

## Ohio Public Defender Commission

### General Revenue Fund

**GRF 019401 State Legal Defense Services**

FY 2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual	FY 2022 Appropriation	FY 2023 Appropriation
\$3,778,343	\$4,071,015	\$5,715,485	\$6,099,083	\$6,944,609	\$7,419,884
% change	7.7%	40.4%	6.7%	13.9%	6.8%

**Source:** General Revenue Fund

**Legal Basis:** Section 371.10 of H.B. 110 of the 134th G.A. (originally established by H.B. 215 of the 122nd G.A.)

**Purpose:** This line item funds the Public Defender Commission's operating expenses, primarily those associated with state legal defense services, and secondarily program management.

**GRF 019403 Multi-County: State Share**

FY 2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual	FY 2022 Appropriation	FY 2023 Appropriation
\$1,794,829	\$1,708,761	\$2,988,031	\$2,957,225	\$4,881,554	\$5,076,816
% change	-4.8%	74.9%	-1.0%	65.1%	4.0%

**Source:** General Revenue Fund

**Legal Basis:** ORC 120.04, 120.06, and 120.33; Section 371.10 of H.B. 110 of the 134th G.A. (originally established by Controlling Board on December 17, 1990)

**Purpose:** This line item funds 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.

## Ohio Public Defender Commission

**GRF 019404 Trumbull County - State Share**

FY 2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual	FY 2022 Appropriation	FY 2023 Appropriation
\$531,710	\$626,940	\$890,212	\$961,557	\$2,063,870	\$2,146,425
% change	17.9%	42.0%	8.0%	114.6%	4.0%

**Source:** General Revenue Fund

**Legal Basis:** ORC 120.04, 120.06, and 120.33; Section 371.10 of H.B. 110 of the 134th G.A. (originally established by H.B. 291 of the 115th G.A.)

**Purpose:** This line item funds 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.

**GRF 019405 Training Account**

FY 2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual	FY 2022 Appropriation	FY 2023 Appropriation
\$30,475	\$37,125	\$39,475	\$10,000	\$50,000	\$50,000
% change	21.8%	6.3%	-74.7%	400.0%	0.0%

**Source:** General Revenue Fund

**Legal Basis:** ORC 120.03; Section 371.10 of H.B. 110 of the 134th G.A. (originally established by H.B. 171 of the 117th G.A.)

**Purpose:** This line item funds 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.

## Ohio Public Defender Commission

### GRF 019501 County Reimbursement

FY 2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual	FY 2022 Appropriation	FY 2023 Appropriation
\$30,237,220	\$31,188,211	\$83,462,160	\$82,598,981	\$132,197,392	\$136,138,934
% change	3.1%	167.6%	-1.0%	60.0%	3.0%

**Source:** General Revenue Fund

**Legal Basis:** ORC 120.04, 120.18, 120.28, 120.33, 2941.51, and 2949.19; Section 371.10 of H.B. 110 of the 134th G.A. (originally established by 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 their costs in providing legal counsel to indigent persons in criminal and juvenile matters.

Prior to FY 2020, the State Public Defender was required to reimburse counties 50% of their total costs, subject to available appropriations. In the FY 2020-FY 2021 biennial operating budget, instead of capping the reimbursement rate at 50%, the state is required to reimburse counties up to 100%, subject to available appropriations.

### Dedicated Purpose Fund Group

#### 1010 019607 Juvenile Legal Assistance

FY 2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual	FY 2022 Appropriation	FY 2023 Appropriation
\$202,985	\$208,153	\$201,945	\$207,274	\$205,000	\$205,000
% change	2.5%	-3.0%	2.6%	-1.1%	0.0%

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

**Legal Basis:** Section 371.10 of H.B. 110 of the 134th G.A. (originally established by Controlling Board on August 16, 1993)

**Purpose:** This line item is used by the Public Defender Commission for costs incurred 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 2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual	FY 2022 Appropriation	FY 2023 Appropriation
\$25,000	\$8,462	\$11,150	\$0	\$25,000	\$25,000
% change	-66.2%	31.8%	-100%	N/A	0.0%

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

**Legal Basis:** ORC 120.03; Section 371.10 of H.B. 110 of the 134th G.A. (originally established by H.B. 291 of the 115th G.A.)

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

### 4070 019604 County Representation

FY 2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual	FY 2022 Appropriation	FY 2023 Appropriation
\$267,105	\$184,560	\$274,922	\$201,433	\$285,000	\$285,000
% change	-30.9%	49.0%	-26.7%	41.5%	0.0%

**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 371.10 of H.B. 110 of the 134th G.A. (originally established by 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 or to 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.

### 4080 019605 Client Payments

FY 2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual	FY 2022 Appropriation	FY 2023 Appropriation
\$683,696	\$605,791	\$623,208	\$602,444	\$737,389	\$737,389
% change	-11.4%	2.9%	-3.3%	22.4%	0.0%

**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 371.10 of H.B. 110 of the 134th G.A (originally established by H.B. 291 of the 115th G.A.)

**Purpose:** This line item is used for the Public Defender Commission's operating expenses.

## Ohio Public Defender Commission

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

FY 2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual	FY 2022 Appropriation	FY 2023 Appropriation
\$2,184,628	\$2,331,289	\$1,385,021	\$1,185,641	\$149,879	\$272,016
% change	6.7%	-40.6%	-14.4%	-87.4%	81.5%

**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 371.10 of H.B. 110 of the 134th G.A. (originally established by Controlling Board on December 17, 1990)

**Purpose:** This line item funds 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.

### 4N90 019613 Gifts and Grants

FY 2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual	FY 2022 Appropriation	FY 2023 Appropriation
\$17,684	\$18,800	\$11,166	\$0	\$13,440	\$13,440
% change	6.3%	-40.6%	-100%	N/A	0.0%

**Source:** Dedicated Purpose Fund Group: (1) Grants, donations, and awards from public and private sources that the Commission has received for specific purposes, and (2) effective July 1, 2019, payments from agreements to license, lease, sell, and market for sale intellectual property owned by the Office of the Public Defender

**Legal Basis:** ORC 120.04; Section 371.10 of H.B. 110 of the 134th G.A (originally established by Controlling Board on June 1, 1994)

**Purpose:** Since the FY 2012-FY 2013 biennium, money credited to the fund has consisted of an annual gift from The Ohio State University Moritz College of Law for the Public Defender 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 2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual	FY 2022 Appropriation	FY 2023 Appropriation
\$646,004	\$857,964	\$423,561	\$387,271	\$47,699	\$86,568
% change	32.8%	-50.6%	-8.6%	-87.7%	81.5%

**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 371.10 of H.B. 110 of the 134th G.A (originally established by H.B. 215 of the 122nd G.A.)

**Purpose:** This line item funds 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.

### 5740 019606 Civil Legal Aid

FY 2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual	FY 2022 Appropriation	FY 2023 Appropriation
\$17,993,164	\$20,544,904	\$20,928,875	\$13,708,732	\$14,500,000	\$14,500,000
% change	14.2%	1.9%	-34.5%	5.8%	0.0%

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

**Legal Basis:** ORC 120.52; Section 371.10 of H.B. 110 of the 134th G.A. (originally established by S.B. 219 of the 115th G.A.)

**Purpose:** The money appropriated to this line item is distributed to the Ohio Access to Justice Foundation (OAJF), a nonprofit entity that distributes financial resources to legal aid societies that provide civil legal services to indigents. Prior to September 2019, OAJF was known as the Ohio Legal Aid Foundation (OLAF).

## Ohio Public Defender Commission

### 5CX0 019617 Civil Case Filing Fee

FY 2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual	FY 2022 Appropriation	FY 2023 Appropriation
\$517,148	\$540,611	\$635,326	\$369,906	\$542,904	\$602,904
% change	4.5%	17.5%	-41.8%	46.8%	11.1%

**Source:** Dedicated Purpose Fund Group: 4% of filing fees collected by municipal, county, and common pleas courts in certain new civil actions or proceedings and then transmitted to the state, with remainder (96%) credited to the state's Legal Aid Fund (Fund 5740); courts permitted to retain up to 1% of fees collected to cover administrative costs

**Legal Basis:** ORC 120.07, 1901.26, 1907.24, and 2303.201; Section 371.10 of H.B. 110 of the 134th G.A (originally established by H.B. 66 of the 126th G.A.)

**Purpose:** This line item funds operating expenses of the Public Defender Commission.

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

FY 2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual	FY 2022 Appropriation	FY 2023 Appropriation
\$32,830,022	\$30,077,470	\$29,372,000	\$24,752,229	\$25,896,000	\$27,888,000
% change	-8.4%	-2.3%	-15.7%	4.6%	7.7%

**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 (\$25, \$50, or \$100) of financial responsibility driver's license reinstatement fee, (6) designated portion (\$10) of driver's license reinstatement fee for suspensions generally, (7) designated portion (\$10) of driver's license reinstatement fee for class F suspension, and (8) \$25 bail bond surcharge

**Legal Basis:** ORC 120.08, 2937.22, 2949.091, 2949.094, 4507.45, 4509.101, 4510.22, and 4511.19; Section 371.10 of H.B. 110 of the 134th G.A (originally established by 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 their costs in providing legal counsel to indigent persons in criminal and juvenile matters.

## Ohio Public Defender Commission

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

FY 2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual	FY 2022 Appropriation	FY 2023 Appropriation
\$6,143,962	\$6,559,220	\$5,126,268	\$5,243,809	\$6,684,000	\$6,684,000
% change	6.8%	-21.8%	2.3%	27.5%	0.0%

**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, 2949.094, 4507.45, 4509.101, 4510.22, and 4511.19; Section 371.10 of H.B. 110 of the 134th G.A (originally established by S.B. 209 of the 127th G.A.)

**Purpose:** This line item funds operating expenses of the Public Defender Commission.

### Federal Fund Group

#### 3GJ0 019622 Byrne Memorial Grant

FY 2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual	FY 2022 Appropriation	FY 2023 Appropriation
\$7,546	\$2,784	\$0	\$0	\$0	\$0
% change	-63.1%	-100%	N/A	N/A	N/A

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

**Legal Basis:** Discontinued line item (originally established by Controlling Board on January 27, 2014)

**Purpose:** This line item was used to expend federal grants awarded by the state's Office of Criminal Justice Services, the purpose of which was to reimburse the Office of the State Public Defender for expenditures related to reducing offender recidivism in Athens, Pike, and Meigs counties.



## Ohio Public Defender Commission

**3S80    019608    Federal Representation**

FY 2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual	FY 2022 Appropriation	FY 2023 Appropriation
\$30,115	\$36,610	\$0	\$0	\$38,315	\$38,315
% change	21.6%	-100%	N/A	N/A	0.0%

**Source:** Federal Fund Group: Payments collected from a federal court when it has appointed the State Public Defender to provide legal representation to an indigent defendant in a federal trial or in a federal habeas corpus proceeding, primarily matters involving the death penalty

**Legal Basis:** Section 371.10 of H.B. 110 of the 134th G.A (originally established by Controlling Board on March 2, 1998)

**Purpose:** This line item is used by the Public Defender Commission's Death Penalty Department 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.