

Public Defender Commission, Ohio

General Revenue Fund

GRF 019-321 Public Defender Administration

1998 Actual	1999 Actual	2000 Actual	2001 Actual	2002 Appropriation	2003 Appropriation
\$ 1,577,698	\$ 1,593,982	\$ 1,661,190	\$ 1,706,534	\$ 1,745,787	\$ 1,745,787
	1.0%	4.2%	2.7%	2.3%	0.0%

Source: General Revenue Fund

Legal Basis: Section 89 of Am. Sub. H.B. 94 of the 124th G.A. (originally established by Am. Sub. H.B. 215 of the 122nd G.A., the main appropriations act covering FYs 1998 and 1999)

Purpose: This GRF line item provides funding for the commission's administrative operation, including payroll, maintenance, and equipment costs. Prior to FY 1998, these operating costs were funded from three separate GRF line items: (1) 019-100, Personal Services, (2) 019-200, Maintenance, and (3) 019-300, Equipment. Pursuant to Am. Sub. H.B. 215 of the 122nd G.A., the main appropriations act covering FYs 1998 and 1999, these three GRF line items were eliminated and their purposes and funding were moved into two newly-created GRF line items: 019-321, Public Defender Administration, and 019-401, State Legal Defense Services. This change was part of a restructuring of the commission's personal services, maintenance, and equipment costs along more programmatic lines.

Public Defender Commission, Ohio

GRF 019-401 State Legal Defense Services

1998 Actual	1999 Actual	2000 Actual	2001 Actual	2002 Appropriation	2003 Appropriation
\$ 6,195,294	\$ 6,456,852	\$ 7,007,257	\$ 6,612,220	\$ 6,879,155	\$ 7,151,032
	4.2%	8.5%	-5.6%	4.0%	4.0%

Source: General Revenue Fund

Legal Basis: Section 89 of Am. Sub. H.B. 94 of the 124th G.A. (originally established by Am. Sub. H.B. 215 of the 122nd G.A., the main appropriations act covering FYs 1998 and 1999)

Purpose: This GRF line item provides funding for the payroll, maintenance, and equipment costs associated with the commission's Legal Division, Death Penalty Division, Legal Resource Center, and County Representation Program/Trial Section. Roughly 90 percent of the line item's appropriation is split more or less evenly between two of those functional areas: (1) the Legal Services Division, and (2) the Death Penalty Division. The Legal Services Division provides direct legal representation primarily to persons who claim that they are unlawfully imprisoned or detained in a state correctional institution and to persons who have been charged with violating conditions of their release on parole or post release control. The Death Penalty Division provides, coordinates, and supervises legal representation for indigent criminal defendants in capital cases.

Prior to FY 1998, these operating costs associated with state legal defense services were funded from three separate GRF line items: (1) 019-100, Personal Services, (2) 019-200, Maintenance, and (3) 019-300, Equipment. Pursuant to Am. Sub. H.B. 215 of the 122nd G.A., the main appropriations act covering FYs 1998 and 1999, these three GRF line items were eliminated and their purposes and funding were moved into two newly-created GRF line items: 019-321, Public Defender Administration, and 019-401, State Legal Defense Services. This change was part of a restructuring of the commission's personal services, maintenance, and equipment costs along more programmatic lines.

Public Defender Commission, Ohio

GRF 019-403 Multi-County: State Share

1998 Actual	1999 Actual	2000 Actual	2001 Actual	2002 Appropriation	2003 Appropriation
\$ 1,011,216	\$ 935,049	\$ 1,089,431	\$ 1,168,604	\$ 1,093,600	\$ 1,088,346
	-7.5%	16.5%	7.3%	-6.4%	-0.5%

Source: General Revenue Fund

Legal Basis: Section 89 of Am. Sub. H.B. 94 of the 124th G.A.; statutory authority for contractual arrangement resides in various sections of the Revised Code, including 120.04, 120.06, and 120.33 (originally established by Controlling Board on December 17, 1990)

Purpose: This GRF special purpose account provides funding for the commission's Multi-County Branch Office which began operation on January 1, 1991. This branch office provides local indigent defense services to ten counties in south and southeastern Ohio. The ten counties are Adams, Athens, Brown, Fayette, Jackson, Meigs, Pickaway, Pike, Ross, and Washington. These ten participating counties have essentially each entered into a contract with the commission under which the state provides indigent defense services in their respective counties. Branch offices are located in Athens, Ross, and Washington counties. In addition to employing state public defenders, the commission contracts with private attorneys in all ten counties.

Each county's contribution to this branch office operation is deposited in the state treasury to the credit of Fund 4C7 (line item 019-601, Multi-County: County Share). The funding split between the state and county shares is the same as it is for the commission's much larger statewide County Reimbursement program under which the state is responsible for up to 50 percent of a county's indigent defense costs.

Public Defender Commission, Ohio

GRF 019-404 Trumbull County-State Share

1998 Actual	1999 Actual	2000 Actual	2001 Actual	2002 Appropriation	2003 Appropriation
\$ 352,707	\$ 350,679	\$ 386,362	\$ 396,577	\$ 359,216	\$ 358,458
	-0.6%	10.2%	2.6%	-9.4%	-0.2%

Source: General Revenue Fund

Legal Basis: Section 89 of Am. Sub. H.B. 94 of the 124th G.A.; statutory authority for contractual arrangement resides in various sections of the Revised Code, including 120.04, 120.06, and 120.33 (originally established by Am. Sub. H.B. 291 of the 115th G.A., the main appropriations act covering FYs 1984 and 1985)

Purpose: This GRF special purpose account helps support the commission's Trumbull County Branch Office, which provides local indigent defense services in Trumbull County. The county has essentially entered into a contract with the commission under which the state provides indigent defense services through a branch office located in the City of Warren and through contracts with local attorneys.

The county's contribution to the branch office is deposited in the state treasury to the credit of Fund 4X7 (line item 019-610, Trumbull County-County Share). The funding split between the state and county share is the same as it is for the commission's much larger statewide County Reimbursement program under which the state is responsible for up to 50 percent of a county's indigent defense costs.

The name of this GRF special purpose account was changed from "Indigent Defense Office" in Am. Sub. H.B. 215 of the 122nd G.A., the main appropriations act covering FYs 1998 and 1999, to reflect the fact that the office no longer served several courts in neighboring Mahoning County.

Public Defender Commission, Ohio

GRF 019-405 Training Account

1998 Actual	1999 Actual	2000 Actual	2001 Actual	2002 Appropriation	2003 Appropriation
\$ 49,925	\$ 39,325	\$ 45,575	\$ 44,200	\$ 47,280	\$ 47,280
	-21.2%	15.9%	-3.0%	7.0%	0.0%

Source: General Revenue Fund

Legal Basis: Section 89 of Am. Sub. H.B. 94 of the 124th G.A.; statutory authority for the program resides in ORC 120.03(D)(2)(c) (originally established by Am. Sub. H.B. 171 of the 117th G.A., the main appropriations act covering FYs 1988 and 1989)

Purpose: This GRF special purpose account is used exclusively for the commission's Pro Bono Training program, under which it contracts with private and non-profit training companies to provide continuing legal education (CLE) certified seminars to attorneys who practice criminal indigent defense law. The commission pays the seminar companies a fee for each attorney who attends a seminar under the program. The seminar companies presently charge \$125 per attorney for a regular one-day seminar and \$250 per attorney for the two-day Rule 20 seminars.

The commission allows private attorneys to attend seminars at no cost to the attorney. In exchange for free attendance, each attorney must provide one pro bono (for free) case for every seminar attended. Pro bono cases must be provided within one year of the seminar date, and pro bono attorneys are limited to two seminars per year. Public defenders also are limited to two seminars per year.

GRF 019-501 County Reimbursement - Non-Capital Cases

1998 Actual	1999 Actual	2000 Actual	2001 Actual	2002 Appropriation	2003 Appropriation
\$ 24,509,691	\$ 24,517,431	\$ 31,772,111	\$ 33,975,744	\$ 33,384,666	\$ 33,994,835
	0.0%	29.6%	6.9%	-1.7%	1.8%

Source: General Revenue Fund

Legal Basis: Section 89 of Am. Sub. H.B. 94 of the 124th G.A.; statutory authority and guidelines for the reimbursement program reside in various sections of the Revised Code, including 120.04, 120.18, 120.28, 120.33, 2941.51, and 2949.19 (originally established by Am. Sub. H.B. 164 of the 111th G.A., the act establishing state, county, and joint county public defenders)

Purpose: This GRF subsidy account is used to reimburse counties for up to 50 percent of their costs of operating county public defender offices, joint county public defender offices, and appointed counsel systems. Expenditures incurred for capital cases, however, are reimbursed through the commission's GRF line item 019-503, County Reimbursements - Capital Cases. If funding in this subsidy account is insufficient to reimburse 50 percent of the costs for non-capital cases, then the reimbursement percentage for each of the public defender offices and appointed counsel systems is reduced equally.

Public Defender Commission, Ohio

GRF 019-503 County Reimbursement - Capital Cases

1998 Actual	1999 Actual	2000 Actual	2001 Actual	2002 Appropriation	2003 Appropriation
\$ 1,144,919	\$ 904,054	\$ 874,588	\$ 874,837	\$ 921,830	\$ 985,000
	-21.0%	-3.3%	0.0%	5.4%	6.9%

Source: General Revenue Fund

Legal Basis: Section 89 of Am. Sub. H.B. 94 of the 124th G.A.; statutory authority for this reimbursement program resides in ORC 120.35 (originally established by Am. Sub. H.B. 291 of the 115th G.A., the main appropriations act covering FYs 1984 and 1985)

Purpose: The GRF subsidy account is used to reimburse counties for up to 50 percent of their costs of defending persons accused of capital crimes. If funding in this subsidy account is insufficient to reimburse 50 percent of the costs for capital cases, then the reimbursement percentage is reduced equally for all counties.

General Services Fund Group

101 019-602 Inmate Legal Assistance

1998 Actual	1999 Actual	2000 Actual	2001 Actual	2002 Appropriation	2003 Appropriation
\$ 51,190	\$ 52,445	\$ 57,776	\$ 59,119	\$ 67,172	\$ 71,020
	2.5%	10.2%	2.3%	13.6%	5.7%

Source: General Services Fund Group: Quarterly legal services payments transferred from the GRF maintenance budget of the Ohio Department of Rehabilitation and Correction's Marion Correctional Institution

Legal Basis: Section 89 of Am. Sub. H.B. 94 of the 124th G.A. (originally established by Controlling Board in 1978)

Purpose: This special account currently funds an inmate legal assistance program at the state's Marion Correctional Institution, a purpose it has served since 1991. Specifically covered are the payroll, maintenance, and equipment costs associated with one commission attorney. The program started at the Marion Correctional Institution in response to a court case that led to a mandate that one attorney be located at the institution to run the prison's law library. In 1987, the program shifted to one that utilized law school interns to provide more general legal assistance, before taking on its current focus in 1991, in which the attorney running the institution's law library would also provide representation to inmates at parole revocation hearings.

Public Defender Commission, Ohio

101 019-607 Juvenile Legal Assistance

1998 Actual	1999 Actual	2000 Actual	2001 Actual	2002 Appropriation	2003 Appropriation
\$ 343,732	\$ 355,843	\$ 419,835	\$ 395,368	\$ 458,767	\$ 481,462
	3.5%	18.0%	-5.8%	16.0%	4.9%

Source: General Services Fund Group: Funding provided by the Ohio Department of Youth Services

Legal Basis: Section 89 of Am. Sub. H.B. 94 of the 124th G.A. (originally established by Controlling Board on August 16, 1993)

Purpose: This special account captures the funding from an interdepartmental agreement under which the Department of Youth Services (DYS) provides moneys for the operation of the commission's Juvenile Legal Assistance program. Under the program, which the commission administers by hiring staff and providing the necessary equipment, legal assistance is provided to juveniles placed in DHS institutions so that they can gain access to the courts for appeals. The program was established in FY 1994 in response to a decision by the U.S. Court of Appeals for the Sixth Circuit in the case of John L. v. Adams holding that juveniles have a constitutional right of access to the courts through attorneys provided by the state.

406 019-603 Training and Publications

1998 Actual	1999 Actual	2000 Actual	2001 Actual	2002 Appropriation	2003 Appropriation
\$ 2,650	\$ 9,077	\$ 1,200	\$ 0	\$ 16,000	\$ 16,000
	242.5%	-86.8%	-100.0%	N/A	0.0%

Source: General Services Fund Group: (1) Fees received by the commission for conducting educational seminars, and (2) sale of publications on topics concerning criminal law and procedure

Legal Basis: Section 89 of Am. Sub. H.B. 94 of the 124th G.A.; ORC 120.03(E) (originally established by Am. Sub. H.B. 291 of the 115th G.A., the main appropriations act covering FYs 1984 and 1985)

Purpose: The commission is required to expend the money in this special account for the sole purpose of conducting programs having a general objective of training and educating attorneys and others in the legal representation of indigent persons.

Public Defender Commission, Ohio

407 019-604 County Representation

1998 Actual	1999 Actual	2000 Actual	2001 Actual	2002 Appropriation	2003 Appropriation
\$ 27,573	\$ 380,722	\$ 151,806	\$ 130,061	\$ 213,778	\$ 240,556
	1280.8%	-60.1%	-14.3%	64.4%	12.5%

Source: General Services Fund Group: Payments received from counties for 50 percent of the actual cost of legal representation when the State Public Defender is designated by a court or requested by a county public defender or joint county public defender to provide legal representation of an indigent person

Legal Basis: Section 89 of Am. Sub. H.B. 94 of the 124th G.A.; ORC 120.06(D); (originally established by Am. Sub. H.B. 291 of the 115th G.A., the main appropriations act covering FYs 1984 and 1985)

Purpose: This special account can only be used by the State Public Defender to provide legal representation for indigent persons when designated by the court or requested by a county or joint county public defender. When the State Public Defender is so designated or requested, the appropriate county is billed for 50 percent of the cost of this representation and the reimbursement payments are deposited in the state treasury to the credit of Fund 407 (line item 019-604, County Representation).

408 019-605 Client Payment

1998 Actual	1999 Actual	2000 Actual	2001 Actual	2002 Appropriation	2003 Appropriation
\$ 16,394	\$ 83,732	\$ 112,634	\$ 133,620	\$ 260,584	\$ 285,533
	410.7%	34.5%	18.6%	95.0%	9.6%

Source: General Services Fund Group: All moneys due the state for reimbursement for indigent defense legal services where defendants are ordered to pay back all or part of the costs of the representation

Legal Basis: Section 89 of Am. Sub. H.B. 94 of the 124th G.A.; ORC 120.04(B)(5) (originally established by Am. H.B. 291 of the 115th G.A., the main appropriations act covering FYs 1984 and 1985)

Purpose: Pursuant to permanent law, all of the moneys deposited to the credit of this fund are to be used to: (1) appoint assistant state public defenders and to provide other personnel, equipment, and facilities necessary for the commission's operation, (2) reimburse counties for the operation of county public defender offices, joint county public defender offices, and county appointed counsel systems pursuant to sections 120.18, 120.28, and 120.33 of the Revised Code, and (3) to provide assistance to counties in the operation of county indigent defense systems.

Federal Special Revenue Fund Group

3H4 019-609 Death Penalty Resource Center

1998 Actual	1999 Actual	2000 Actual	2001 Actual	2002 Appropriation	2003 Appropriation
\$ 0	\$ 13,514	\$ 37,758	\$ 0	\$ 0	\$ 0
	N/A	179.4%	-100.0%	N/A	N/A

Source: Federal Special Revenue Fund Group: Grant from the Administrative Office of the United States Courts, Defender Services Division; no direct state match was required to receive this federal money, however, it was made on the condition that the state expend a designated amount of money on death penalty appeals and post-conviction cases

Legal Basis: Discontinued line item (originally established by Controlling Board on September 24, 1990)

Purpose: The commission was awarded this federal funding for the purpose of operating a resource center staffed by around five people, mostly assistant state public defenders. The center provided legal representation and resources in death penalty federal habeas corpus actions. The awarding of the grant was a result of the commission being designated the Federal Death Penalty Resource Center for the Northern and Southern Districts in Ohio by the Sixth Circuit Task Force for Death Penalty Habeas Corpus. The federal grant started around FY 1992 and effectively ended around March 1996.

3M8 019-611 PD Case Management

1998 Actual	1999 Actual	2000 Actual	2001 Actual	2002 Appropriation	2003 Appropriation
\$ 37,491	\$ 23,661	\$ 0	\$ 0	\$ 0	\$ 0
	-36.9%	-100.0%	N/A	N/A	N/A

Source: Federal Special Revenue Fund Group: CFDA 16.579, Byrne Memorial Criminal Justice Block Grant

Legal Basis: Discontinued line item (originally established by Controlling Board on December 20, 1993)

Purpose: This fund was used to handle a one-time federal grant awarded by the state's Office of Criminal Justice Services. The commission used this federal funding for two primary purposes: (1) automated case management, and (2) technical assistance. Specifically, the commission provided all county public defender offices with a computer, case management software, and training to improve operational efficiencies at the local level. A county outreach program was also developed under which commission staff, at the request of a county, provided information and resources to improve local indigent defense delivery systems.

Public Defender Commission, Ohio

3M9 019-612 Community Reconciliation

1998 Actual	1999 Actual	2000 Actual	2001 Actual	2002 Appropriation	2003 Appropriation
\$ 27,003	\$ 889	\$ 0	\$ 0	\$ 0	\$ 0
	-96.7%	-100.0%	N/A	N/A	N/A

Source: Federal Special Revenue Fund Group: CFDA 16.579, Byrne Memorial Criminal Justice Block Grant

Legal Basis: Discontinued line item (originally established by Controlling Board on December 20, 1993)

Purpose: This fund was used to handle a one-time federal grant awarded by the state's Office of Criminal Justice Services. Using these grant funds, the commission developed a model community reconciliation program, based in Athens, Ohio, where defendants and their victims met face-to-face to attempt to make things right between themselves.

3S8 019-608 Federal Representation

1998 Actual	1999 Actual	2000 Actual	2001 Actual	2002 Appropriation	2003 Appropriation
\$ 55	\$ 130	\$ 233,176	\$ 489,584	\$ 564,929	\$ 594,247
	136.4%	179266.2%	110.0%	15.4%	5.2%

Source: Federal Special Revenue Fund Group: Partial reimbursement payments received from federal courts as a result of federal courts appointing the commission to provide legal representation in federal habeas corpus death penalty cases

Legal Basis: Section 89 of Am. Sub. H.B. 94 of the 124th G.A. (originally established by Controlling Board on March 2, 1998)

Purpose: All of the moneys in this fund are used by the commission's Death Penalty Division to support its litigation activity in the area of federal habeas corpus.

3U7 019-614 Juvenile JAIBG Grant

1998 Actual	1999 Actual	2000 Actual	2001 Actual	2002 Appropriation	2003 Appropriation
\$ 0	\$ 0	\$ 0	\$ 68,171	\$ 51,516	\$ 54,601
	N/A	N/A	N/A	-24.4%	6.0%

Source: Federal Special Revenue Fund Group: CFDA 16.523, Juvenile Accountability Incentive Block Grant (JAIBG)

Legal Basis: Section 89 of Am. Sub. H.B. 94 of the 124th G.A. (originally established by Controlling Board on February 28, 2000)

Purpose: The commission uses the JAIBG grant to bolster its Juvenile Legal Assistance program, which provides a means for incarcerated juveniles to gain access to the courts for appeals. The JAIBG funds employ an assistant state public defender who interviews and screens juveniles at Department of Youth Services' institutions, answers case related questions, and provides direct representation on appeal or other collateral pleadings in cases of arguable merit.

Public Defender Commission, Ohio

3U8 019-615 Juvenile Challenge Grant

1998 Actual	1999 Actual	2000 Actual	2001 Actual	2002 Appropriation	2003 Appropriation
\$ 0	\$ 0	\$ 0	\$ 45,422	\$ 118,658	\$ 124,984
	N/A	N/A	N/A	161.2%	5.3%

Source: Federal Special Revenue Fund Group: CFDA 16.549, State Challenge Activities

Legal Basis: Section 89 of Am. Sub. H.B. 94 of the 124th G.A. (originally established by Controlling Board on February 28, 2000)

Purpose: The commission uses the State Challenge grant to bolster its Juvenile Legal Assistance program, which provides a means for incarcerated juveniles to gain access to the courts for appeals. The State Challenge funds employ one assistant state public defender and one dispositional advocate who focus on coordinating services and resources to children charged with committing illegal acts. Specific activities include providing direct representation to juvenile clients, providing training and technical assistance to public defenders and court appointed counsel, assisting courts and attorneys in finding alternatives to traditional incarceration for juveniles, expanding non-lawyer related support services and resources to public defenders and appointed counsel, offering public defenders and private counsel access to a centralized research brief bank, and distributing educational materials about juvenile due process rights to juveniles and their families.

State Special Revenue Fund Group

4C7 019-601 Multi-County: County Share

1998 Actual	1999 Actual	2000 Actual	2001 Actual	2002 Appropriation	2003 Appropriation
\$ 1,038,357	\$ 1,137,576	\$ 1,214,356	\$ 1,324,707	\$ 1,603,064	\$ 1,714,575
	9.6%	6.7%	9.1%	21.0%	7.0%

Source: State Special Revenue Fund Group: Payments from ten counties in south and southeastern Ohio for their portion of the costs of operating the commission's Multi-County Branch Office

Legal Basis: Section 89 of Am. Sub. H.B. 94 of the 124th G.A.; statutory authority for contractual relationship resides in ORC 120.04(C)(7) (originally established by Controlling Board on December 17, 1990)

Purpose: This special account provides funding for the commission's Multi-County Branch Office which began operation on January 1, 1991. This branch office provides local indigent defense services to ten counties in south and southeastern Ohio. The ten counties are Adams, Athens, Brown, Fayette, Jackson, Meigs, Pickaway, Pike, Ross, and Washington. These ten participating counties have essentially each entered into a contract with the commission under which the state provides indigent defense services in their respective counties. Branch offices are located in Athens, Ross, and Washington counties. In addition to employing state public defenders, the commission contracts with private attorneys in all ten counties.

Each county's contribution to this branch office operation is deposited in the state treasury to the credit of Fund 4C7 (line item 019-601, Multi-County: County Share). The state's contribution is drawn from the commission's GRF line item 019-403, Multi-County: State Share. The funding split between the state and county shares is the same as it is for the commission's much larger statewide County Reimbursement program under which the state is responsible for up to 50 percent of a county's indigent defense costs.

Public Defender Commission, Ohio

4X7 019-610 Trumbull County-County Share

1998 Actual	1999 Actual	2000 Actual	2001 Actual	2002 Appropriation	2003 Appropriation
\$ 358,099	\$ 407,822	\$ 429,860	\$ 449,339	\$ 526,560	\$ 564,714
	13.9%	5.4%	4.5%	17.2%	7.2%

Source: State Special Revenue Fund Group: Payments from Trumbull County for their portion of the costs of operating the commission's Trumbull County Branch Office

Legal Basis: Section 89 of Am. Sub. H.B. 94 of the 124th G.A.; statutory authority for contractual relationship resides in ORC 120.04(C)(7) (originally established by Am. Sub. H.B. 215 of the 122nd G.A., the main appropriations act covering FYs 1998 and 1999)

Purpose: This special account captures the local contribution that assists in financing the commission's Trumbull County Branch Office, which provides legal indigent defense services to Trumbull County. Prior to Am. Sub. H.B. 215 of 122nd G.A., the main appropriations act covering FYs 1998 and 1999, this revenue stream and its purpose resided in Fund 407, County Representation Fund. Starting with FY 1998, Fund 4X7 was created along with associated line item 019-610, Trumbull County-County Share. This accounting change was made in order to separate the Trumbull County Branch Office's finances from the other revenue streams that the commission was collecting under its County Representation program. The state's share of those office costs was, and still is, drawn from the commission's GRF line item 019-404.

Public Defender Commission, Ohio

574 019-606 Legal Services Corporation

1998 Actual	1999 Actual	2000 Actual	2001 Actual	2002 Appropriation	2003 Appropriation
\$ 13,623,708	\$ 14,509,545	\$ 14,568,109	\$ 13,884,221	\$ 15,725,233	\$ 16,275,558
	6.5%	0.4%	-4.7%	13.3%	3.5%

Source: State Special Revenue Fund Group: (1) Interest-bearing trust accounts established and maintained by attorneys, law firms, or legal professional associations pursuant to ORC 4705.09 and 4705.10, (2) interest-bearing trust accounts established and maintained by title insurance agents or title insurance companies pursuant to ORC 3953.231, (3) additional filing fees collected by municipal, county, and common please courts on each new civil action or proceeding pursuant to ORC 1901.26, 1907.24, and 2303.201, and (4) gifts, bequests, donations, contributions, and income from investments

Legal Basis: Section 89 of Am. Sub. H.B. 94 of the 124th G.A.; ORC 120.52

Purpose: Moneys in the fund are used principally for the charitable purpose of distributing financial assistance to legal aid societies that provide civil legal services to indigents. Prior to FY 1994, the commission was permitted to assess the fund for the reasonable costs of administering the state's legal aid society law, with the remainder of the revenue to be distributed to legal aid societies. Pursuant to Am. Sub. H.B. 215 of the 120th G.A., the main appropriations act covering FYs 1994 and 1995, the Ohio Legal Assistance Foundation, a charitable, tax exempt foundation, was created to administer the civil legal aid program and 4.5 percent of the money in the fund was reserved for the foundation's actual, reasonable costs of program administration.

Amended Substitute Senate Bill 219 of the 115th G.A., effective April 4, 1985, established the fund and its revenue stream, which was composed of a temporary additional filing fee on new civil actions and interest-bearing trust accounts established and maintained by attorneys, law firms, and professional legal associations. The temporary additional filing fee was \$5 for new civil actions in municipal and county courts and \$10 in new civil actions in common pleas courts. The temporary additional filing fee was eliminated effective January 1, 1987. In July 1, 1987, a \$1 additional filing fee was instituted on new civil actions.

The main appropriations act covering FYs 1990 and 1991, Am. Sub. H.B. 111 of the 118th G.A., increased the \$1 additional filing on new civil actions to \$4.

An exemption from the additional filing fee for new civil actions handled by the small claims divisions of municipal and county courts was removed starting in FY 1992.

Amended Substitute House Bill 405 of the 119th G.A., effective January 1, 1993, temporarily increased the pre-existing \$4 additional filing fee on new civil actions to: \$15 in municipal, county, and common pleas courts, and \$7 for the small claims divisions in municipal and county courts. These temporary filing fee increases were scheduled to be eliminated effective January 1, 2003, which would have reduced the additional filing fee back to its pre-existing \$4 on all new civil actions and proceedings.

The main appropriations act covering FYs 1996 and 1997, Am. Sub. H.B. 117 of the

Public Defender Commission, Ohio

121st G.A., effective January 1, 1996, increased the fund's revenue stream by including interest-bearing accounts established and maintained by title insurance agents or title insurance companies.

The FY 2002-2003 biennial operating budget repealed the permanent law that would have otherwise reduced the additional filing fee on new civil actions and proceedings to \$4. Thus, all courts will continue to collect the \$7 and \$15 additional filing fees on all new civil actions and proceedings.