

- Am. Sub. H.B. 95 enacts several recommendations of a recent performance audit

Legal Rights Service

Clay Weidner, Budget Analyst

ROLE

Section 5123.60 of the Revised Code created the Ohio Legal Rights Service (OLRS) in 1975 as Ohio's federally-mandated protection and advocacy (P&A) agency. The federal government requires every state to designate a P&A organization. To date, only eight state P&As are government agencies. The agency's goal is to provide people with disabilities the opportunity to realize self-determination, equality of opportunity, and full participation in the community. Legal Rights Service provides P&A services to individuals with a developmental disability, mental illness, or other significant physical or mental impairment that substantially interferes with life activity. Legal Rights Service responds to allegations of abuse, neglect, and rights violations and advocates for access to appropriate education, health care, housing, employment, and institutional reform for individuals with disabilities. Legal Rights Service provides legal representation, information and referral, professional assistance, negotiation and mediation, education, and training. Legal Rights Service also conducts public hearings and subpoenas persons in order to obtain information needed to perform their duties. The agency has a staff of 51, consisting of attorneys, advocates, administrators, policy analysts, and support. In FY 2002, OLRS provided services for 21,837 individuals with disabilities.

Agency In Brief					
Number of Employees*	Total Appropriations-All Funds		GRF Appropriations		Appropriation Bill(s)
	2004	2005	2004	2005	
51	\$4.3 million	\$4.3 million	\$521,000	\$521,000	Am. Sub. H.B. 95

*Employee head count obtained from the Department of Administrative Services (DAS) payroll reports as of June 28, 2003.

OVERVIEW

The Legal Rights Service is appropriated \$4,338,288 in both FY 2004 and FY 2005, which represents a 10.5% decrease from FY 2003 expenditures. The Legal Rights Service appropriation includes \$520,555 in GRF funding, which represents approximately 11% of the agency's total operating budget, in both fiscal years of the biennium. The GRF portion of the agency's budget decreases by 5.5% from FY 2003 expenditures with level funding in FY 2005. Approximately 87% of the agency's budget is federal funds. According to the agency, the appropriations will maintain current service levels because of a new federal grant and increases in other grants.

BUDGET ISSUES

PERFORMANCE AUDIT

The Legal Rights Service Commission recently requested the Office of the Auditor to perform a performance audit of OLRs. Legal Rights Service voluntarily agreed to the audit, which cost the agency approximately \$60,000. According to OLRs, the Auditor's recommendations will help the agency "chart a course for agency services and management." The Legal Rights Service Commission has posted the Auditor's recommendations on their website and will post implementation plans and updates for each of the Auditor's recommendations.

Am. Sub. H.B. 95 includes changes in the law to implement some of the Auditor's recommendations including giving the Legal Rights Service Commission the authority to make rules, establishing litigation policy guidelines, reviewing budget requests, deleting the Commission's authority to establish guidelines for the resolution of litigation, changing the tenure of the Legal Rights Service Administrator to serve at the pleasure of the Commission, and expressly adding to the purposes of the Commission the role of advising the Legal Rights Service Administrator on establishing and annually reviewing a strategic plan. 

FY 2004 - 2005 Final Appropriation Amounts

All Fund Group

Line Item Detail by Agency

FY 2001: *FY 2002:* *FY 2003:* **FY 2004** *% Change* **FY 2005** *% Change*
Appropriations: *Appropriations:* *Appropriations:* *2003 to 2004:* *Appropriations:* *2004 to 2005:*

Report For: Main Operating Appropriations Bill

Version: Enacted

LRS Legal Rights Service

GRF	054-100	Personal Services	\$ 316,769	\$ 242,522	\$217,331	\$ 193,514	-10.96%	\$ 193,514	0.00%
GRF	054-200	Maintenance	\$ 49,672	\$ 44,599	\$39,852	\$ 33,938	-14.84%	\$ 33,938	0.00%
GRF	054-300	Equipment	\$ 2,744	\$ 2,439	\$2,238	\$ 1,856	-17.07%	\$ 1,856	0.00%
GRF	054-401	Ombudsman	\$ 374,969	\$ 306,942	\$291,247	\$ 291,247	0.00%	\$ 291,247	0.00%
General Revenue Fund Total			\$ 744,154	\$ 596,502	\$ 550,668	\$ 520,555	-5.47%	\$ 520,555	0.00%
416	054-601	Gifts and Donations	----	\$ 26,982	\$0	\$ 1,352	N/A	\$ 1,352	0.00%
524	054-608	Traumatic Brain Injury	\$ 42,655	\$ 107,345	\$0	\$ 0	N/A	\$ 0	N/A
5M0	054-610	Settlements	\$ 121,673	\$ 261,796	\$49,487	\$ 75,000	51.55%	\$ 75,000	0.00%
General Services Fund Group Total			\$ 164,327	\$ 396,124	\$ 49,487	\$ 76,352	54.29%	\$ 76,352	0.00%
305	054-602	Protection and Advocacy-Development	\$ 1,052,240	\$ 1,165,774	\$1,615,108	\$ 1,280,363	-20.73%	\$ 1,280,363	0.00%
3B8	054-603	Protection and Advocacy-Mentally Ill	\$ 842,019	\$ 1,116,768	\$1,049,152	\$ 1,018,279	-2.94%	\$ 1,018,279	0.00%
3R9	054-604	Family Support Collaborative	\$ 227,799	\$ 262,740	\$174,672	\$ 242,500	38.83%	\$ 242,500	0.00%
3N3	054-606	Protection and Advocacy-Individual Rig	\$ 372,601	\$ 494,090	\$733,754	\$ 507,648	-30.81%	\$ 507,648	0.00%
3N9	054-607	Assistive Technology	\$ 72,952	\$ 39,364	\$47,325	\$ 50,000	5.65%	\$ 50,000	0.00%
3T2	054-609	Client Assistance Program	\$ 391,851	\$ 378,148	\$407,062	\$ 404,807	-0.55%	\$ 404,807	0.00%
3X1	054-611	Protection and Advocacy for Beneficiar	\$ 2,663	\$ 115,817	\$202,600	\$ 187,784	-7.31%	\$ 187,784	0.00%
3Z6	054-612	Traumatic Brain Injury	----	----	\$17,149	\$ 50,000	191.56%	\$ 50,000	0.00%
Federal Special Revenue Fund Group Total			\$ 2,962,124	\$ 3,572,701	\$ 4,246,822	\$ 3,741,381	-11.90%	\$ 3,741,381	0.00%
Legal Rights Service Total			\$ 3,870,606	\$ 4,565,327	\$ 4,846,977	\$ 4,338,288	-10.49%	\$ 4,338,288	0.00%