a), F.S., the Florida Elections Commission's trust fund stopped receiving revenues related to automatic fines. This has contributed to our revenue shortfalls. Since that date, \$571,535 in automatic fine revenues have been deposited in the state's general revenue rather than in the Elections Commission Trust Fund.

Attached is a table that details the Commission's revenue and budget history from fiscal year 2007/08 to the present. The table also projects the Commission's revenues and carry forward for fiscal years 2010/11 through 2012/13 based on the continuation of our fiscal year 2011/12 budget request. As a result of additional budget needs and revenue shortfalls, the Elections Commission Trust Fund revenues will fall short of the amount needed to fund the Commission and its staff. Therefore, the Commission will require general revenue of \$1,200,000 to supplement the trust fund in order to meet its requested budget and continue its work to ensure fair elections and meaningful campaign regulation.

In the past, the Commission required general revenue money to supplement the trust fund and cover agency operating expenses. In fiscal year 1999/00, the Commission asked for a cash infusion and received \$350,000 in general revenue funds.

FLORIDA ELECTIONS COMMISSION
 Trust Fund Projections -- Completed September 2010

	2007/08 FY	2008/09 FY	2009/10 FY	2010/11 FY	2011/12 FY	2012/13
FY				Projected	Projected	
Balance Carryover	\$ 1,785,683	\$ 1,534,905	\$ 980,437	\$ 826,443	\$ 155,875	\$571,981

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
POS	AMOUNT	POS	AMOUNT	POS
				AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: FL ELECTIONS COMM				41300000
CAMPAIGN FIN/ELECTN FRAUD				41300100
GOV OPERATIONS/SUPPORT				16
EXEC LEADERSHIP/SUPPRT SVC				1602.00.00.00
LEGAL AFFAIRS				4000000
TRANSFER GENERAL REVENUE TO THE				
ELECTIONS COMMISSION TO SUPPLEMENT				
PROJECTED TRUST FUND DEFICIT				4002100

Actual Revenue	\$ 1,046,735	\$ 762,281	\$ 1,040,223		
Actual Expenses	\$ 1,297,513	\$ 1,316,749	\$ 1,194,217		
Revenue Projection*				\$ 717,140	\$ 687,103 \$747,759

Budget**				\$ 1,387,708	\$ 1,470,997 \$ 1,470,997
Trust Fund Cash	\$ 1,534,905	\$ 980,437	\$ 826,443	\$ 155,875	(Agency will (\$ 151,257)

need money (Agency may
 from General have a deficit
 Revenue to at the end of
 function during this fiscal
 this fiscal year.) year.)

General Revenue Request Needed To Cover Budget Shortfall \$ 1,200,000 ***

* Revenue projections were derived from the revenue intake of the five preceding fiscal years.
 ** Budget projection for FY 2012/13 is based on a continuation of the proposed FY 2011/12 budget.
 *** The timing of FEC revenue intake requires general revenue at the beginning for FY 2011/12 to cover our expenses for the first 11 months of FY 2011/12.

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2011-12	FY 2011-12	FY 2011-12	
POS	AMOUNT	POS	AMOUNT	POS
				AMOUNT
				CODES
LEGAL AFFAIRS/ATTY GENERAL				41000000
PGM: FL ELECTIONS COMM				41300000
CAMPAIGN FIN/ELECTN FRAUD				41300100
GOV OPERATIONS/SUPPORT				16
EXEC LEADERSHIP/SUPPRT SVC				1602.00.00.00
LEGAL AFFAIRS				4000000
ELECTIONS COMMISSION INCREASE				
CONTRACTED SERVICES				4002200
SPECIAL CATEGORIES				100000
CONTRACTED SERVICES				100777
ELECTIONS COMMISSION TF -STATE		16,300		2511 1

AGENCY ISSUE NARRATIVE:

2011-2012 BUDGET YEAR NARRATIVE:

IT COMPONENT? NO

In accordance with FL 106.24(1)(1), the Department of Legal Affairs submits the following on behalf of the FEC.

The Commission has a website that was created more than ten years ago. Modernizing our website's current design for better functionality will make it more user-friendly to the public and easier to navigate. A professional website design vendor will be engaged, and an Application Specialist will be used to update our website. It is estimated the Application Specialist will work 30 hours at the cost of \$200 per hour for a total of \$6,000 incurred by the Commission.

Effective July 1, 2008, section 106.25(5), Florida Statutes was amended, providing that individuals alleged to have committed a violation of Chapter 104 or 106 automatically receive a formal administrative hearing conducted by an administrative law judge in the Division of Administrative Hearings (DOAH) if a hearing or consent order before the Commission is not requested. This change has increased the number of FEC cases heard at DOAH. Increased contracted services expenses related to these cases, including court reporting services and expert witnesses, are expected to be incurred by the Commission. Additionally, the Commission's investigative staff has had a lot of success using investigative subpoenas to flesh out cases in the pre-probable cause stage of a case. Therefore, there is a significant need to increase the use of process servers. The Commission requests \$10,300 total for these additional contracted services expenses.

TOTAL: EXEC LEADERSHIP/SUPPRT SVC				1602.00.00.00
BY FUND TYPE				
GENERAL REVENUE FUND	1,200,000	1,200,000		1000
TRUST FUNDS	1,485,867			2000
TOTAL POSITIONS.....	14.00			
TOTAL PROG COMP.....	2,685,867	1,200,000		
TOTAL SALARY RATE.....	769,030			