

AGENCY NAME:	Indigent Defense		
AGENCY CODE:	E23	SECTION:	61



Fiscal Year 2014-15 Agency Budget Plan

FORM A – SUMMARY

RECURRING FUNDS (FORM B DECISION PACKAGES)	My agency is submitting the following recurring decision packages (Form B): <i>1701, 1710, 1713, 1716, 1719, 1722, 1725</i>	
	For FY 2014-15, my agency is (mark "X"):	
	<input checked="" type="checkbox"/>	Requesting a net increase in recurring General Fund appropriations.
	<input type="checkbox"/>	Not requesting a net increase in recurring General Fund Appropriations.

CAPITAL & NON-RECURRING FUNDS (FORM C DECISION PACKAGES)	My agency is submitting the following one-time decision packages (Form C):	
	For FY 2014-15, my agency is (mark "X"):	
	<input type="checkbox"/>	Requesting capital and/or non-recurring funds.
	<input checked="" type="checkbox"/>	Not requesting capital and/or non-recurring funds.

PROVISOS	For FY 2014-15, my agency is (mark "X"):	
	<input type="checkbox"/>	Requesting a new proviso and/or substantive changes to existing provisos.
	<input type="checkbox"/>	Only requesting technical proviso changes (such as date references).
	<input checked="" type="checkbox"/>	Not requesting any proviso changes.

Please identify your agency's preferred contacts for this year's budget process.

	<u>Name</u>	<u>Phone</u>	<u>Email</u>
PRIMARY CONTACT:	Lisa Campbell	734-1168	lcampbell@sccid.sc.gov
SECONDARY CONTACT:	Donna Bridges	734-1451	dbridges@sccid.sc.gov

I have reviewed and approved the enclosed FY 2014-15 Agency Budget Plan, which is complete and accurate to the extent of my knowledge.

AGENCY DIRECTOR (SIGN/DATE):	<i>Patton Adams</i> <i>10/3/13</i>	
AGENCY DIRECTOR (TYPE/PRINT NAME):	Patton Adams	

This form must be signed by the department head – not a delegate.

AGENCY NAME:	Indigent Defense		
AGENCY CODE:	E23	SECTION:	61

FORM B – PROGRAM REVISION REQUEST

DECISION PACKAGE	1701
-------------------------	-------------

Provide the decision package number issued by the PBF system ("Governor's Request").

TITLE	Rule 608 Appointment Fund
--------------	----------------------------------

Provide a brief, descriptive title for this request.

AMOUNT	\$1,000,000
---------------	--------------------

What is the net change in requested appropriations for FY 2014-15? This amount should correspond to the decision package's total in PBF across all funding sources.

ENABLING AUTHORITY	South Carolina Appellate Court Rule 608 and Proviso 61.4
---------------------------	--

What state or federal statutory, regulatory, and/or administrative authority established this program? Is this decision package prompted by the establishment of or a revision to that authority?

FACTORS ASSOCIATED WITH THE REQUEST	Mark "X" for all that apply:	
	<input checked="" type="checkbox"/>	Change in cost of providing current services to existing program audience.
	<input type="checkbox"/>	Non-mandated change in eligibility / enrollment for existing program.
	<input checked="" type="checkbox"/>	Change in case load / enrollment under existing program guidelines.
	<input type="checkbox"/>	Non-mandated program change in service levels or areas.
	<input type="checkbox"/>	Loss of federal or other external financial support for existing program.
<input checked="" type="checkbox"/>	Exhaustion of fund balances previously used to support program.	
<input type="checkbox"/>	Proposed establishment of a new program or initiative.	

RECIPIENTS OF FUNDS	Payment to attorneys appointed to represent indigents in state courts, including Family Courts in cases of abuse and neglect involving minor children and vulnerable adults, protective placement, probate commitment, termination of parental rights, criminal charges and other legal actions and to provide funding for Guardians ad Litem for minors and vulnerable adults in family and probate courts.
----------------------------	--

What individuals or entities would receive these funds (contractors, vendors, grantees, individual beneficiaries, etc.)? How would these funds be allocated – using an existing formula, through a competitive process, based upon predetermined eligibility criteria?

AGENCY NAME:	Indigent Defense		
AGENCY CODE:	E23	SECTION:	61

RELATED REQUEST(S)	No
---------------------------	----

Is this decision package associated with other decision packages requested by your agency or other agencies this year? Is it associated with a specific capital or non-recurring request?

MATCHING FUNDS	No
-----------------------	----

Would these funds be matched by federal, institutional, philanthropic, or other resources? If so, identify the source and amount.

FUNDING ALTERNATIVES	No other funding sources available
-----------------------------	------------------------------------

What other possible funding sources were considered? Could this request be met in whole or in part with the use of other resources, including fund balances? If so, please comment on the sustainability of such an approach.

SUMMARY	<p>The agency launched a contract program last year to control cost and provide qualified attorneys to represent indigent citizens, replacing a system that appointed an attorney regardless of experience in these types of cases. The program has been very successful and the goal to continue with implementation statewide. Adequate appropriated funding has helped to alleviate the backlog of cases and provide the means for the agency to achieve it's mission of providing representation to the indigent citizens of South Carolina.</p>
----------------	--

Provide a summary of the rationale for the decision package. Why has it been requested? How specifically would the requested funds be used?

AGENCY NAME:	Indigent Defense		
AGENCY CODE:	E23	SECTION:	61

METHOD OF CALCULATION	Request is based on cost of program for previous physical year.
------------------------------	---

How was the amount of the request calculated? What factors could cause deviations between the request and the amount that could ultimately be required in order to perform the underlying work?

FUTURE IMPACT	This program reduces the cost to the state while providing accountability and quality in the services delivered.
----------------------	--

Will the state incur any maintenance-of-effort or other obligations by adopting this decision package? What impact will there be on future capital and/or operating budgets if this request is or is not honored? Has a source of any such funds been identified and/or obtained by your agency?

PRIORITIZATION	Agency's ability to deliver services and fulfill contracts could not be met with existing funding sources.
-----------------------	--

If no or insufficient new funds are available in order to meet this need, how would the agency prefer to proceed? By using fund balances, generating new revenue, cutting other programs, or deferring action on this request in FY 2014-15?

AGENCY NAME:	Indigent Defense		
AGENCY CODE:	E23	SECTION:	61

INTENDED IMPACT	<p>The implementation of the contract appointment system has vastly improved the accountability of the service providers while lowering the cost to the state for these services.</p>
------------------------	---

What impact is this decision package intended to have on service delivery and program outcomes, and over what period of time?

PROGRAM EVALUATION	<p>Accountability and cost effectiveness are the goals of this program.</p>
---------------------------	---

How would the use of these funds be evaluated? What specific outcome or performance measures would be used to assess the effectiveness of this program?

AGENCY NAME:	Indigent Defense		
AGENCY CODE:	E23	SECTION:	61

FORM B – PROGRAM REVISION REQUEST

DECISION PACKAGE	1710
-------------------------	-------------

Provide the decision package number issued by the PBF system ("Governor's Request").

TITLE	Defense of Indigents Per Capita – Additional Public Defenders
--------------	--

Provide a brief, descriptive title for this request.

AMOUNT	\$2,500,000
---------------	--------------------

What is the net change in requested appropriations for FY 2014-15? This amount should correspond to the decision package's total in PBF across all funding sources.

ENABLING AUTHORITY	US Constitution, SC Constitution, SC Code of Laws 17-3-10, et.seq.
---------------------------	--

What state or federal statutory, regulatory, and/or administrative authority established this program? Is this decision package prompted by the establishment of or a revision to that authority?

FACTORS ASSOCIATED WITH THE REQUEST	Mark "X" for all that apply:	
	<input checked="" type="checkbox"/>	Change in cost of providing current services to existing program audience.
	<input type="checkbox"/>	Non-mandated change in eligibility / enrollment for existing program.
	<input checked="" type="checkbox"/>	Change in case load / enrollment under existing program guidelines.
	<input type="checkbox"/>	Non-mandated program change in service levels or areas.
	<input type="checkbox"/>	Loss of federal or other external financial support for existing program.
<input checked="" type="checkbox"/>	Exhaustion of fund balances previously used to support program.	
<input type="checkbox"/>	Proposed establishment of a new program or initiative.	

RECIPIENTS OF FUNDS	Through the Defense of Indigent Per Capita formula, funds would be allocated to each county.
----------------------------	--

What individuals or entities would receive these funds (contractors, vendors, grantees, individual beneficiaries, etc.)? How would these funds be allocated – using an existing formula, through a competitive process, based upon predetermined eligibility criteria?

AGENCY NAME:	Indigent Defense		
AGENCY CODE:	E23	SECTION:	61

RELATED REQUEST(S)	No
---------------------------	----

Is this decision package associated with other decision packages requested by your agency or other agencies this year? Is it associated with a specific capital or non-recurring request?

MATCHING FUNDS	No
-----------------------	----

Would these funds be matched by federal, institutional, philanthropic, or other resources? If so, identify the source and amount.

FUNDING ALTERNATIVES	No other funding alternatives are available
-----------------------------	---

What other possible funding sources were considered? Could this request be met in whole or in part with the use of other resources, including fund balances? If so, please comment on the sustainability of such an approach.

SUMMARY	<p>Funding is requested to provide for hiring of 40 additional public defenders to bring the total number of public defenders to 255, which is 85% of current prosecutor staff. This would also reduce the case load per public defender from 304 cases to 257 cases. Funds will also be used to provide for representation in magistrates court. Currently 16 counties do not have routine representation in these courts due to inadequate funding.</p>
----------------	---

Provide a summary of the rationale for the decision package. Why has it been requested? How specifically would the requested funds be used?

AGENCY NAME:	Indigent Defense		
AGENCY CODE:	E23	SECTION:	61

METHOD OF CALCULATION	<p>Request is calculated to bring the number of public defender staff to 85% of current solicitor staff. Approximately 85% of all cases in criminal courts are indigent. In some counties the percentage is much higher.</p>
------------------------------	--

How was the amount of the request calculated? What factors could cause deviations between the request and the amount that could ultimately be required in order to perform the underlying work?

FUTURE IMPACT	<p>Unlike prosecution, public defender offices are extremely dependent on state support. They receive about one-third of the amount of revenue provided to solicitor's offices. SCCID receives minimal federal funds specifically allocated for capital defense training but no funding in support of public defender operations. SCCID received no funding from sources available to prosecution such as Pre-Trial Intervention, Bond Estreatment, Expungements, Forfeitures, Bad Check Court and Drug Court. The state would not be able to meet its constitutional mandates without adequate funding for public defender operations.</p>
----------------------	---

Will the state incur any maintenance-of-effort or other obligations by adopting this decision package? What impact will there be on future capital and/or operating budgets if this request is or is not honored? Has a source of any such funds been identified and/or obtained by your agency?

PRIORITIZATION	<p>No other funding source is available</p>
-----------------------	---

If no or insufficient new funds are available in order to meet this need, how would the agency prefer to proceed? By using fund balances, generating new revenue, cutting other programs, or deferring action on this request in FY 2014-15?

AGENCY NAME:	Indigent Defense		
AGENCY CODE:	E23	SECTION:	61

INTENDED IMPACT	<p>Over the past five years increased caseloads and decreased budgets at the state and county level and additional requirements for public defenders services in magistrate, municipal and family courts has resulted in catastrophic results for the state public defender system. The system continues to suffer from an imbalance in the number of prosecutors vs. defenders, the requirement for public defenders to represent citizens in proceedings where solicitors are not required to appear (probation violations, municipal and magistrate court) has resulted in a lack of sufficient funding to provide an adequate number of public defenders to represent the citizens of this state as required by state and federal law.</p>
------------------------	---

What impact is this decision package intended to have on service delivery and program outcomes, and over what period of time?

PROGRAM EVALUATION	<p>Funding is required to sustain the public defender system to provide representation as constitutionally required.</p>
---------------------------	--

How would the use of these funds be evaluated? What specific outcome or performance measures would be used to assess the effectiveness of this program?

AGENCY NAME:	Indigent Defense		
AGENCY CODE:	E23	SECTION:	61

FORM B – PROGRAM REVISION REQUEST

DECISION PACKAGE	1713
-------------------------	-------------

Provide the decision package number issued by the PBF system ("Governor's Request").

TITLE	Criminal Domestic Violence
--------------	-----------------------------------

Provide a brief, descriptive title for this request.

AMOUNT	\$1,000,000
---------------	--------------------

What is the net change in requested appropriations for FY 2014-15? This amount should correspond to the decision package's total in PBF across all funding sources.

ENABLING AUTHORITY	US Constitution, SC Constitution, SC Code of Laws 17-3-10, et.seq.
---------------------------	--

What state or federal statutory, regulatory, and/or administrative authority established this program? Is this decision package prompted by the establishment of or a revision to that authority?

FACTORS ASSOCIATED WITH THE REQUEST	Mark "X" for all that apply:	
	<input checked="" type="checkbox"/>	Change in cost of providing current services to existing program audience.
	<input type="checkbox"/>	Non-mandated change in eligibility / enrollment for existing program.
	<input checked="" type="checkbox"/>	Change in case load / enrollment under existing program guidelines.
	<input type="checkbox"/>	Non-mandated program change in service levels or areas.
	<input type="checkbox"/>	Loss of federal or other external financial support for existing program.
<input checked="" type="checkbox"/>	Exhaustion of fund balances previously used to support program.	
<input type="checkbox"/>	Proposed establishment of a new program or initiative.	

RECIPIENTS OF FUNDS	Through the Defense of Indigent Per Capita formula, funds would be allocated to each county.
----------------------------	--

What individuals or entities would receive these funds (contractors, vendors, grantees, individual beneficiaries, etc.)? How would these funds be allocated – using an existing formula, through a competitive process, based upon predetermined eligibility criteria?

AGENCY NAME:	Indigent Defense		
AGENCY CODE:	E23	SECTION:	61

RELATED REQUEST(S)	No
---------------------------	----

Is this decision package associated with other decision packages requested by your agency or other agencies this year? Is it associated with a specific capital or non-recurring request?

MATCHING FUNDS	No
-----------------------	----

Would these funds be matched by federal, institutional, philanthropic, or other resources? If so, identify the source and amount.

FUNDING ALTERNATIVES	No other funding alternatives are available
-----------------------------	---

What other possible funding sources were considered? Could this request be met in whole or in part with the use of other resources, including fund balances? If so, please comment on the sustainability of such an approach.

SUMMARY	Funding is requested to provide legal representation to the citizens of South Carolina as required by the US Constitution, the SC Constitution.
----------------	---

Provide a summary of the rationale for the decision package. Why has it been requested? How specifically would the requested funds be used?

AGENCY NAME:	Indigent Defense		
AGENCY CODE:	E23	SECTION:	61

METHOD OF CALCULATION	Case load data and percentage of cases handled by the public defender offices throughout the state (85%).
------------------------------	---

How was the amount of the request calculated? What factors could cause deviations between the request and the amount that could ultimately be required in order to perform the underlying work?

FUTURE IMPACT	The state would not be able to meet its constitutional mandates without adequate funding for public defender operations.
----------------------	--

Will the state incur any maintenance-of-effort or other obligations by adopting this decision package? What impact will there be on future capital and/or operating budgets if this request is or is not honored? Has a source of any such funds been identified and/or obtained by your agency?

PRIORITIZATION	Current funding is insufficient to meet this requirement and no other source of funding is available.
-----------------------	---

If no or insufficient new funds are available in order to meet this need, how would the agency prefer to proceed? By using fund balances, generating new revenue, cutting other programs, or deferring action on this request in FY 2014-15?

AGENCY NAME:	Indigent Defense		
AGENCY CODE:	E23	SECTION:	61

INTENDED IMPACT	<p>Over the past five years increased caseloads and decreased budgets at the state and county level and additional requirements for public defenders services in magistrate, municipal and family courts has resulted in catastrophic results for the state public defender system. The system continues to suffer from an imbalance in the number of prosecutors vs. defenders, the requirement for public defenders to represent citizens in proceedings where solicitors are not required to appear (probation violations, municipal and magistrate court) has resulted in a lack of sufficient funding to provide an adequate number of public defenders to represent the citizens of this state as required by state and federal law.</p>
------------------------	---

What impact is this decision package intended to have on service delivery and program outcomes, and over what period of time?

PROGRAM EVALUATION	<p>Funding is required to sustain the public defender system and to provide representation as constitutionally required.</p>
---------------------------	--

How would the use of these funds be evaluated? What specific outcome or performance measures would be used to assess the effectiveness of this program?

AGENCY NAME:	Indigent Defense		
AGENCY CODE:	E23	SECTION:	61

FORM B – PROGRAM REVISION REQUEST

DECISION PACKAGE	1716
-------------------------	-------------

Provide the decision package number issued by the PBF system (“Governor’s Request”).

TITLE	DUI
--------------	------------

Provide a brief, descriptive title for this request.

AMOUNT	\$1,000,000
---------------	--------------------

What is the net change in requested appropriations for FY 2014-15? This amount should correspond to the decision package’s total in PBF across all funding sources.

ENABLING AUTHORITY	US Constitution, SC Constitution and SC Code of Laws 17-3-10, et.seq.
---------------------------	---

What state or federal statutory, regulatory, and/or administrative authority established this program? Is this decision package prompted by the establishment of or a revision to that authority?

FACTORS ASSOCIATED WITH THE REQUEST	Mark “X” for all that apply:
	<input checked="" type="checkbox"/> Change in cost of providing current services to existing program audience.
	<input type="checkbox"/> Non-mandated change in eligibility / enrollment for existing program.
	<input checked="" type="checkbox"/> Change in case load / enrollment under existing program guidelines.
	<input type="checkbox"/> Non-mandated program change in service levels or areas.
	<input type="checkbox"/> Loss of federal or other external financial support for existing program.
	<input checked="" type="checkbox"/> Exhaustion of fund balances previously used to support program.
<input type="checkbox"/> Proposed establishment of a new program or initiative.	

RECIPIENTS OF FUNDS	Through the Defense of Indigent Per Capita formula, funds would be allocated to each county.
----------------------------	--

What individuals or entities would receive these funds (contractors, vendors, grantees, individual beneficiaries, etc.)? How would these funds be allocated – using an existing formula, through a competitive process, based upon predetermined eligibility criteria?

AGENCY NAME:	Indigent Defense		
AGENCY CODE:	E23	SECTION:	61

RELATED REQUEST(S)	No
---------------------------	----

Is this decision package associated with other decision packages requested by your agency or other agencies this year? Is it associated with a specific capital or non-recurring request?

MATCHING FUNDS	No
-----------------------	----

Would these funds be matched by federal, institutional, philanthropic, or other resources? If so, identify the source and amount.

FUNDING ALTERNATIVES	No other funding alternative are available
-----------------------------	--

What other possible funding sources were considered? Could this request be met in whole or in part with the use of other resources, including fund balances? If so, please comment on the sustainability of such an approach.

SUMMARY	Funding is requested to provide legal representation to the citizens of South Carolina as required by the US Constitution, the SC Constitution.
----------------	---

Provide a summary of the rationale for the decision package. Why has it been requested? How specifically would the requested funds be used?

AGENCY NAME:	Indigent Defense		
AGENCY CODE:	E23	SECTION:	61

METHOD OF CALCULATION	Case load data and percentage of cases handled by the public defender offices throughout the state (85%)
------------------------------	--

How was the amount of the request calculated? What factors could cause deviations between the request and the amount that could ultimately be required in order to perform the underlying work?

FUTURE IMPACT	The state would not be able to meet its constitutional mandates without adequate funding for public defender operations.
----------------------	--

Will the state incur any maintenance-of-effort or other obligations by adopting this decision package? What impact will there be on future capital and/or operating budgets if this request is or is not honored? Has a source of any such funds been identified and/or obtained by your agency?

PRIORITIZATION	Current funding is insufficient to meet this requirement and no other source of funding is available.
-----------------------	---

If no or insufficient new funds are available in order to meet this need, how would the agency prefer to proceed? By using fund balances, generating new revenue, cutting other programs, or deferring action on this request in FY 2014-15?

AGENCY NAME:	Indigent Defense		
AGENCY CODE:	E23	SECTION:	61

INTENDED IMPACT	<p>Over the past five years increased caseloads and decreased budgets at the state and county level and additional requirements for public defenders services in magistrate, municipal and family courts has resulted in catastrophic results for the state public defender system. The system continues to suffer from an imbalance in the number of prosecutors vs. defenders, the requirement for public defenders to represent citizens in proceedings where solicitors are not required to appear (probation violations, municipal and magistrate court) has resulted in a lack of sufficient funding to provide an adequate number of public defenders to represent the citizens of this state as required by state and federal law.</p>
------------------------	--

What impact is this decision package intended to have on service delivery and program outcomes, and over what period of time?

PROGRAM EVALUATION	<p>Funding is required to sustain the public defender system to provide representation as constitutionally required.</p>
---------------------------	--

How would the use of these funds be evaluated? What specific outcome or performance measures would be used to assess the effectiveness of this program?

AGENCY NAME:	Indigent Defense		
AGENCY CODE:	E23	SECTION:	61

FORM B – PROGRAM REVISION REQUEST

DECISION PACKAGE	1719
-------------------------	------

Provide the decision package number issued by the PBF system ("Governor's Request").

TITLE	Defense of Indigent Per Capita – Public Defender Investigators
--------------	--

Provide a brief, descriptive title for this request.

AMOUNT	\$800,000
---------------	-----------

What is the net change in requested appropriations for FY 2014-15? This amount should correspond to the decision package's total in PBF across all funding sources.

ENABLING AUTHORITY	Us Constitution, SC Constitution, SC Code of Laws, SC Appellate Court Rules
---------------------------	---

What state or federal statutory, regulatory, and/or administrative authority established this program? Is this decision package prompted by the establishment of or a revision to that authority?

FACTORS ASSOCIATED WITH THE REQUEST	Mark "X" for all that apply:	
	<input checked="" type="checkbox"/>	Change in cost of providing current services to existing program audience.
	<input type="checkbox"/>	Non-mandated change in eligibility / enrollment for existing program.
	<input checked="" type="checkbox"/>	Change in case load / enrollment under existing program guidelines.
	<input type="checkbox"/>	Non-mandated program change in service levels or areas.
	<input type="checkbox"/>	Loss of federal or other external financial support for existing program.
	<input type="checkbox"/>	Exhaustion of fund balances previously used to support program.
<input type="checkbox"/>	Proposed establishment of a new program or initiative.	

RECIPIENTS OF FUNDS	Funds would be allocated to the Circuit Public Defender Office.
----------------------------	---

What individuals or entities would receive these funds (contractors, vendors, grantees, individual beneficiaries, etc.)? How would these funds be allocated – using an existing formula, through a competitive process, based upon predetermined eligibility criteria?

AGENCY NAME:	Indigent Defense		
AGENCY CODE:	E23	SECTION:	61

RELATED REQUEST(S)	No
---------------------------	----

Is this decision package associated with other decision packages requested by your agency or other agencies this year? Is it associated with a specific capital or non-recurring request?

MATCHING FUNDS	No
-----------------------	----

Would these funds be matched by federal, institutional, philanthropic, or other resources? If so, identify the source and amount.

FUNDING ALTERNATIVES	No other funding alternative are available
-----------------------------	--

What other possible funding sources were considered? Could this request be met in whole or in part with the use of other resources, including fund balances? If so, please comment on the sustainability of such an approach.

SUMMARY	Funding is requested to hire investigators for public defender operations throughout the state. There are presently 21.5 investigators statewide. 36 counties do not have an investigator due to inadequate funding. These services must be contracted to the private sector in most counties, resulting in higher costs and less accountability.
----------------	---

Provide a summary of the rationale for the decision package. Why has it been requested? How specifically would the requested funds be used?

AGENCY NAME:	Indigent Defense		
AGENCY CODE:	E23	SECTION:	61

METHOD OF CALCULATION	Sixteen investigators at a cost of \$50,000 each (salary and fringe)
------------------------------	--

How was the amount of the request calculated? What factors could cause deviations between the request and the amount that could ultimately be required in order to perform the underlying work?

FUTURE IMPACT	No resources are provided for public defender investigation by either the county or the state. Prosecution utilizes the services provided by SLED and local law enforcement agencies that are not available to public defenders. Public defenders would continue to hire private sector investigators, which is more costly .
----------------------	---

Will the state incur any maintenance-of-effort or other obligations by adopting this decision package? What impact will there be on future capital and/or operating budgets if this request is or is not honored? Has a source of any such funds been identified and/or obtained by your agency?

PRIORITIZATION	No other funding source is available.
-----------------------	---------------------------------------

If no or insufficient new funds are available in order to meet this need, how would the agency prefer to proceed? By using fund balances, generating new revenue, cutting other programs, or deferring action on this request in FY 2014-15?

AGENCY NAME:	Indigent Defense		
AGENCY CODE:	E23	SECTION:	61

INTENDED IMPACT	<p>Circuit Public Defenders would be able to control costs, effectiveness and accountability with investigators on staff.</p>
------------------------	---

What impact is this decision package intended to have on service delivery and program outcomes, and over what period of time?

PROGRAM EVALUATION	<p>The ability to control costs and expenses and hire qualified personnel would result in better efficiencies.</p>
---------------------------	--

How would the use of these funds be evaluated? What specific outcome or performance measures would be used to assess the effectiveness of this program?

AGENCY NAME:	Indigent Defense		
AGENCY CODE:	E23	SECTION:	61

FORM B – PROGRAM REVISION REQUEST

DECISION PACKAGE	1722
-------------------------	------

Provide the decision package number issued by the PBF system ("Governor's Request").

TITLE	Restoration of Fine and Fee Revenue
--------------	-------------------------------------

Provide a brief, descriptive title for this request.

AMOUNT	\$500,000
---------------	-----------

What is the net change in requested appropriations for FY 2014-15? This amount should correspond to the decision package's total in PBF across all funding sources.

ENABLING AUTHORITY	SC Code of Laws 14-1-204, et.seq., 17-3-45, Proviso 61.7, 61.8
---------------------------	--

What state or federal statutory, regulatory, and/or administrative authority established this program? Is this decision package prompted by the establishment of or a revision to that authority?

FACTORS ASSOCIATED WITH THE REQUEST	Mark "X" for all that apply:	
	<input type="checkbox"/>	Change in cost of providing current services to existing program audience.
	<input type="checkbox"/>	Non-mandated change in eligibility / enrollment for existing program.
	<input checked="" type="checkbox"/>	Change in case load / enrollment under existing program guidelines.
	<input type="checkbox"/>	Non-mandated program change in service levels or areas.
	<input checked="" type="checkbox"/>	Loss of federal or other external financial support for existing program.
	<input type="checkbox"/>	Exhaustion of fund balances previously used to support program.
<input type="checkbox"/>	Proposed establishment of a new program or initiative.	

RECIPIENTS OF FUNDS	Funds are allocated to Death Penalty Trial Fund (sole source of revenue), Conflict Fund, Defense of Indigent Per Capita, Appellate Defense Operating Funds (sole source of revenue) Indigent Defense Operating Funds and are used to provide program services for the agency.
----------------------------	---

What individuals or entities would receive these funds (contractors, vendors, grantees, individual beneficiaries, etc.)? How would these funds be allocated – using an existing formula, through a competitive process, based upon predetermined eligibility criteria?

AGENCY NAME:	Indigent Defense		
AGENCY CODE:	E23	SECTION:	61

RELATED REQUEST(S)	No
---------------------------	----

Is this decision package associated with other decision packages requested by your agency or other agencies this year? Is it associated with a specific capital or non-recurring request?

MATCHING FUNDS	No
-----------------------	----

Would these funds be matched by federal, institutional, philanthropic, or other resources? If so, identify the source and amount.

FUNDING ALTERNATIVES	No other funding source is available
-----------------------------	--------------------------------------

What other possible funding sources were considered? Could this request be met in whole or in part with the use of other resources, including fund balances? If so, please comment on the sustainability of such an approach.

SUMMARY	<p>Fine and fee collections have decreased an average of \$500,000 per year over the past five years resulting in a revenue loss to the agency of over \$1.8 million. These funds are the sole source of funding for the Death Penalty Trial Fund and the Death Penalty Trial Division. They are critical to funding the Conflict Fund, Defense of Indigents Per Capita and agency operating expenses, including shortfalls in employer contributions.</p>
----------------	--

Provide a summary of the rationale for the decision package. Why has it been requested? How specifically would the requested funds be used?

AGENCY NAME:	Indigent Defense		
AGENCY CODE:	E23	SECTION:	61

METHOD OF CALCULATION	Revenue reports provided by the State Treasurer's Office.
------------------------------	---

How was the amount of the request calculated? What factors could cause deviations between the request and the amount that could ultimately be required in order to perform the underlying work?

FUTURE IMPACT	Agency would not be able to provide services mandated by law.
----------------------	---

Will the state incur any maintenance-of-effort or other obligations by adopting this decision package? What impact will there be on future capital and/or operating budgets if this request is or is not honored? Has a source of any such funds been identified and/or obtained by your agency?

PRIORITIZATION	There is no other source of funding available to fund the critical agency programs or make up the shortfall in funding in other program areas.
-----------------------	--

If no or insufficient new funds are available in order to meet this need, how would the agency prefer to proceed? By using fund balances, generating new revenue, cutting other programs, or deferring action on this request in FY 2014-15?

AGENCY NAME:	Indigent Defense		
AGENCY CODE:	E23	SECTION:	61

INTENDED IMPACT	Agency would not be able to provide services mandated by law.
------------------------	---

What impact is this decision package intended to have on service delivery and program outcomes, and over what period of time?

PROGRAM EVALUATION	These funds are critical to the continuation of program services required by law.
---------------------------	---

How would the use of these funds be evaluated? What specific outcome or performance measures would be used to assess the effectiveness of this program?

AGENCY NAME:	Indigent Defense		
AGENCY CODE:	E23	SECTION:	61

FORM B – PROGRAM REVISION REQUEST

DECISION PACKAGE	1725
-------------------------	------

Provide the decision package number issued by the PBF system ("Governor's Request").

TITLE	Appellate Attorneys – 2 FTE's requested
--------------	---

Provide a brief, descriptive title for this request.

AMOUNT	\$136,578
---------------	-----------

What is the net change in requested appropriations for FY 2014-15? This amount should correspond to the decision package's total in PBF across all funding sources.

ENABLING AUTHORITY	US Constitution, SC Constitution, SC Code of Laws
---------------------------	---

What state or federal statutory, regulatory, and/or administrative authority established this program? Is this decision package prompted by the establishment of or a revision to that authority?

FACTORS ASSOCIATED WITH THE REQUEST	Mark "X" for all that apply:	
	<input type="checkbox"/>	Change in cost of providing current services to existing program audience.
	<input type="checkbox"/>	Non-mandated change in eligibility / enrollment for existing program.
	<input checked="" type="checkbox"/>	Change in case load / enrollment under existing program guidelines.
	<input type="checkbox"/>	Non-mandated program change in service levels or areas.
	<input type="checkbox"/>	Loss of federal or other external financial support for existing program.
	<input checked="" type="checkbox"/>	Exhaustion of fund balances previously used to support program.
<input type="checkbox"/>	Proposed establishment of a new program or initiative.	

RECIPIENTS OF FUNDS	Citizens of the State of South Carolina
----------------------------	---

What individuals or entities would receive these funds (contractors, vendors, grantees, individual beneficiaries, etc.)? How would these funds be allocated – using an existing formula, through a competitive process, based upon predetermined eligibility criteria?

AGENCY NAME:	Indigent Defense		
AGENCY CODE:	E23	SECTION:	61

RELATED REQUEST(S)	No
---------------------------	----

Is this decision package associated with other decision packages requested by your agency or other agencies this year? Is it associated with a specific capital or non-recurring request?

MATCHING FUNDS	No
-----------------------	----

Would these funds be matched by federal, institutional, philanthropic, or other resources? If so, identify the source and amount.

FUNDING ALTERNATIVES	None
-----------------------------	------

What other possible funding sources were considered? Could this request be met in whole or in part with the use of other resources, including fund balances? If so, please comment on the sustainability of such an approach.

SUMMARY	<p>Funding is required to provide representation in Direct Appeals and Post Conviction Relief Actions as required by the State and US Constitution.</p> <p>The Division of Appellate Defense is responsible for the majority of indigent criminal appeals, including death penalty appeals before the SC Supreme Court and Court of Appeals. The mission of Appellate Defense is to provide superior representation and legal analysis in a cost efficient manner, however with a current caseload of over 1600 cases, 11 of which are death penalty cases, the division is unable to sustain the crushing case load of over 150 cases per attorney.</p>
----------------	--

Provide a summary of the rationale for the decision package. Why has it been requested? How specifically would the requested funds be used?

AGENCY NAME:	Indigent Defense		
AGENCY CODE:	E23	SECTION:	61

METHOD OF CALCULATION	Salary of \$52,530 plus 30% fringe.
------------------------------	-------------------------------------

How was the amount of the request calculated? What factors could cause deviations between the request and the amount that could ultimately be required in order to perform the underlying work?

FUTURE IMPACT	The division continues to be grossly underfunded and understaffed to meet the constitutional needs of the citizens of South Carolina. The ever increasing caseload is unconscionable.
----------------------	---

Will the state incur any maintenance-of-effort or other obligations by adopting this decision package? What impact will there be on future capital and/or operating budgets if this request is or is not honored? Has a source of any such funds been identified and/or obtained by your agency?

PRIORITIZATION	No other funding is available.
-----------------------	--------------------------------

If no or insufficient new funds are available in order to meet this need, how would the agency prefer to proceed? By using fund balances, generating new revenue, cutting other programs, or deferring action on this request in FY 2014-15?

AGENCY NAME:	Indigent Defense		
AGENCY CODE:	E23	SECTION:	61

INTENDED IMPACT	Funding would help to alleviate the backlog of cases and provide the means for the agency to achieve it's mission of providing representation as required by law.
------------------------	---

What impact is this decision package intended to have on service delivery and program outcomes, and over what period of time?

PROGRAM EVALUATION	This program affects the court system and all related judicial agencies.
---------------------------	--

How would the use of these funds be evaluated? What specific outcome or performance measures would be used to assess the effectiveness of this program?