

**Agency Activity Inventory**  
**by Agency**  
**Appropriation Period: FY 2009-10**

**Agency:** E23 - Commission on Indigent Defense

**Functional Group:** Law Enforcement &  
Criminal Justice

**156 Direct Appeals**

This function provides representation on appeal of criminal conviction with review of legal procedure and judicial errors at trial. Section 17-4-70

**Statewide Result Area:** Strengthen central state government and other governmental services

**Strategy:** Provide effective and efficient Other Governmental Services which are required by law and/or pertinent to the lives of citizens.

**FY 2009-10**

Total	General Funds	Federal Funds	Non-Recurring Provisos	Part III (ARRA Funds)	Other Funds	FTEs
\$414,394	\$313,094	\$0	\$0	\$0	\$101,300	9.00

**Other Fund - Subfund No. & Title:**

3035-Operating Revenue from Proviso 90.2 & 90.3

**Budgetary Program No.:** I. II.

**Expected Results:**

Timely and effective submission of cases for review by the South Carolina Supreme Court and Court of Appeals.

**Outcome Measures:**

To deliver effective representation of its clients at a cost that is both reasonable and acceptable to the citizens of South Carolina.

**Agency:** E23 - Commission on Indigent Defense

**Functional Group:** Law Enforcement &  
Criminal Justice

**157 Post Conviction Relief Appeals**

This function provides representation on Post Conviction appeal with review of effectiveness of defense counsel. Section 17-4-70

**Statewide Result Area:** Strengthen central state government and other governmental services

**Strategy:** Provide effective and efficient Other Governmental Services which are required by law and/or pertinent to the lives of citizens.

**FY 2009-10**

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\$414,394	\$313,094	\$0	\$0	\$0	\$101,300	9.00

**Other Fund - Subfund No. & Title:**

3035-Operating Revenue from Proviso 90.2 &amp; 90.3

**Budgetary Program No.:** I, II.**Expected Results:**

Timely and effective submission of cases for review by the South Carolina Supreme Court and Court of Appeals.

**Outcome Measures:**

To provide representation on Post Conviction relief cases that is reasonable and acceptable to the citizens of South Carolina.

**Agency:** E23 - Commission on Indigent Defense**Functional Group:** Law Enforcement & Criminal Justice**159 Administration**

This function provides executive leadership, policy development and review, financial services, personnel services, statistical collection and analysis, communications and other related administrative services. Section 17-3-310.

**Statewide Result Area:** Strengthen central state government and other governmental services**Strategy:** Provide effective and efficient Other Governmental Services which are required by law and/or pertinent to the lives of citizens.**FY 2009-10**

Total	General Funds	Federal Funds	Non-Recurring Provisos	Part III (ARRA Funds)	Other Funds	FTEs
\$2,182,200	\$432,200	\$0	\$0	\$0	\$1,750,000	5.00

**Other Fund - Subfund No. & Title:**

4313- Court Fees and Fines

**Budgetary Program No.:** I, II.**Expected Results:**

Administration seeks to provide the timely payment of vouchers and dissemination of accurate accounting and statistical information. Administration is responsible for constantly seeking ways to improve the indigent defense system; providing excellent, cost-effective representation and to provide timely and effective processing of financial and personnel transactions in a stable work environment allowing uninterrupted agency activity.

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**Outcome Measures:**

To support the administration of justice, thereby improving the safety of people and property and to provide needed services to indigent persons involved in court procedures by providing speedy reimbursement for services provided

**Agency:** E23 - Commission on Indigent Defense

**Functional Group:** Law Enforcement &  
Criminal Justice

**160 Legal Aid Funding**

This is a pass-through fund to the SC Centers for Equal Justice pursuant to Section 14-1-204. Funds provide free legal services in civil matters involving issues such as housing and consumer fraud.

**Statewide Result Area:** Strengthen central state government and other governmental services

**Strategy:** Provide effective and efficient Other Governmental Services which are required by law and/or pertinent to the lives of citizens.

**FY 2009-10**

Total	General Funds	Federal Funds	Non-Recurring Provisos	Part III (ARRA Funds)	Other Funds	FTEs
\$1,700,000	\$0	\$0	\$0	\$0	\$1,700,000	0.25

**Other Fund - Subfund No. & Title:**

4313-Legal Aid Fund

**Budgetary Program No.:** I., Special Items

**Expected Results:**

Disbursement of allocated funds

**Outcome Measures:**

Pursuant to Section 14-1-204, distribution of funding to grantees of Legal Services Corporation to provide legal services to underprivileged citizens in civil matters such as consumer fraud and housing issues

**Agency:** E23 - Commission on Indigent Defense

**Functional Group:** Law Enforcement &  
Criminal Justice

**161 Death Penalty Fund**

Funds used to reimburse attorneys appointed by the court to represent indigent persons prosecuted for capital offenses. Funds

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are disbursed pursuant to Section 16-3-26.

**Statewide Result Area:** Strengthen central state government and other governmental services

**Strategy:** Provide effective and efficient Other Governmental Services which are required by law and/or pertinent to the lives of citizens.

**FY 2009-10**

Total	General Funds	Federal Funds	Non-Recurring Provisos	Part III (ARRA Funds)	Other Funds	FTEs
\$2,500,000	\$0	\$0	\$0	\$0	\$2,500,000	1.00

**Other Fund - Subfund No. & Title:**

4313-Death Penalty Fund

**Budgetary Program No.:** I.

**Expected Results:**

Representation of indigent persons in a manner which protects their rights and complies with the US Constitution and with the Laws of SC governing capital cases.

**Outcome Measures:**

Provide payment for representation and expenses in capital trials. Provide payment for court reporters transcripts for Appellate Defense

**Agency:** E23 - Commission on Indigent Defense

**Functional Group:** Law Enforcement & Criminal Justice

**162 Conflict Fund**

Funds used to reimburse court appointed attorneys for legal services rendered in criminal cases. Attorneys are appointed pursuant to Court Rule 608 when the Public Defender's office has a conflict such as representing a co-defendant. Code Section 17-3-50

**Statewide Result Area:** Strengthen central state government and other governmental services

**Strategy:** Provide effective and efficient Other Governmental Services which are required by law and/or pertinent to the lives of citizens.

**FY 2009-10**

Total	General Funds	Federal Funds	Non-Recurring Provisos	Part III (ARRA Funds)	Other Funds	FTEs
\$2,500,000	\$0	\$0	\$0	\$0	\$2,500,000	2.00

**Other Fund - Subfund No. & Title:**

4313-Conflict Fund

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**Budgetary Program No.:** I.

**Expected Results:**

Timely payment for services rendered and to meet the increasing demands on this fund.

**Outcome Measures:**

Provide payment for representation of indigents by court appointed counsel in non-capital criminal cases and Post Conviction Relief actions.

**Agency:** E23 - Commission on Indigent Defense

**Functional Group:** Law Enforcement &  
Criminal Justice

**163 Civil Appointment Fund**

Funds used to reimburse attorneys appointed by the court in cases involving abuse and neglect, protective placement, and termination of parental rights. Fund is also used to pay attorneys appointed as Guardians Ad Litem and in Sexually Violent Predator actions. Funds are also allocated to Guardian ad Litem's Office, Division of Childrens Services

**Statewide Result Area:** Strengthen central state government and other governmental services

**Strategy:** Provide effective and efficient Other Governmental Services which are required by law and/or pertinent to the lives of citizens.

**FY 2009-10**

Total	General Funds	Federal Funds	Non-Recurring Provisos	Part III (ARRA Funds)	Other Funds	FTEs
\$0	\$0	\$0	\$0	\$0	\$0	1.00

**Other Fund - Subfund No. & Title:**

**Budgetary Program No.:** I.

**Expected Results:**

Timely payment for services rendered and to meet the increasing demands on this fund.

**Outcome Measures:**

Provide representation of indigents by court appointed counsel in DSS actions, including Guardians ad Litem, Post Conviction Relief, Probate Court Commitments and Sexually Violent Predator cases.

Activity Not Funded

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**Agency:** E23 - Commission on Indigent Defense

**Functional Group:** Law Enforcement &  
Criminal Justice

**164 Defense of Indigents Per Capita**

Funds distributed to Public Defender Corporations on a per capita basis pursuant to Section 17-3-70.

**Statewide Result Area:** Strengthen central state government and other governmental services

**Strategy:** Provide effective and efficient Other Governmental Services which are required by law and/or pertinent to the lives of citizens.

**FY 2009-10**

Total	General Funds	Federal Funds	Non-Recurring Provisos	Part III (ARRA Funds)	Other Funds	FTEs
\$7,731,756	\$3,708,704	\$0	\$0	\$0	\$4,023,052	0.25

**Other Fund - Subfund No. & Title:**

3035 (\$750,000) and 4313 (\$3,273,052) Defense of Indigent Per Capita

**Budgetary Program No.:** I.

**Expected Results:**

Support of circuit public defender offices so that valuable and fiscally responsible legal services may continue. Offices should be staffed to handle a constantly increasing number of cases including magistrate's court cases pursuant to AL v. Shelton.

**Outcome Measures:**

Funding for operation of public defender offices statewide

Additional funding for implementation of Circuit Public Defender system.

**Agency:** E23 - Commission on Indigent Defense

**Functional Group:** Law Enforcement &  
Criminal Justice

**1660 Criminal Domestic Violence**

Funds distributed to Public Defender Corporations on a per capita basis.

**Statewide Result Area:** Strengthen central state government and other governmental services

**Strategy:** Provide effective and efficient Other Governmental Services which are required by law and/or pertinent to the lives of citizens.

**FY 2009-10**

## Agency Activity Inventory by Agency

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Total	General Funds	Federal Funds	Non-Recurring Provisos	Part III (ARRA Funds)	Other Funds	FTEs
\$840,895	\$840,895	\$0	\$0	\$0	\$0	0.25

**Other Fund - Subfund No. & Title:**

NA

**Budgetary Program No.:** I. Special Item

**Expected Results:**

Support of county public defender offices to provide adequate legal representation of indigent persons charged with Criminal Domestic Violence

**Outcome Measures:**

Funding for indigents charged with Criminal Domestic Violence.

**Agency:** E23 - Commission on Indigent Defense

**Functional Group:** Law Enforcement &  
Criminal Justice

### 1791 DUI Defense of Indigents

Funds distributed to Public Defender Corporations on a per capita basis.

**Statewide Result Area:** Strengthen central state government and other governmental services

**Strategy:** Provide effective and efficient Other Governmental Services which are required by law and/or pertinent to the lives of citizens.

**FY 2009-10**

Total	General Funds	Federal Funds	Non-Recurring Provisos	Part III (ARRA Funds)	Other Funds	FTEs
\$520,896	\$520,896	\$0	\$0	\$0	\$0	0.25

**Other Fund - Subfund No. & Title:**

NA

**Budgetary Program No.:** I. Special Item

**Expected Results:**

Support of county public defender offices to provide adequate legal representation of indigent persons charged with DUI

**Outcome Measures:**

Funding for representation of indigents charged with DUI

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by Agency  
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Agency: E23 - Commission on Indigent Defense

Functional Group: Law Enforcement &  
Criminal Justice

**1792 Death Penalty Trial Unit**

Provide specialized assistance s in capital trials where local resources are inadequate or a conflict exists.

**Statewide Result Area:** Strengthen central state government and other governmental services

**Strategy:** Provide effective and efficient Other Governmental Services which are required by law and/or pertinent to the lives of citizens.

**FY 2009-10**

Total	General Funds	Federal Funds	Non-Recurring Provisos	Part III (ARRA Funds)	Other Funds	FTEs
\$500,000	\$0	\$0	\$0	\$0	\$500,000	0.00

**Other Fund - Subfund No. & Title:**

Proviso 47.1

**Budgetary Program No.:** I.

**Expected Results:**

Deliver a cost effective method for death penalty trials resulting in fewer reversals due to defense counsel error.

**Outcome Measures:**

Provide high quality, cost effective representation in complex capital litigation

Activity Funded through allocation of funds in existing proviso

Agency: E23 - Commission on Indigent Defense

Functional Group: Law Enforcement &  
Criminal Justice

**1898 Circuit Public Defenders & Staff**

Staffing Statewide Circuit Public Defender System pursuant to 17-3-5 et. seq.

**Statewide Result Area:** Strengthen central state government and other governmental services

**Strategy:** Provide effective and efficient Other Governmental Services which are required by law and/or pertinent to the lives of citizens.

**FY 2009-10**

**Agency Activity Inventory**  
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Total	General Funds	Federal Funds	Non-Recurring Provisos	Part III (ARRA Funds)	Other Funds	FTEs
\$4,238,278	\$4,238,278	\$0	\$0	\$0	\$0	32.00

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**Other Fund - Subfund No. & Title:**

**Budgetary Program No.:** III.

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**Expected Results:**

Fully implemented statewide circuit public defender system

**Outcome Measures:**

To provide a statewide unified system for the delivery of indigent defense

**Agency:** E23 - Commission on Indigent Defense

**Functional Group:** Law Enforcement &  
Criminal Justice

**9998 4.04% Mid-Year Reduction**

4.04% Mid-Year Reduction

**Statewide Result Area:** Strengthen central state government and other governmental services

**Strategy:** FY 2009-10 4.04% Mid-Year Reduction

**FY 2009-10**

Total	General Funds	Federal Funds	Non-Recurring Provisos	Part III (ARRA Funds)	Other Funds	FTEs
(\$418,553)	(\$418,553)	\$0	\$0	\$0	\$0	0.00

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**Other Fund - Subfund No. & Title:**

NA

**Budgetary Program No.:** NA

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**Expected Results:**

NA

**Outcome Measures:**

NA

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**AGENCY TOTALS**

*Commission on Indigent Defense*

<b>TOTAL AGENCY FUNDS</b>	<b>TOTAL GENERAL FUNDS</b>	<b>TOTAL FEDERAL FUNDS</b>	<b>TOTAL OTHER FUNDS</b>
\$23,124,260	\$9,948,608	\$0	\$13,175,652
	<b>TOTAL NON-RECURRING FUNDS</b>	<b>TOTAL PART III FUNDS</b>	<b>TOTAL FTEs</b>
	\$0	\$0	60.00