

Washington State Judicial Branch 2015-2017 BIENNIAL BUDGET REQUEST

Decision Package

Agency	Office of Public Defense
Decision Package Title	Pass-Through Funding for Washington Defender Association
Budget Period	2015-2017 Biennial Budget
Budget Level	Maintenance Level

Agency Recommendation Summary Text

OPD passes through appropriated state funds to Washington Defender Association (WDA). WDA needs an annual policy increase of \$94,000 to restore cuts made during the recession and meet increased operating costs.

Fiscal Detail

Operating Expenditures	FY 2016	FY 2017	Total
011-1 General Fund State	\$ 94,000	\$ 94,000	\$ 188,000
Staffing	FY 2016	FY 2017	Total
FTEs (number of staff requested)	0	0	0

Package Description

The Need:

Washington Defender Association (WDA) is a nonprofit agency serving more than 1,200 attorneys who provide public defense services. Many of these public defense attorneys are sole practitioners or practice in small private firms under contract with a city or county and they have limited access to public defense-oriented resources in their local communities. WDA provides relevant continuing legal education around the state as well as access to highly experienced felony and misdemeanor resource attorneys who are on-call to consult on individual cases. For many years, WDA has received state funding for these basic services that promote the effective assistance of public defense counsel, which is constitutionally mandated. Between 2008 and 2013 state funding fell by 12 percent for these basic WDA services. Although it was able to mitigate the cuts in some areas, significant staff and CLE program reductions were necessary.

Since 2008, the basic cost of doing business also has risen, including yearly increases in office rent and health care benefits for staff, and higher costs for CLE logistics.

WDA has requested the increase estimated in the fiscal detail; currently, OPD is exploring specifics with WDA regarding the appropriate level of increase.

The Solution:

The requested increase would allow WDA to restore many of the reductions made in recent years as well as respond to increased operating costs.

Narrative Justification and Impact Statement

Measure Detail

Impact on clients and service

Impact on other state services

The requested funding will help WDA provide public defense attorneys around the state with access to critical training and other resources necessary to do their jobs effectively, which will help ensure a constitutional level of service for indigent clients.

Relationship to Capital Budget

N/A

Required changes to existing Court Rule, Court Order, RCW, WAC, contract, or plan

N/A

Alternatives explored

Distinction between one-time and ongoing costs and budget impacts in future biennia

Pass-through funding for Washington Defender Association expansion would be an ongoing cost.

Effects of non-funding

Expenditure calculations and assumptions and FTE assumptions

Object Detail	FY 2016	FY 2017	Total
Staff Costs	\$ 94,000	\$ 94,000	\$ 188,000
Non-Staff Costs	\$ 0	\$ 0	\$ 0
Total Objects	\$ 94,000	\$ 94,000	\$ 188,000