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FISCAL IMPACT REPORT



SPONSOR: Nava DATE TYPED: 1/31/02 HB _____

SHORT TITLE: Additional Attorneys for Public Defender SB 360

ANALYST: Belmares

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY02	FY03	FY02	FY03		
	\$87.6		See Narrative	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

Public Defender Department (PDD)
LFC Files

SUMMARY

Synopsis of Bill

Senate Bill 360 appropriates \$87.6 from the general fund to the Public Defender Department for the purpose of funding two additional attorney positions.

Significant Issues

The \$87.6 appropriation provided by SB 360 is for salary and benefits for added full-time equivalents (FTEs). The SB 360 appropriation to the Public Defender Department is distributed as follows:

- \$43.6 for one attorney for the juvenile mental health unit; and
- \$44.0 for one attorney to serve in the juvenile drug court in the 3rd Judicial District.

FISCAL IMPLICATIONS

The appropriation of \$87.6 contained in SB 360 is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of FY03 shall revert to the general fund.

The lowest salary and benefits costs for a Public Defender is established at \$46.7. SB 360 appropriates \$43.6 for one attorney in the Juvenile Mental Health Unit. PDD indicates the Juvenile Mental Health Attorney requires a level of expertise that could not be found in an entry-level attorney. PDD's cost estimate for a Public Defender II is \$56.6, \$13.0 higher than the amount appropriated by SB 360. Additionally, the \$44.0 appropriation for one attorney for the Juvenile Drug Court in the 3rd Judicial District would not address the \$46.7 cost of an entry level Public Defender. The agency could cover the \$15.7 difference between the appropriation in SB 360 and the amount actually needed to fully fund the two attorney positions; however, the higher salary amount would then be reflected in the FY04 and subsequent fiscal years.

RELATIONSHIP

SB 360 relates to SB 102 which makes a \$56.0 appropriation for "a special advocacy position in the Public Defender Department for youth with developmental disabilities or mental health issues."

EB/prr