

## Ohio Public Defender Commission

### General Revenue Fund

#### GRF 019321 Public Defender Administration

FY 2012 Actual	FY 2013 Actual	FY 2014 Actual	FY 2015 Actual	FY 2016 Appropriation	FY 2017 Appropriation
\$3,078	\$0	\$0	\$0	<b>\$0</b>	<b>\$0</b>
	-100%	N/A	N/A	<b>N/A</b>	<b>N/A</b>

**Source:** General Revenue Fund

**Legal Basis:** Discontinued line item (originally established by Am. Sub. H.B. 215 of the 122nd G.A.)

**Purpose:** This line item was used to pay for operating expenses incurred by the Public Defender Commission's Administrative Division in delivering business support services to the agency. Since FY 2012, money for this purpose has been allocated from other, mostly non-GRF, funds used by the Commission.

#### GRF 019401 State Legal Defense Services

FY 2012 Actual	FY 2013 Actual	FY 2014 Actual	FY 2015 Actual	FY 2016 Appropriation	FY 2017 Appropriation
\$2,600,102	\$2,973,270	\$3,025,527	\$3,029,469	<b>\$3,020,855</b>	<b>\$3,020,855</b>
	14.4%	1.8%	0.1%	<b>-0.3%</b>	<b>0.0%</b>

**Source:** General Revenue Fund

**Legal Basis:** Section 359.10 of Am. Sub. H.B. 64 of the 131st G.A. (originally established by Am. Sub. H.B. 215 of the 122nd G.A.)

**Purpose:** This line item is primarily used for operating expenses associated with the Public Defender Commission's Legal and Death Penalty Divisions, which provide trial and appeal representation to indigent persons, including juveniles, adults, and death row inmates.

## Ohio Public Defender Commission

### GRF 019403 Multi-County: State Share

FY 2012 Actual	FY 2013 Actual	FY 2014 Actual	FY 2015 Actual	FY 2016 Appropriation	FY 2017 Appropriation
\$1,163,138	\$1,183,143	\$1,410,287	\$1,451,668	<b>\$1,960,463</b>	<b>\$1,977,325</b>
	1.7%	19.2%	2.9%	<b>35.0%</b>	<b>0.9%</b>

**Source:** General Revenue Fund

**Legal Basis:** ORC 120.04, 120.06, and 120.33; Section 359.10 of Am. Sub. H.B. 64 of the 131st G.A. (originally established by Controlling Board on December 17, 1990)

**Purpose:** This line item is used to fund the state's share of the Multi-County Branch Office Program, which began operation in FY 1991. Under the program, the state provides indigent defense services as an alternative to traditional appointed counsel or county public defender offices to ten counties in south and southeastern Ohio: Adams, Athens, Brown, Fayette, Jackson, Meigs, Pickaway, Pike, Ross, and Washington. Each county's contribution to the program is deposited into Fund 4C70 and appropriated to line item 019601, Multi-County: County Share. The funding split between the state and county shares is the same as it is for the Public Defender Commission's statewide County Reimbursement Program under which the state is responsible for up to 50% of a county's indigent defense costs.

### GRF 019404 Trumbull County - State Share

FY 2012 Actual	FY 2013 Actual	FY 2014 Actual	FY 2015 Actual	FY 2016 Appropriation	FY 2017 Appropriation
\$332,043	\$340,547	\$406,370	\$416,148	<b>\$545,658</b>	<b>\$552,337</b>
	2.6%	19.3%	2.4%	<b>31.1%</b>	<b>1.2%</b>

**Source:** General Revenue Fund

**Legal Basis:** ORC 120.04, 120.06, and 120.33; Section 359.10 of Am. Sub. H.B. 64 of the 131st G.A. (originally established by Am. Sub. H.B. 291 of the 115th G.A.)

**Purpose:** This line item is used to fund the state's share of the Trumbull County Branch Office. The office, which began operation in 1984, provides indigent criminal defense representation in the courts of Trumbull County. The local share of the office is deposited into Fund 4X70 and appropriated to line item 019610, Trumbull County - County Share. The funding split between the state and local shares is the same as it is for the Public Defender Commission's statewide County Reimbursement Program under which the state is responsible for up to 50% of a county's indigent defense costs.

## Ohio Public Defender Commission

### GRF 019405 Training Account

FY 2012 Actual	FY 2013 Actual	FY 2014 Actual	FY 2015 Actual	FY 2016 Appropriation	FY 2017 Appropriation
\$50,000	\$44,080	\$51,175	\$46,000	<b>\$50,000</b>	<b>\$50,000</b>
	-11.8%	16.1%	-10.1%	<b>8.7%</b>	<b>0.0%</b>

**Source:** General Revenue Fund

**Legal Basis:** ORC 120.03; Section 359.10 of Am. Sub. H.B. 64 of the 131st G.A. (originally established by Am. Sub. H.B. 171 of the 117th G.A.)

**Purpose:** This line item is used to fund the Public Defender 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.

### GRF 019501 County Reimbursement

FY 2012 Actual	FY 2013 Actual	FY 2014 Actual	FY 2015 Actual	FY 2016 Appropriation	FY 2017 Appropriation
\$1,448,133	\$2,023,098	\$9,505,557	\$9,601,060	<b>\$22,628,268</b>	<b>\$22,628,268</b>
	39.7%	369.9%	1.0%	<b>135.7%</b>	<b>0.0%</b>

**Source:** General Revenue Fund

**Legal Basis:** ORC 120.04, 120.18, 120.28, 120.33, 2941.51, and 2949.19; Section 359.10 of Am. Sub. H.B. 64 of the 131st G.A. (originally established by Am. Sub. H.B. 164 of the 111th G.A.)

**Purpose:** This line item is used, in concert with other money appropriated for use by the Public Defender Commission, to reimburse counties for up to 50% of their costs in providing legal counsel to indigent persons in criminal and juvenile matters.

## Dedicated Purpose Fund Group

### 1010 019607 Juvenile Legal Assistance

FY 2012 Actual	FY 2013 Actual	FY 2014 Actual	FY 2015 Actual	FY 2016 Appropriation	FY 2017 Appropriation
\$0	\$0	\$186,403	\$192,927	<b>\$200,000</b>	<b>\$200,000</b>
	N/A	N/A	3.5%	<b>3.7%</b>	<b>0.0%</b>

**Source:** Dedicated Purpose Fund Group: Cash transferred from the Ohio Department of Youth Services's (DYS) budget pursuant to an interdepartmental agreement

**Legal Basis:** Section 359.10 of Am. Sub. H.B. 64 of the 131st G.A. (originally established by Controlling Board on August 16, 1993)

**Purpose:** This line item is used by the Public Defender Commission's Juvenile Division to provide certain legal representation and assistance services to juveniles committed to the Ohio Department of Youth Services.

## Ohio Public Defender Commission

### 4060 019603 Training and Publications

FY 2012 Actual	FY 2013 Actual	FY 2014 Actual	FY 2015 Actual	FY 2016 Appropriation	FY 2017 Appropriation
\$0	\$0	\$4,475	\$0	<b>\$0</b>	<b>\$0</b>
	N/A	N/A	-100%	<b>N/A</b>	<b>N/A</b>

**Source:** Dedicated Purpose Fund Group: Educational seminar fees and publication sales

**Legal Basis:** As needed line item; ORC 120.03 (originally established by Am. Sub. H.B. 291 of the 115th G.A.)

**Purpose:** This line item is used to conduct training and education programs for attorneys and others in the legal representation of indigent persons.

### 4070 019604 County Representation

FY 2012 Actual	FY 2013 Actual	FY 2014 Actual	FY 2015 Actual	FY 2016 Appropriation	FY 2017 Appropriation
\$226,053	\$328,165	\$347,476	\$330,439	<b>\$225,800</b>	<b>\$228,456</b>
	45.2%	5.9%	-4.9%	<b>-31.7%</b>	<b>1.2%</b>

**Source:** Dedicated Purpose Fund Group: Funds paid by counties that have requested the State Public Defender provide counsel in local cases

**Legal Basis:** ORC 120.06; Section 359.10 of Am. Sub. H.B. 64 of the 131st G.A. (originally established by Am. Sub. H.B. 291 of the 115th G.A.)

**Purpose:** This line item is 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.

### 4080 019605 Client Payments

FY 2012 Actual	FY 2013 Actual	FY 2014 Actual	FY 2015 Actual	FY 2016 Appropriation	FY 2017 Appropriation
\$866,494	\$698,547	\$701,409	\$693,746	<b>\$969,964</b>	<b>\$834,277</b>
	-19.4%	0.4%	-1.1%	<b>39.8%</b>	<b>-14.0%</b>

**Source:** Dedicated Purpose Fund Group: (1) Money recouped from defendants who were provided appointed counsel or a public defender and ordered to pay all or a portion of the costs of their defense, and (2) 20%, or \$5, of a non-refundable \$25 indigent defense application fee assessed a defendant in a criminal case when requesting indigent defense services

**Legal Basis:** ORC 120.04 and 120.36; Section 359.10 of Am. Sub. H.B. 64 of the 131st G.A. (originally established by Am. H.B. 291 of the 115th G.A.)

**Purpose:** This line item is used for the Public Defender Commission's operating expenses, primarily those incurred by the Administrative Division in providing business support services to the agency.

## Ohio Public Defender Commission

### 4C70 019601 Multi-County: County Share

FY 2012 Actual	FY 2013 Actual	FY 2014 Actual	FY 2015 Actual	FY 2016 Appropriation	FY 2017 Appropriation
\$2,163,205	\$2,186,862	\$2,133,860	\$2,177,520	<b>\$2,364,693</b>	<b>\$2,389,985</b>
	1.1%	-2.4%	2.0%	<b>8.6%</b>	<b>1.1%</b>

**Source:** Dedicated Purpose Fund Group: Contract payments from ten counties in south and southeastern Ohio for their portion of the costs of operating the Multi-County Branch Office Program

**Legal Basis:** ORC 120.04 and 120.33; Section 359.10 of Am. Sub. H.B. 64 of the 131st G.A. (originally established by Controlling Board on December 17, 1990)

**Purpose:** This line item is used to fund the local share of the Multi-County Branch Office Program, which began operation in FY 1991. Under the program, the state provides indigent defense services as an alternative to traditional appointed counsel or county public defender offices to ten counties in south and southeastern Ohio: Adams, Athens, Brown, Fayette, Jackson, Meigs, Pickaway, Pike, Ross, and Washington. The state share is drawn from the Public Defender Commission's GRF line item 019403, Multi-County: State Share. The funding split between the state and county shares is the same as it is for the Commission's statewide County Reimbursement Program under which the state is responsible for up to 50% of a county's indigent defense costs.

### 4N90 019613 Gifts and Grants

FY 2012 Actual	FY 2013 Actual	FY 2014 Actual	FY 2015 Actual	FY 2016 Appropriation	FY 2017 Appropriation
\$32,329	\$23,030	\$27,633	\$46,973	<b>\$50,250</b>	<b>\$50,250</b>
	-28.8%	20.0%	70.0%	<b>7.0%</b>	<b>0.0%</b>

**Source:** Dedicated Purpose Fund Group: Grants, donations, and awards from public and private sources that the Commission has received for specific purposes

**Legal Basis:** ORC 120.04; Section 359.10 of Am. Sub. H.B. 64 of the 131st G.A. (originally established by Controlling Board on June 1, 1994)

**Purpose:** Currently, money is being collected and disbursed from this line item for two specific purposes. First, the costs of operating the Civil Impacts of Criminal Convictions (CIVICC) under Ohio Law web site, an online database that collects in one place all of the civil impacts of criminal convictions that exist in Ohio statutes. Six state agencies have entered into interdepartmental agreements with the Public Defender Commission to contribute \$5,000 each annually (total of \$30,000) for this purpose. Second, The Ohio State University Moritz College of Law makes an annual gift of \$25,250 to fund two law students that work on the Commission's Wrongful Conviction Project. This project addresses claims of innocence where biological evidence (DNA) was not available.

## Ohio Public Defender Commission

### 4X70 019610 Trumbull County - County Share

FY 2012 Actual	FY 2013 Actual	FY 2014 Actual	FY 2015 Actual	FY 2016 Appropriation	FY 2017 Appropriation
\$619,602	\$632,458	\$619,891	\$622,814	<b>\$654,790</b>	<b>\$664,809</b>
	2.1%	-2.0%	0.5%	<b>5.1%</b>	<b>1.5%</b>

**Source:** Dedicated Purpose Fund Group: Contract payments from Trumbull County for its portion of the costs of operating the Commission's Trumbull County Branch Office

**Legal Basis:** ORC 120.04 and 120.33; Section 359.10 of Am. Sub. H.B. 64 of the 131st G.A. (originally established by Am. Sub. H.B. 215 of the 122nd G.A.)

**Purpose:** This line item is used to fund the local share of the Trumbull County Branch Office. The office, which began operation in 1984, provides indigent criminal defense representation in the courts of Trumbull County. The state's share is drawn from the Public Defender Commission's GRF line item 019404, Trumbull County - State Share. The funding split between the state and local shares is the same as it is for the Commission's statewide County Reimbursement Program under which the state is responsible for up to 50% of a county's indigent defense costs.

## Ohio Public Defender Commission

### 5740 019606 Civil Legal Aid

FY 2012 Actual	FY 2013 Actual	FY 2014 Actual	FY 2015 Actual	FY 2016 Appropriation	FY 2017 Appropriation
\$17,402,425	\$16,499,901	\$13,828,837	\$13,242,434	<b>\$17,250,000</b>	<b>\$17,250,000</b>
	-5.2%	-16.2%	-4.2%	<b>30.3%</b>	<b>0.0%</b>

**Source:** Dedicated Purpose Fund Group: (1) Interest generated on lawyer's trust accounts (IOLTAs) and title insurance trust accounts (IOTAs), (2) additional filing fees collected by municipal, county, and common pleas courts on certain new civil actions or proceedings, and (3) investment earnings

**Legal Basis:** ORC 120.52; Section 359.10 of Am. Sub. H.B. 64 of the 131st G.A. (originally established by Am. Sub. S.B. 219 of the 115th G.A.)

**Purpose:** This line item is used to support operations of the Ohio Legal Assistance Foundation (OLAF), which is a nonprofit entity charged with administering state funds for Ohio's legal aid societies. The Foundation then administers payments to nonprofit legal aid societies that provide legal representation to indigent persons in civil cases. These payments are distributed to legal aid societies throughout the state pursuant to a statutory formula based on poverty population. Every county is served by one or more legal aid societies.

The FY 2016-FY 2017 biennial budget also contains a provision requiring: (1) the Director of Budget and Management, in each of FYs 2016 and 2017, to transfer \$750,000 cash from the GRF to Fund 5740, and (2) OLAF to distribute that amount in each fiscal year to Ohio's civil legal aid societies for the sole purpose of providing legal services for economically disadvantaged veterans.

### 5CX0 019617 Civil Case Filing Fee

FY 2012 Actual	FY 2013 Actual	FY 2014 Actual	FY 2015 Actual	FY 2016 Appropriation	FY 2017 Appropriation
\$532,136	\$535,335	\$461,240	\$487,134	<b>\$446,820</b>	<b>\$453,580</b>
	0.6%	-13.8%	5.6%	<b>-8.3%</b>	<b>1.5%</b>

**Source:** Dedicated Purpose Fund Group: 4% of filing fees collected by municipal courts, county courts, and courts of common pleas in certain new civil actions or proceedings; remainder of the filing fees, or 96%, credited to the state's Legal Aid Fund (Fund 5740)

**Legal Basis:** ORC 120.07; Section 359.10 of Am. Sub. H.B. 64 of the 131st G.A. (originally established by Am. Sub. H.B. 66 of the 126th G.A.)

**Purpose:** This line item is used to fund operating expenses of the Public Defender Commission.

## Ohio Public Defender Commission

### 5DY0 019618 Indigent Defense Support - County Share

FY 2012 Actual	FY 2013 Actual	FY 2014 Actual	FY 2015 Actual	FY 2016 Appropriation	FY 2017 Appropriation
\$37,913,512	\$36,574,664	\$39,709,776	\$41,191,285	<b>\$38,005,178</b>	<b>\$39,409,939</b>
	-3.5%	8.6%	3.7%	<b>-7.7%</b>	<b>3.7%</b>

**Source:** Dedicated Purpose Fund Group: (1) Designated portion (\$75, \$125, \$250, or \$500) of the mandatory fines for operating a vehicle while under the influence (OVI) violations, (2) \$5 of an additional \$10 in court costs for moving violations, (3) court costs of \$30 for a felony offense and \$20 for a misdemeanor offense other than a traffic offense that is not a moving violation, (4) \$10 additional court cost for a traffic offense that is neither a moving violation nor a parking violation, (5) designated portion (\$10, \$25, \$50, or \$100) of driver's license reinstatement fees, and (6) a \$25 bail bond surcharge

**Legal Basis:** ORC 120.08, 2937.22, 2949.091, 2949.111, 4507.45, 4509.101, and 4510.22; Section 359.10 of Am. Sub. H.B. 64 of the 131st G.A. (originally established by Sub. S.B. 209 of the 127th G.A.)

**Purpose:** This line item is used, in concert with other money appropriated for use by the Public Defender Commission, to reimburse counties for up to 50% of their costs in providing legal counsel to indigent persons in criminal and juvenile matters.

### 5DY0 019619 Indigent Defense Support - State Office

FY 2012 Actual	FY 2013 Actual	FY 2014 Actual	FY 2015 Actual	FY 2016 Appropriation	FY 2017 Appropriation
\$4,977,932	\$4,723,287	\$4,965,916	\$5,075,210	<b>\$5,772,000</b>	<b>\$5,850,000</b>
	-5.1%	5.1%	2.2%	<b>13.7%</b>	<b>1.4%</b>

**Source:** Dedicated Purpose Fund Group: Shares sources of revenue noted in the preceding entry for the Commission's DPF Fund 5DY0, line item 019618, Indigent Defense Support - County Share

**Legal Basis:** ORC 120.08, 2937.22, 2949.091, 2949.111, 4507.45, 4509.101, and 4510.22; Section 359.10 of Am. Sub. H.B. 64 of the 131st G.A. (originally established by Sub. S.B. 209 of the 127th G.A.)

**Purpose:** This line item is used to fund operating expenses of the Public Defender Commission. Related temporary law permits up to 13% of the money in Fund 5DY0 to be used for this purpose.

## Ohio Public Defender Commission

### Federal Fund Group

#### 3FX0 019621 Wrongful Conviction Program

FY 2012 Actual	FY 2013 Actual	FY 2014 Actual	FY 2015 Actual	FY 2016 Appropriation	FY 2017 Appropriation
\$0	\$24,306	\$126,284	\$92,326	<b>\$0</b>	<b>\$0</b>
	N/A	419.6%	-26.9%	<b>-100%</b>	<b>N/A</b>

**Source:** Federal Fund Group: CFDA 16.746, Capital Case Litigation

**Legal Basis:** Discontinued line item (originally established by Controlling Board on September 10, 2012)

**Purpose:** This line item was used to disburse a \$249,648 federal grant related to the Wrongful Conviction Project, which was launched in the fall of 2009. The project works exclusively on the investigation and review of claims of innocence where DNA evidence is not available, and when appropriate, provides representation. The grant expired on September 30, 2014. The project is currently being funded with money appropriated from Fund 4N90 to line item 019613, Gifts and Grants.

#### 3GJ0 019622 Byrne Memorial Grant

FY 2012 Actual	FY 2013 Actual	FY 2014 Actual	FY 2015 Actual	FY 2016 Appropriation	FY 2017 Appropriation
\$0	\$0	\$0	\$20,204	<b>\$39,958</b>	<b>\$39,958</b>
	N/A	N/A	N/A	<b>97.8%</b>	<b>0.0%</b>

**Source:** Federal Fund Group: CFDA 16.738, Edward Byrne Memorial Justice Assistance Grant Program

**Legal Basis:** Section 359.10 of Am. Sub. H.B. 64 of the 131st G.A. (originally established by Controlling Board on January 27, 2014)

**Purpose:** This line item is being used to expend a \$39,958 federal grant awarded by the state's Office of Criminal Justice Services for the purpose of reducing offender recidivism in Athens, Pike, and Meigs counties. The FY 2016-FY2017 biennial budget assumes that the grant will be renewed.

## Ohio Public Defender Commission

### 3S80 019608 Federal Representation

FY 2012 Actual	FY 2013 Actual	FY 2014 Actual	FY 2015 Actual	FY 2016 Appropriation	FY 2017 Appropriation
\$234,526	\$137,175	\$190,520	\$193,450	<b>\$202,942</b>	<b>\$202,942</b>
	-41.5%	38.9%	1.5%	<b>4.9%</b>	<b>0.0%</b>

**Source:** Federal Fund Group: Reimbursement payments from federal courts that offset some of the Public Defender Commission's indigent defense costs incurred in federal habeas cases

**Legal Basis:** Section 359.10 of Am. Sub. H.B. 64 of the 131st G.A. (originally established by Controlling Board on March 2, 1998)

**Purpose:** This line item is used by the Commission's Death Penalty Division to provide, coordinate, and supervise post-trial legal representation to indigent defendants in federal courts on federal habeas corpus proceedings where the defendant is appealing the imposition of a death sentence by a state trial court.