

Ohio Public Defender Commission

General Revenue Fund

GRF 019321 Public Defender Administration

2006 Actual	2007 Actual	2008 Actual	2009 Actual	2010 Appropriation	2011 Appropriation
\$1,289,281	\$1,263,331	\$1,252,281	\$1,224,340	\$772,500	\$612,600
	-2.0%	-0.9%	-2.2%	-36.9%	-20.7%

Source: General Revenue Fund

Legal Basis: Section 361.10 of Am. Sub. H.B. 1 of the 128th G.A. (originally established by Am. Sub. H.B. 215 of the 122nd G.A., the main operating appropriations act covering FY 1998 and FY 1999)

Purpose: The line item provides funding for the Administrative Division's payroll, maintenance, and equipment costs associated with delivering agency support services, including, but not limited to, fiscal and accounting, human resources, computer information systems, general office services (purchasing, inventory, records management, fleet management, and delivery), library maintenance, and county reimbursement collections and payments.

GRF 019401 State Legal Defense Services

2006 Actual	2007 Actual	2008 Actual	2009 Actual	2010 Appropriation	2011 Appropriation
\$5,708,060	\$5,667,108	\$5,838,191	\$5,696,513	\$4,377,500	\$3,471,400
	-0.7%	3.0%	-2.4%	-23.2%	-20.7%

Source: General Revenue Fund

Legal Basis: Section 361.10 of Am. Sub. H.B. 1 of the 128th G.A. (originally established by Am. Sub. H.B. 215 of the 122nd G.A., the main operating appropriations act covering FY 1998 and FY 1999)

Purpose: The line item contains money appropriated for the purpose of funding the payroll, purchased personal service, maintenance, and equipment costs associated with the State Legal Defense Services program series, the function of which is to provide legal representation and services in non-capital and capital cases to indigent adults, juveniles, and incarcerated individuals in state and federal courts when Ohio law, the Ohio Constitution, or the U.S. Constitution requires representation. Non-capital and capital cases are handled by the Commission's Legal Division and Death Penalty Division, respectively.

Ohio Public Defender Commission

GRF 019403 Multi-County: State Share

2006 Actual	2007 Actual	2008 Actual	2009 Actual	2010 Appropriation	2011 Appropriation
\$733,006	\$807,471	\$750,209	\$748,458	\$1,308,201	\$1,456,835
	10.2%	-7.1%	-0.2%	74.8%	11.4%

Source: General Revenue Fund

Legal Basis: Statutory authority for contractual arrangement resides in various ORC sections, including 120.04, 120.06, and 120.33; Section 361.10 of Am. Sub. H.B. 1 of the 128th G.A. (originally established by Controlling Board on December 17, 1990)

Purpose: The line item provides funding for the state's share of operating the Multi-County Branch Office Program. The program, which began operation on January 1, 1991, 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. 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 the program is deposited in the state treasury to the credit of Fund 4C70 (line item 019601, 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% of a county's indigent defense costs.

GRF 019404 Trumbull County - State Share

2006 Actual	2007 Actual	2008 Actual	2009 Actual	2010 Appropriation	2011 Appropriation
\$240,321	\$255,478	\$236,929	\$241,934	\$430,217	\$467,727
	6.3%	-7.3%	2.1%	77.8%	8.7%

Source: General Revenue Fund

Legal Basis: Statutory authority for contractual arrangement resides in various ORC sections, including 120.04, 120.06, and 120.33; Section 361.10 of Am. Sub. H.B. 1 of the 128th G.A. (originally established by Am. Sub. H.B. 291 of the 115th G.A., the main operating appropriations act covering FY 1984 and FY 1985)

Purpose: The line item funds the state's share of the Trumbull County Branch Office's annual operating expenses. The branch office, which has been in operation since 1984, provides indigent criminal defense representation throughout the courts of Trumbull County. A contract is negotiated annually with Trumbull County that designates the duties of the branch office and determines the percentage of financial contribution paid by both parties to fund the office. The percentage paid by each mirrors the reimbursement rate applicable to all counties under either the assigned counsel or county public defender systems. Approximately 10% of the Trumbull County contract obligation is contributed by participating municipalities. The local share of the branch office is deposited in the state treasury to the credit of Fund 4X70 (line item 019610, Trumbull County - County Share).

Ohio Public Defender Commission

GRF 019405 Training Account

2006 Actual	2007 Actual	2008 Actual	2009 Actual	2010 Appropriation	2011 Appropriation
\$29,745	\$32,204	\$25,031	\$34,909	\$50,000	\$50,000
	8.3%	-22.3%	39.5%	43.2%	0.0%

Source: General Revenue Fund

Legal Basis: Statutory authority for the program resides in ORC 120.03(D)(2); Section 361.10 of Am. Sub. H.B. 1 of the 128th G.A. (originally established by Am. Sub. H.B. 171 of the 117th G.A., the main operating appropriations act covering FY 1988 and FY 1989)

Purpose: Pursuant to temporary law, the line item 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 \$200 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 019501 County Reimbursement

2006 Actual	2007 Actual	2008 Actual	2009 Actual	2010 Appropriation	2011 Appropriation
\$30,060,000	\$30,000,000	\$29,812,630	\$25,656,916	\$13,855,879	\$10,711,478
	-0.2%	-0.6%	-13.9%	-46.0%	-22.7%

Source: General Revenue Fund

Legal Basis: Statutory authority and guidelines for the reimbursement program reside in various ORC sections, including 120.04, 120.18, 120.28, 120.33, 2941.51, and 2949.19; Section 361.10 of Am. Sub. H.B. 1 of the 128th G.A. (originally established by Am. Sub. H.B. 164 of the 111th G.A., the act establishing state, county, and joint county public defenders)

Purpose: Since the start of FY 2006, the line item has been used to reimburse counties for up to 50% of their indigent defense expenditures on non-capital and capital cases. If the available appropriations are insufficient to reimburse 50% of the indigent defense expenditures for non-capital and capital cases, then the reimbursement percentage for each of the public defender offices and appointed counsel systems is reduced equally. Prior to FY 2006, indigent defense expenditures for capital cases were reimbursed through the Commission's GRF line item 019503, County Reimbursement - Capital Cases. Effective FY 2006, the Capital Cases line item's funding and purpose were consolidated within GRF line item 019501, County Reimbursement.

Ohio Public Defender Commission

GRF 019504 Reimbursement: Mandate Assistance

2006 Actual	2007 Actual	2008 Actual	2009 Actual	2010 Appropriation	2011 Appropriation
\$620,491	\$631,840	\$0	\$0	\$0	\$0
	1.8%	-100%	N/A	N/A	N/A

Source: General Revenue Fund

Legal Basis: As needed line item; Section 245.10 of Am. Sub. H.B. 1 of the 128th G.A. (originally established by Controlling Board on July 12, 2004, pursuant to Section 31 of Am. Sub. H.B. 95 of the 125th G.A. authorizing the transfer of any moneys within GRF line item 911404, Mandate Assistance, not fully utilized to the Public Defender Commission for the costs incurred by counties in providing indigent defense)

Purpose: The line item is used to disburse funding to county commissioners in order to provide additional reimbursement for the cost incurred by counties in providing criminal legal services to indigent defendants pursuant to ORC Chapter 120. The amount disbursed to each county is allocated proportionately on the basis of the total amount of reimbursement paid to all of the counties during the most recent fiscal year for which data is available and as calculated by the Commission.

General Services Fund Group

1010 019602 Inmate Legal Assistance

2006 Actual	2007 Actual	2008 Actual	2009 Actual	2010 Appropriation	2011 Appropriation
\$50,078	\$30,473	\$114	\$17,557	\$0	\$0
	-39.1%	-99.6%	15355.2%	-100%	N/A

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

Legal Basis: Discontinued line item (originally established by Controlling Board in 1978)

Purpose: The line item funded an inmate legal assistance program at the state's Marion Correctional Institution, a purpose it has served since 1991. Specifically covered were the payroll, maintenance, and equipment costs associated with one legal services attorney. There are no appropriations for this purpose in either of FY 2010 or FY 2011, as the attorney who ran the law library has been transferred to the Commission's Columbus office and the program discontinued.

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 correctional 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. In 1991, an attorney took over the running of the correctional institution's law library and also provided representation to inmates at parole revocation hearings.

Ohio Public Defender Commission

4060 019603 Training and Publications

2006 Actual	2007 Actual	2008 Actual	2009 Actual	2010 Appropriation	2011 Appropriation
\$0	\$16,000	\$0	\$0	\$0	\$0
	N/A	-100%	N/A	N/A	N/A

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: As needed line item: ORC 120.03(E); (originally established by Am. Sub. H.B. 291 of the 115th G.A., the main operating appropriations act covering FY 1984 and FY 1985)

Purpose: The Commission is required to expend moneys deposited to the credit of the fund 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. As virtually no revenues have been generated for this purpose in the last few years, there has been no expenditure activity. In light of the absence of any cash flow activity, Am. Sub. H.B. 1 of the 128th G.A. makes no appropriations for the FY 2010-FY 2011 biennium.

Ohio Public Defender Commission

4070 019604 County Representation

2006 Actual	2007 Actual	2008 Actual	2009 Actual	2010 Appropriation	2011 Appropriation
\$167,176	\$207,794	\$196,448	\$200,113	\$196,650	\$207,143
	24.3%	-5.5%	1.9%	-1.7%	5.3%

Source: General Services Fund Group: (1) Moneys a county is required to pay the State Public Defender for legal representation when the State Public Defender is designated by the court or requested by a county public defender or joint county public defender to provide legal representation for an indigent person in any case other than certain cases the State Public Defender defends because of a contract with a county public defender commission or a joint county public defender commission as follows: (a) 100% of the amount identified as legal fees, less the state reimbursement rate, as calculated by the State Public Defender for the month the case terminated, and (b) 100% of the amount identified as expenses, and (2) moneys a county is required to pay the State Public Defender for 100% of the cost of investigation or mitigation services provided by the State Public Defender to private appointed counsel or to a county or joint county public defender, other than in certain cases when the State Public Defender has a contract with a county public defender commission or a joint county public defender commission pursuant to ORC 120.04(C)(7); upon payment of the bill, the county is permitted to submit the cost of the expenses (excluding legal fees) and the cost of the investigation and mitigation services to the State Public Defender for reimbursement pursuant to ORC 120.33; prior to FY 2006, revenue stream consisted solely of 50% of the actual cost of providing legal representation in the circumstances described in (1) above

Legal Basis: ORC 120.06(D); Section 361.10 of Am. Sub. H.B.1 of the 128th G.A. (originally established by Am. Sub. H.B. 291 of the 115th G.A., the main operating appropriations act covering FY 1984 and FY 1985)

Purpose: Moneys deposited to the credit of the fund are statutorily restricted to be used by the State Public Defender to: (1) provide legal representation for indigent persons when designated by the court or requested by a county or joint county public defender, or (2) provide investigation or mitigation services, including investigation or mitigation services to private appointed counsel or a county or joint county public defender, as approved by the court. Prior to FY 2006, moneys deposited to the credit of the fund could only be used for the purpose noted in (1) in the immediately preceding sentence.

Ohio Public Defender Commission

4080 019605 Client Payments

2006 Actual	2007 Actual	2008 Actual	2009 Actual	2010 Appropriation	2011 Appropriation
\$197,701	\$713,998	\$586,827	\$533,363	\$600,000	\$600,000
	261.1%	-17.8%	-9.1%	12.5%	0.0%

Source: General Services Fund Group: (1) All moneys collected by the state 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 through a recoupment, reimbursement, contribution, or partial payment plan, and (2) starting with FY 2006, 20%, or \$5, of a non-refundable \$25 application fee, unless waived or reduced by the court, assessed a defendant in a criminal case or a party in a juvenile court case when requesting or provided a state public defender, county or joint county defender, or court-appointed counsel, collected by the clerk of court, and forwarded to the state by the county auditor (80%, or \$20, of the \$25 non-refundable application fee is retained by the county to offset the costs of providing legal representation to indigent persons)

Legal Basis: ORC 120.04(B)(5); Section 361.10 of Am. Sub. H.B. 1 of the 128th G.A. (originally established by Am. H.B. 291 of the 115th G.A., the main operating appropriations act covering FY 1984 and FY 1985)

Purpose: Moneys deposited to the credit of the fund are statutorily restricted to be used to: (1) appoint assistant state public defenders and to provide other personnel, equipment, and facilities necessary for the operation of the Office of the State Public Defender, (2) reimburse counties for the operation of county public defender offices, joint county public defender offices, and county appointed counsel systems pursuant to ORC 120.18, 120.28, and 120.33, and (3) provide assistance to counties in the operation of county indigent defense systems.

5CX0 019617 Civil Case Filing Fee

2006 Actual	2007 Actual	2008 Actual	2009 Actual	2010 Appropriation	2011 Appropriation
\$10,830	\$547,232	\$619,343	\$719,624	\$743,076	\$772,121
	4952.9%	13.2%	16.2%	3.3%	3.9%

Source: General Services Fund Group: 4% of filing fees collected by municipal courts, county courts, and courts of common pleas in each new civil action or proceeding, subject to exceptions on certain matters filed in the probate division of a court of common pleas, and forwarded to the state; remainder of the filing fee amounts collected, or 96%, credited to the state's Legal Aid Fund (Fund 5740)

Legal Basis: ORC 120.07; Section 361.10 of Am. Sub. H.B. 1 of the 128th G.A. (originally established by Am. Sub. H.B. 66 of the 126th G.A., the main operating appropriations act covering FY 2006 and FY 2007)

Purpose: All moneys credited to the fund are statutorily restricted to be used by the State Public Defender for the purpose of appointing assistant state public defenders and for providing other personnel, equipment, and facilities necessary for the operation of the Office of the State Public Defender.

Ohio Public Defender Commission

Federal Special Revenue Fund Group

3S80 019608 Federal Representation

2006 Actual	2007 Actual	2008 Actual	2009 Actual	2010 Appropriation	2011 Appropriation
\$305,784	\$297,290	\$260,076	\$326,580	\$202,347	\$212,303
	-2.8%	-12.5%	25.6%	-38.0%	4.9%

Source: Federal Special Revenue Fund Group: Payments collected from a federal court that offset some of the costs incurred by the Office of the State Public Defender when that court has appointed the State Public Defender to provide legal representation to an indigent defendant in federal habeas corpus proceedings, primarily matters involving the death penalty

Legal Basis: Section 361.10 of Am. Sub. H.B. 1 of the 128th G.A. (originally established by Controlling Board on March 2, 1998)

Purpose: Moneys credited to the fund are 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. Habeas corpus is an appeal to the federal courts for wrongful conviction and unconstitutional imprisonment. A habeas petition is filed after a defendant has exhausted his or her direct appeal and state postconviction remedies. In this instance, a defendant combines all of the prior claims raised on direct appeal and state postconviction and he or she raises them in one petition in the United States District Court. All habeas cases, win or lose, are reviewed by the United States Court of Appeals for the Sixth Circuit in Cincinnati. In this habeas petition the defendant may only seek relief on claims that involve a violation of the United States Constitution, for example, a violation of the 6th Amendment right to effective counsel or a violation of the 8th Amendment right to present mitigating evidence for sentencing.

Ohio Public Defender Commission

State Special Revenue Fund Group

4C70 019601 Multi-County: County Share

2006 Actual	2007 Actual	2008 Actual	2009 Actual	2010 Appropriation	2011 Appropriation
\$1,962,234	\$1,981,265	\$2,159,712	\$2,220,329	\$2,227,056	\$2,384,210
	1.0%	9.0%	2.8%	0.3%	7.1%

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: Statutory authority for contractual relationship resides in ORC 120.04(C)(7); Section 361.10 of Am. Sub. H.B. 1 of the 128th G.A. (originally established by Controlling Board on December 17, 1990)

Purpose: Moneys deposited to the credit of the fund represent the local share of operating the Multi-County Branch Office Program. The program, which began operation on January 1, 1991, 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. 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 the program is deposited in the state treasury to the credit of Fund 4C70 (line item 019601, Multi-County: County Share). The state's contribution is drawn from the 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 much larger 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

2006 Actual	2007 Actual	2008 Actual	2009 Actual	2010 Appropriation	2011 Appropriation
\$0	\$0	\$0	\$12,300	\$0	\$0
	N/A	N/A	N/A	-100%	N/A

Source: State Special Revenue Fund Group: Local cash contributions for community reconciliation programs

Legal Basis: Discontinued line item (originally established by Controlling Board on June 1, 1994)

Purpose: The line item was used to receive, disburse, and account for local matching funds for a federal grant that was made through the Office of Criminal Justice Services for the Community Reconciliation program.

Ohio Public Defender Commission

4X70 019610 Trumbull County - County Share

2006 Actual	2007 Actual	2008 Actual	2009 Actual	2010 Appropriation	2011 Appropriation
\$624,033	\$633,310	\$686,447	\$719,340	\$732,393	\$765,467
	1.5%	8.4%	4.8%	1.8%	4.5%

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

Legal Basis: Statutory authority for contractual relationship resides in ORC 120.04(C)(7); Section 361.10 of Am. Sub. H.B. 1 of the 128th G.A. (originally established by Am. Sub. H.B. 215 of the 122nd G.A., the main operating appropriations act covering FY 1998 and FY 1999)

Purpose: Moneys deposited to the credit of the fund are used as the local share of the Trumbull County Branch Office's annual operating expenses. The branch office, which has been in operation since 1984, provides indigent criminal defense representation throughout the courts of Trumbull County. A contract is negotiated annually with Trumbull County that designates the duties of the branch office and determines the percentage of financial contribution paid by both parties to fund the office. The percentage paid by each mirrors the reimbursement rate applicable to all counties under either the assigned counsel or county public defender systems. Approximately 10% of the Trumbull County contract obligation is contributed by participating municipalities.

Ohio Public Defender Commission

5740 019606 Civil Legal Aid

2006 Actual	2007 Actual	2008 Actual	2009 Actual	2010 Appropriation	2011 Appropriation
\$22,421,963	\$49,654,424	\$34,778,871	\$23,139,351	\$35,000,000	\$35,000,000
	121.5%	-30.0%	-33.5%	51.3%	0.0%

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

Legal Basis: ORC 120.52; Section 361.10 of Am. Sub. H.B. 1 of the 128th G.A. (originally established by Am. Sub. S.B. 219 of the 115th G.A.)

Purpose: Moneys deposited to the credit of the fund are statutorily apportioned as follows:

- (1) 4.5% of the moneys in the fund are reserved for the actual, reasonable costs of administering laws governing legal aid society funding and related programs.
- (2) Moneys reserved as described in (1) above, but that are not used for that purpose, are set aside for distributing financial assistance to legal aid societies that provide civil legal services to indigents.
- (3) After deduction of the amount described in (1) above for actual, reasonable administrative costs: (a) 5% of the moneys remaining in the fund are reserved for distribution to legal aid societies that provide assistance to special population groups of their eligible clients, engage in special projects that have a substantial impact on their local service area or on significant segments of the state's poverty population, or provide legal training or support to other legal aid societies in the state, (b) after deduction of the amount described in (a) above, 1.75% of the moneys remaining in the fund are apportioned among entities that received financial assistance from the fund prior to June 30, 1995, but that, on and after that date, no longer qualify as a legal aid society eligible for financial assistance, and (c) after deduction of the amounts described in (a) and (b) above, 15% of the moneys remaining in the fund are placed in the Legal Assistance Foundation Fund for use in the manner described in the law governing the Legal Assistance Foundation Fund.
- (4) After deduction of the actual, reasonable administrative costs described in (1) above, and after deduction of the amounts identified in (3)(a), (b), and (c) above, the remaining moneys are apportioned for the charitable purpose of distributing financial assistance to legal aid societies that provide civil legal services to indigents.

Ohio Public Defender Commission

5DY0 019618 Indigent Defense Support - County Share

2006 Actual	2007 Actual	2008 Actual	2009 Actual	2010 Appropriation	2011 Appropriation
\$0	\$0	\$0	\$3,700,000	\$27,783,000	\$37,044,000
	N/A	N/A	N/A	650.9%	33.3%

Source: State Special Revenue Fund Group: (1) Beginning in FY 2008, between \$75 and \$500 of the mandatory fines for operating a vehicle while under the influence (OVI) violations depending on the nature of the offense, and (2) beginning in FY 2009, \$5 of the revenue from the collection of an additional \$10 in court costs for moving violations; Am. Sub. H.B. 1 of the 128th G.A. enacted additional sources of revenue from: (1) locally collected state court costs in the amount of \$30 for a felony offense and \$20 for a misdemeanor offense other than a traffic offense that is not a moving violation, (2) \$10 additional court cost for a traffic offense that is neither a moving violation nor a parking violation, (3) \$10 increase in the general driver's license reinstatement fee, (4) \$25, \$50, or \$100 of the reinstatement fee collected for a financial responsibility violation depending on the number of prior offenses, (5) \$10 increase in the license reinstatement fee for a person who commits a specified traffic offense, motor vehicle equipment offense, or motor vehicle crime that is a misdemeanor, other than a minor misdemeanor, and whose license is forfeited for failing to appear in court to answer the charge or pay the fine, and (6) \$25 surcharge to be paid when a person posts bail and retained for deposit in the state treasury if the person is convicted, pleads guilty, or forfeits bail

Legal Basis: ORC 120.08, 2937.22, 2949.091, 2949.111, 4507.45, 4509.101, and 4510.22 (originally established by Sub. S.B. 209 of the 127th G.A.)

Purpose: Prior law required the State Public Defender Office to make disbursements from Fund 5DY0 in each state fiscal year to reimburse counties for a portion of the costs of their county or joint county public defender systems or county appointed counsel systems. Current law: (1) requires the Office to use at least 90% of the money in the fund to reimburse counties for their public defender systems, requires that disbursements be made at least once per year, and allows disbursements to be used to support contracted public defender services and selected and appointed counsel, and (2) authorizes the Office to use not more than 10% of the money in the fund for the purposes of appointing assistant state public defenders or for providing other personnel, equipment, and facilities necessary for the operation of the State Public Defender Office. The money appropriated to this line item (019618, Indigent Defense Support – County Share) is for the purpose described in (1) above.

Ohio Public Defender Commission

5DY0 019619 Indigent Defense Support - State Office

2006 Actual	2007 Actual	2008 Actual	2009 Actual	2010 Appropriation	2011 Appropriation
\$0	\$0	\$0	\$0	\$3,087,000	\$4,116,000
	N/A	N/A	N/A	N/A	33.3%

Source: State Special Revenue Fund Group: (1) Beginning in FY 2008, between \$75 and \$500 of the mandatory fines for operating a vehicle while under the influence (OVI) violations depending on the nature of the offense, and (2) beginning in FY 2009, \$5 of the revenue from the collection of an additional \$10 in court costs for moving violations; Am. Sub. H.B. 1 of the 128th G.A. enacted additional sources of revenue from: (1) locally collected state court costs in the amount of \$30 for a felony offense and \$20 for a misdemeanor offense other than a traffic offense that is not a moving violation, (2) \$10 additional court cost for a traffic offense that is neither a moving violation nor a parking violation, (3) \$10 increase in the general driver's license reinstatement fee, (4) \$25, \$50, or \$100 of the reinstatement fee collected for a financial responsibility violation depending on the number of prior offenses, (5) \$10 increase in the license reinstatement fee for a person who commits a specified traffic offense, motor vehicle equipment offense, or motor vehicle crime that is a misdemeanor, other than a minor misdemeanor, and whose license is forfeited for failing to appear in court to answer the charge or pay the fine, and (6) \$25 surcharge to be paid when a person posts bail and retained for deposit in the state treasury if the person is convicted, pleads guilty, or forfeits bail

Legal Basis: ORC 120.08, 2937.22, 2949.091, 2949.111, 4507.45, 4509.101, and 4510.22 (originally established by Sub. S.B. 209 of the 127th G.A.)

Purpose: Prior law required the State Public Defender Office to make disbursements from Fund 5DY0 in each state fiscal year to reimburse counties for a portion of the costs of their county or joint county public defender systems or county appointed counsel systems. Current law: (1) requires the Office to use at least 90% of the money in the fund to reimburse counties for their public defender systems, requires that disbursements be made at least once per year, and allows disbursements to be used to support contracted public defender services and selected and appointed counsel, and (2) authorizes the Office to use not more than 10% of the money in the fund for the purposes of appointing assistant state public defenders or for providing other personnel, equipment, and facilities necessary for the operation of the State Public Defender Office. The money appropriated to this line item (019619, Indigent Defense Support – State Share) is for the purpose described in (2) above.