

MEMORANDUM



JOINT BUDGET COMMITTEE

TO Members of the Joint Budget Committee
FROM Alfredo Kemm, JBC Staff (303-866-4549)
DATE March 18, 2024
SUBJECT JUD comeback 2 – OSPD Comebacks

The Office of State Public Defender requested comebacks for three of their request items. Staff offers the Committee one alternate recommendation for consideration and a summation of comeback options.

R1 – ATTORNEY FTE

Comeback Request: The OSPD requests \$10,794,142 General Fund and 91.4 FTE, including 50.0 FTE attorneys and 41.4 FTE support staff.

Staff comeback recommendation for Committee consideration: \$7,999,639 General Fund and 64.5 FTE for FY 2024-25; annualizing to \$10,427,663 General Fund and 91.4 FTE.

Staff recommendation summary: Staff recommendation funds the positions requested by the OSPD. However, staff recommendation includes two first-year cost savings adjustments: (1) half of the attorney positions are assumed to start in July and half are assumed to start in August; and (2) support staff positions are assumed to start in January 2025 (six-month funding average). The budget build table is placed at the end of this memo.

The following table outlines cost comparisons for requests and recommendations.

OSPD R1 ATTORNEY FTE - DIFFERENCE ANALYSIS		
	FTE	GENERAL FUND
Original Request	128.0	\$14,688,344
FigSet Staff Recommendation	90.3	11,397,558
difference	37.7	3,290,786
Comeback Request	91.4	10,794,142
Comeback Staff Recommendation	64.5	7,999,639
difference	26.9	2,794,503

R2 SOCIAL WORKER AND CLIENT ADVOCATES

Comeback Request: The OSPD requests \$1,791,823 General Fund and 16.7 FTE, including 11 FTE social workers, 5.0 FTE client advocates, and 1.7 FTE central support staff.

Staff recommendation remains the figure setting recommendation for 11 social worker FTE and 0.5 central support staff FTE of \$817,534 General Fund and 9.9 FTE for FY 2024-25; annualizing to \$1,127,845 General Fund and 11.5 FTE.

The following table outlines cost comparisons for requests and recommendations.

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OSPD R2 SOCIAL WORKER AND CLIENT ADVOCATES - DIFFERENCE ANALYSIS		
	FTE	GENERAL FUND
Original Request	27.6	\$2,945,761
FigSet Staff Recommendation	9.9	817,534
difference	17.7	2,128,227
Comeback Request	16.7	1,791,823
Comeback Staff Recommendation	9.9	817,534
difference	6.8	974,289

BA5 TRAINING

Comeback Request: The OSPD requests \$260,493 General Fund for training, consistent with the original budget amendment request.

Staff recommendation and Committee action for figure setting was denial of the request. Staff instead recommended the establishment of a budget policy to fund training at \$1,000 per attorney, investigator, paralegal, or social worker. The Committee tabled the staff-initiated recommendation.

R1 ATTORNEY FTE COMEBACK STAFF RECOMMENDATION BUDGET BUILD

OSPD COMEBACK R1 ATTORNEY FTE REQUEST AND RECOMMENDATION						
	FY 2024-25 REQUEST		FY 2024-25 RECOMMENDATION		FY 2025-26 REC. ANNUALIZATION	
	FTE	Cost	FTE	Cost	FTE	Cost
Personal Services						
Attorney I	50.0		43.8	\$4,173,480	50.0	\$4,912,782
Investigator I	16.7		8.3	639,643	16.7	1,343,251
Paralegal I	8.3		4.2	267,055	8.3	560,816
Administrative Assistant I	12.5		6.3	305,083	12.5	640,674
State Office Support Staff	3.9		2.0	198,350	3.9	416,535
POTS				1,289,023		1,823,873
Operating Expense				61,228		86,830
Capital Outlay				609,638		0
Leased Space				425,370		603,240
Automation Plan				21,269		30,162
Attorney Registration				9,500		9,500
Subtotal	91.4	\$10,794,142	64.5	\$7,999,639	91.4	\$10,427,663
FY 2024-25 OSPD R1 line item adjustments						
Personal Services			64.5	\$5,583,612		
HLD				765,344		
STD				7,411		
AED/SAED				494,037		
PFMLI				22,232		
Operating Expenses				61,228		
Capital Outlay				609,638		
Leased Space				425,370		
Automation Plan				21,269		
Attorney Registration				9,500		
Subtotal - OSPD R1			64.5	\$7,999,639		

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OSPD COMEBACK R1 ATTORNEY FTE REQUEST AND RECOMMENDATION						
	FY 2024-25 REQUEST		FY 2024-25 RECOMMENDATION		FY 2025-26 REC. ANNUALIZATION	
	FTE	Cost	FTE	Cost	FTE	Cost
FY 2025-26 OSPD R1 line item annualization adjustments						
Personal Services					91.4	\$7,874,059
Operating Expenses						86,830
Capital Outlay						0
Leased Space						603,240
Automation Plan						30,162
Attorney Registration						9,500
POTS included in Statewide Comp						1,823,873
Subtotal - OSPD R1					91.4	\$10,427,663