

Law Enforcement and Criminal Justice Subcommittee Meeting

Tuesday, April 24, 2018

Table of Contents

Contents

Agenda.....	3
Meeting Minutes	5
Study Timeline	10
Figure 1. Key dates in the study process.	10
Agency Snapshot	11
Figure 2. Snapshot of the agency’s major organizational units, fiscal year 2017-18 resources (employees and funding), successes, and challenges.	11
S.C. Judicial Circuits.....	12
Figure 3. Map of S.C. judicial circuits and counties.....	12
Agency Overview	13
History	13
Legal Directives	15
Table 1. Legal directives for the Commission compared to directives for the Office of Indigent Defense	16
Mission and Vision	19
Resources Available	20
Funding.....	20
Table 2. SCCID funding sources, amounts received from each, and each amount’s percent of the agency’s total funding available in fiscal years 2016-17 and 2017-18.	21
Table 3. SCCID carry forward during fiscal years 2012-13 through 2016-17.	25
Employees	26
Table 4. Authorized, filled, and vacant positions at the agency during fiscal years 2013-14 through 2017-18 (as of February 2018).....	26
Figure 4. Information on agency employees: gender and race by generation as of April 2018 and statistics from 2018 annual Human Affairs report on the status of equal employment opportunity in S.C. state government.	27
Organization	28
Governing Body (i.e., director, commissioners, trustees, etc.)	28
Table 5. Manner of appointing and terms of Commission members.	28
Table 6. Members of the Commission on Indigent Defense as of April 2018.	29
Internal Audit Process.....	29
Organizational Units	30
Table 7.1. SCCID Organizational Unit: Administration.	30
Table 7.2. SCCID Organizational Unit: Death Penalty Trial Division.	31
Table 7.3. SCCID Organizational Unit: Division of Appellate Defense.....	31
Table 7.4. SCCID Organizational Unit: Office of Circuit Public Defenders.	32
Organizational Chart	33
Figure 5. SCCID Organizational chart as of March 2018.	33
Administration Unit	34
Overview of the Administration Unit.....	34
Products, Services, and Customers related to the Administration Unit	34
Table 8. List of the Administration unit’s deliverables.....	35
Table 9. Additional details about each of the Administration unit’s deliverables.	37

Employee Information related to the Administration Unit	47
Table 10. Administration unit: Employee Information.	47
Figure 1. Agency organizational chart - Marine Resources Division portion, provided by the agency, current as of August 9, 2017.	47
Revenue and Funding Sources of the Administration Unit	48
Revenue/Funding Received or Generated by the Administration Unit	48
Table 11 Revenue generated by the Administration unit during FY 2015-16 and 2016-17.	48
Revenue/Funding Utilized by the Administration Unit.....	49
Table 12. Agency revenue sources utilized by the Administration unit to achieve the agency's comprehensive strategic plan in FY 2016-17 and 2017-18.	49
Strategic Resource Allocation and Performance related to the Administration Unit.....	51
<i>Funds Spent/Transferred not toward the agency's comprehensive strategic plan</i>	51
<i>Funds Spent toward the agency's comprehensive strategic plan</i>	51
Table 13.1. Part of agency's strategic plan related to the Administration unit, Strategy 1.1: Enhance the circuit public defender system.	52
Table 13.2. Part of agency's strategic plan related to the Administration unit, Strategy 1.2: Maintain the appellate defense system.	53
Table 13.3. Part of agency's strategic plan related to the Administration unit, Strategy 1.3: Ensure quality representation in capital death cases.	54
Table 13.4. Part of agency's strategic plan related to the Administration unit, Strategy 2.1: Provide mandatory training program for all new public defenders and contract attorneys.	55
Table 13.5. Part of agency's strategic plan related to the Administration unit, Strategy 2.2: Enhance mentoring programs in circuit public defender offices.....	56
Agency Recommendations - Agency Wide.....	57
Internal Change Recommendation #1: Electronic direct deposit to pay Rule 608 contract attorneys	58
Law Change Recommendation #1 - S.C. Code Ann. 17-3-30.....	59
Law Change Recommendation #2 - S.C. Code Ann. 17-3-40.....	60
Law Change Recommendation #3 - S.C. Code Ann. 17-3-50.....	61
Law Change Recommendation #4 - S.C. Code Ann. 17-3-80.....	62
Law Change Recommendation #5 - S.C. Code Ann. 17-3-85.....	63
Law Change Recommendation #6 - S.C. Code Ann. 17-3-90.....	64
Law Change Recommendation #7 - S.C. Code Ann. 17-3-100.....	64
Law Change Recommendation #8 - S.C. Code Ann. 17-3-510.....	65
Committee Contact Information	67
Appendices	69
Appendix A. Revenue stream breakdown by public defender circuit and county	70
Appendix B. Expenditures breakdown by public defender circuit and county	71

AGENDA

**South Carolina
House of Representatives**



Legislative Oversight Committee

LAW ENFORCEMENT AND CRIMINAL JUSTICE SUBCOMMITTEE

Chairman Edward R. Tallon Sr.

The Honorable Katherine E. (Katie) Arrington

The Honorable William M. (Bill) Hixon

The Honorable Jeffrey E. (Jeff) Johnson

Tuesday, April 24, 2018

10:30am

Room 511 - Blatt Building

Pursuant to Committee Rule 6.8, S.C. ETV shall be allowed access for internet streaming whenever technologically feasible.

AGENDA

- I. Approval of Meeting Minutes**
- II. Discussion of the study of the Commission on Indigent Defense**
- III. Adjournment**

MEETING MINUTES

Chair Wm. Weston J. Newton

First Vice-Chair:
Laurie Slade Funderburk

Legislative Oversight Committee



Katherine E. (Katie) Arrington
William K. (Bill) Bowers
Neal A. Collins
MaryGail K. Douglas
William M. (Bill) Hixon
Jeffrey E. (Jeff) Johnson
Robert L. Ridgeway, III
Bill Taylor
John Taliaferro (Jay) West, IV

Bruce W. Bannister
Gary E. Clary
Chandra E. Dillard
Phyllis J. Henderson
Joseph H. Jefferson, Jr.
Mandy Powers Norrell
Tommy M. Stringer
Edward R. Tallon, Sr.
Robert Q. Williams

South Carolina House of Representatives

Jennifer L. Dobson
Research Director

Cathy A. Greer
Administration Coordinator

Charles L. Appleby IV
Legal Counsel

Carmen J. McCutcheon Simon
Research Analyst/Auditor

Kendra H. Wilkerson
Fiscal/Research Analyst

Post Office Box 11867
Columbia, South Carolina 29211
Telephone: (803) 212-6810 • Fax: (803) 212-6811
Room 228 Blatt Building

Law Enforcement and Criminal Justice Subcommittee

Monday, February 12, 2018

2:00 pm

Blatt Room 108

Archived Video Available

- I. Pursuant to House Legislative Oversight Committee Rule 6.8, South Carolina ETV was allowed access for streaming the meeting. You may access an archived video of this meeting by visiting the South Carolina General Assembly's website (<http://www.scstatehouse.gov>) and clicking on *Committee Postings and Reports*, then under *House Standing Committees* click on *Legislative Oversight*. Then, click on *Video Archives* for a listing of archived videos for the Committee.

Attendance

- I. The Law Enforcement and Criminal Justice Subcommittee meeting was called to order by Chairman Edward R. Tallon, Sr., on Monday, February 12, 2018, in Room 108 of the Blatt Building. The following members of the Subcommittee were present for either all or a portion of the meeting: Chairman Tallon, Representative Katherine E. Arrington, Representative William M. Hixon, and Representative Jeffrey E. Johnson.

Minutes

- I. House Rule 4.5 requires standing committees to prepare and make available to the public the minutes of committee meetings, but the minutes do not have to be verbatim accounts of meetings. It is the practice of the Legislative Oversight Committee to provide minutes for its subcommittee meetings.
- II. Representative Arrington makes a motion to approve the meeting minutes from the prior Subcommittee meetings.

Rep. Arrington's motion to approve the minutes from the November 30, 2017, meeting:	Yea	Nay	Not Voting
Rep. Arrington	✓		
Rep. Hixon	✓		
Rep. Johnson			✓ (not present during prior meeting)
Rep. Tallon	✓		

Discussion of the Department of Natural Resources

- I. Chairman Tallon explains the purpose of the meeting today is to provide members the opportunity to ask questions about the public input and information received from the agency after the last meeting.
- II. Representative Kirkman Finlay III makes remarks about the agency.
- III. Chairman Tallon reminds those who were sworn in during prior meetings that they remain under oath anytime they are with the Subcommittee or Committee.
- IV. Chairman Tallon explains the agency has provided information responsive to the Subcommittee's follow-up questions and the information will be grouped into the following topics for discussion during the meeting:
 - a. State Vehicles;
 - b. In-service training and firearm qualification;
 - c. Issuance of tickets;
 - d. Discipline and Internal investigations;
 - e. Hiring, promotions, and bonuses; and
 - f. External communication.

Members ask questions related to the topics, which Director Alvin Taylor answers.

- V. Throughout the meeting, members make motions which are listed on the next pages.

Rep. Johnson's motion that the Subcommittee Study include a recommendation that the agency provide a copy of its updated policy related to the accident review panel.	Yea	Nay	Not Voting
Rep. Arrington	✓		
Rep. Hixon	✓		
Rep. Johnson	✓		
Rep. Tallon	✓		

Rep. Arrington's motion that Subcommittee Study include a recommendation that this agency, and all other agencies that come under study by the House Legislative Oversight Committee, review their policies once every three years and... (1) revise any which do not clearly explain if the policy applies to the agency director, head of agency divisions, or other agency management personnel, to ensure it is clear how the policy applies to those personnel; (2) revise any which may allow for a potential conflict with employees investigating matters involving their direct supervisors or the heads of the division in which they work; and (3) revise any which no longer match with current agency practices.	Yea	Nay	Not Voting
Rep. Arrington	✓		
Rep. Hixon	✓		
Rep. Johnson	✓		
Rep. Tallon	✓		

Rep. Arrington's motion that the Subcommittee Study include a recommendation that the agency research the cost of placing GPS devices on state vehicles utilized by the agency and potential benefits including, but not limited to, the ability to automatically track data for use in management and potential cost savings of employees only using vehicles for official state purposes as installation of GPS devices on vehicles utilized by businesses in the private sector has sometimes decreased gas costs for those businesses.	Yea	Nay	Not Voting
Rep. Arrington	✓		
Rep. Hixon	✓		
Rep. Johnson	✓		
Rep. Tallon	✓		

Rep. Tallon's motion that the Subcommittee Study include a recommendation that the agency revise its policies to prevent higher ranking officers, including, but not limited to division deputy directors and agency director, from having access to the score individual members of an interview panel give a candidate applying for a new hire position or a promotion as a way to avoid any potential appearance that those on interview panels may be pressured by higher ranking officers to give certain applicants high or low scores.	Yea	Nay	Not Voting
Rep. Arrington	✓		
Rep. Hixon			✓
Rep. Johnson	✓		
Rep. Tallon	✓		

- VI. Chairman Tallon directs staff to update the Subcommittee study with information from the meeting today, and provide a copy to all Subcommittee Members by Friday, February 23, 2018. He further explains Subcommittee Members have until 5:00pm on Friday, March 2, 2018, to provide a written statement for inclusion in the report, as permitted by Standard Practice 12.4. In addition, he states he will provide notice to the full Committee that the study is available for consideration, unless he receives a written request for another meeting from a Subcommittee Member prior to 5:00pm on Friday, March 2, 2018.
- VII. There being no further business, the meeting is adjourned.

STUDY TIMELINE

The House Legislative Oversight Committee's (Committee) process for studying the Commission on Indigent Defense (agency, Commission, or SCCID) includes actions by the full Committee; Law Enforcement and Criminal Justice Subcommittee (Subcommittee); the agency; and the public. Key dates and actions are listed below.

Legislative Oversight Committee Actions

- December 19, 2017 - Prioritizes the agency for study
- January 22, 2018 - Provides the agency notice about the oversight process
- January 23 - March 1, 2018 - Solicits input about the agency in the form of an online public survey
- April 26, 2018 - Scheduled **Meeting #2** to obtain public input about the agency

Law Enforcement and Criminal Justice Subcommittee Actions

- April 24, 2018 (TODAY) - Holds **Meeting #1** to discuss the agency's history; legal directives; mission; vision; general information about employees; and agency organization

Commission on Indigent Defense Actions

- March 9, 2015 - Submits its **Annual Restructuring and Seven-Year Plan Report**
- January 20, 2016 - Submits its **2016 Annual Restructuring Report**
- September 2016 - Submits its **2015-16 Accountability Report**
- September 2017 - Submits its **2016-17 Accountability Report**
- March 16, 2018 - Submits its **Program Evaluation Report**

Public's Actions

- January 23 - March 1, 2018 - Provides input about the agency via an **online public survey**
- Ongoing - Submits written comments on the Committee's webpage on the General Assembly's website (www.scstatehouse.gov)

Figure 1. Key dates in the study process.

AGENCY SNAPSHOT

Commission on Indigent Defense

Major Agency Organizational Units

Office of Circuit Public Defenders

Provides a statewide public defender system with standards and accountability for the delivery of legal representation to indigent defendants in state courts.

Division of Appellate Defense

Represents indigents in the majority of criminal appeals, including death penalty appeals before the SC Court of Appeals and the SC Supreme Court.

Administration

Provides leadership and direction for the agency to include administrative, financial, and support services.

Death Penalty Trial Division

Represents indigents in trials involving the death penalty (i.e., capital trials) statewide.

FY 17-18 Resources

Employees
Available FTE: 70.50
Filled FTE: 68.50
Temp/Grant: 1.00

Funding
\$45.06 million
appropriated and
authorized

SUCCESSES

- Implementing the statewide public defender system which enabled oversight by the Commission.

- Coordinating the Rule 608 contract system which allows the agency to take applications and select those attorneys qualified to handle specific types of cases to include criminal, post-conviction relief, sexual violent predator, and certain family court matters.

- Conducting focused seminars and workshops for public defenders with fewer than three years experience and continued annual training for other public defenders and contract attorneys.

CHALLENGES

- Addressing whether defendants are being adequately screened to assess their financial status for appointed counsel.
- Representing individuals in an efficiently functioning criminal justice system with a disparity in funding at the county level between prosecution and defense.
- Finding enough contract attorneys qualified to handle specific types of cases in the rural areas of the state where a county may have a very limited number of attorneys.

Figure 2. Snapshot of the agency's major organizational units, fiscal year 2017-18 resources (employees and funding), successes, and challenges.¹

S.C. JUDICIAL CIRCUITS

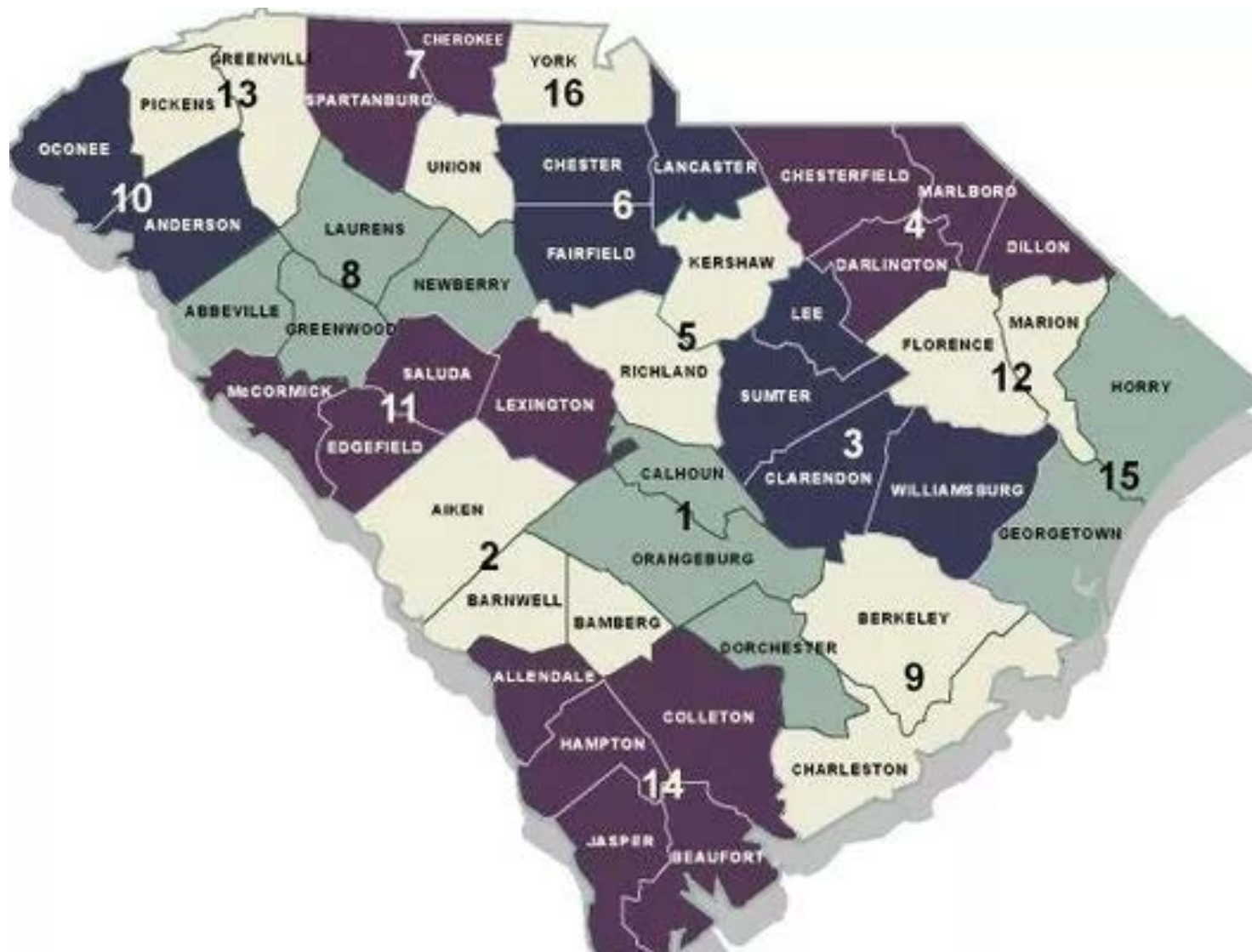


Figure 3. Map of S.C. judicial circuits and counties.²

AGENCY OVERVIEW

History

The S.C. Commission on Indigent Defense (“Commission” when referencing just the Commission; “SCCID” when referencing the entire agency, which is comprised of the Office of Indigent Defense, Office of Circuit Public Defenders, and other divisions) has provided the Committee with an overview of the agency’s history.³ In addition, Committee staff will confirm the accuracy of any assertion of legislative action.

- 1993
 - The General Assembly creates the Commission and Office of Indigent Defense (OID).⁴ The Commission appoints Mr. Tyree Lee as the OID’s first executive director.
 - The primary duties of the OID include: (1) serving as the entity which distributes all funds appropriated by the General Assembly for the defense of indigents; (2) maintaining a list of death-penalty certified attorneys; (3) compiling accurate statistical data related to the indigent defense system; and (4) reporting to the General Assembly on the indigent defense system.
 - The General Assembly creates three funds applicable to the indigent defense system: (1) capital defense fund; (2) conflicts fund; and (3) public defender fund.
- 1997
 - The General Assembly begins appropriating funds to pay for the legal representation of indigent persons in abuse and neglect cases, termination of parental rights cases, protective placement cases, and as counsel for the guardians’ ad litem involved in those cases.
- 1998
 - The General Assembly approves a method for funding legal aid, the civil case counterpart to the criminal case work performed by the public defender offices. SCCID serves as a pass-through for these funds. It is only responsible for collecting and disbursing the funds to the local legal aid offices twice per year.
- 2001
 - As a result of the financial crisis, the General Assembly reduces the budget of many state agencies. The General Assembly reduces SCCID’s budget at the start of the year by 42.65%. Further mid-year cuts increase the reduction to more than 55% of SCCID’s pre-2000 budget.
- 2005
 - The Commission appoints Mr. T. Patton Adams as executive director of OID.
 - The General assembly revises the (1) membership of the Commission; (2) duties of the Commission, OID, and OID executive director; and creates the Division of Appellate Defense within SCCID.⁵

- 2007
 - The General Assembly revises the membership of the Commission.⁶
 - Also, the General Assembly establishes the circuit public defender system (Office of Circuit Public Defenders), which replaces the independent public defender corporations with sixteen circuit-wide public defender offices.⁷
- 2009
 - The Commission creates the Division of Capital Defense within OID to provide specialized representation in capital murder cases throughout the state.
- 2012 - 2013
 - The Commission implements a contract system for appointment of private attorneys in criminal cases when a public defender has a conflict. Also, the Commission implements a contract system for appointment of private attorneys in family court abuse and neglect cases, termination of parental rights cases, and certain civil cases such as post-conviction relief and sexually violent predator cases.
- 2014
 - As an annual way to train new public defenders, the OID establishes a series of training seminars and workshops titled, "Public Defense 100."
- 2015
 - The OID creates a new position, Deputy General Counsel and Training Director. This position is responsible for providing legal services and stable oversight, coordination, and expansion of agency legal training programs.
- 2016
 - The OID Assistant Director, Ms. Lisa Graves, retires. The OID names Ms. Lori Frost as the new Assistant Director.
- 2017
 - The OID Executive Director, Mr. Patton Adams, retires. The Commission promotes Mr. Hugh Ryan from Deputy Director/General Counsel to the position of OID Executive Director.
 - Director Ryan appoints Mr. Hervery Young as the new Deputy Director/General Counsel.
 - The OID expands the public defender training program to include regular trainings for attorneys representing juveniles.

Legal Directives

The importance of guaranteeing a citizen the right to trial and providing equal protection under the law are outlined in the following sections of the United States Constitution:

Amendment VI

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

Amendment XIV

Section 1.

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

The South Carolina Commission on Indigent Defense, through S.C. Code Ann. 17-3-310, exists to develop rules, policies, procedures, regulations, and standards it considers necessary to comply with state law, regulations, and the rules of the Supreme Court, as it relates to the nature and scope of services, clientele to be served, and the establishment of criteria to be used in the determination of indigency and qualifications for services for indigent legal representation. Table 1 provides a comparison of the duties of the Commission, which is the governing body of the agency, and the Office of Indigent Defense, which operates under the jurisdiction of the Commission.

Table 1. Legal directives for the Commission compared to directives for the Office of Indigent Defense

Legal directives for the...	
Commission on Indigent Defense Applicable statutes: S.C. Code Ann. 17-3-310 ⁸ and 17-3-340 ⁹	Office of Indigent Defense (OID) Applicable statutes: S.C. Code Ann. 17-3-330 ¹⁰ and 17-3-360 ¹¹
<u>Operations</u>	
<p>Commission shall...</p> <p><u>In General</u></p> <ul style="list-style-type: none"> Establish divisions within the office to administer necessary services and programs.¹² Act in the best interest of indigent defendants who are receiving legal representation.¹³ <p><u>Meetings/Officers</u></p> <ul style="list-style-type: none"> Meet at least quarterly and at other times and places as it deems necessary or convenient for the performance of its duties.¹⁴ Elect such officers, other than the chairperson, from the members of the commission as it deems necessary.¹⁵ Adopt rules for the transaction of its business as it desires.¹⁶ <p><u>Clients and Services</u></p> <ul style="list-style-type: none"> Develop rules, policies, procedures, regulations, and standards necessary to comply with state law or regulations and the rules of the Supreme Court including: (1) nature and scope of services to be provided; (2) clientele to be served; (3) establishment of criteria to be used in the determination of indigency; and (4) qualifications for services for indigent legal representation.¹⁷ Approve and implement programs, services, rules, policies, procedures, regulations, and standards for determining indigence and for assessing and collecting the costs of legal representation and related services.¹⁸ 	<p>OID shall...</p> <p><u>Office Operations</u></p> <ul style="list-style-type: none"> Administer and coordinate the operations of the office and all divisions within the office.¹⁹ Maintain proper records of all financial transactions related to the operation of the office.²⁰ <p><u>Commission Operations</u></p> <ul style="list-style-type: none"> Coordinate in the development and implementation of rules, policies, procedures, regulations, and standards adopted by the commission to carry out the provisions of this chapter and comply with all applicable laws and standards.²¹ Executive Director will attend all commission meetings, except those meetings or portions of the meetings that address the question of appointment or removal of the director.²² Maintain proper records of all financial transactions related to the operation of the commission.²³ Ensure the expenditures of the commission are not greater than the amounts budgeted or available from other revenue sources.²⁴ <p><u>Statewide Indigent Defense Services</u></p> <ul style="list-style-type: none"> Prepare and submit annually to the commission a proposed budget for the provision of statewide indigent defense services; and prepare and submit an annual report containing pertinent data on the operations, costs, and needs of the state's indigent defense system and other information as the commission may require.²⁵ Distribute all funds appropriated by the General Assembly for the defense of indigents.²⁶ Apply for and accept on behalf of the commission funds that may become available from any source, including government, nonprofit, or private grants, gifts, or bequests.²⁷ <p>Implement and perform other duties the commission may direct or assign.²⁸</p>

Legal directives for the...

Commission on Indigent Defense

Applicable statutes: S.C. Code Ann. 17-3-310⁸ and 17-3-340⁹

Office of Indigent Defense (OID)

Applicable statutes: S.C. Code Ann. 17-3-330¹⁰ and 17-3-360¹¹

Circuit Public Defender Division

(operates under jurisdiction of the Commission)

Commission shall...

- Approve and implement programs, services, rules, policies, procedures, regulations, and standards for maintaining and operating circuit public defender offices.²⁹
- Establish and administer the rules and procedures for selection of members to serve on the Circuit Public Defender Selection Panels.³⁰
- Establish the rules and procedures under which the selection panels shall operate.³¹
- Approve and implement programs, services, rules, policies, procedures, regulations, and standards for the qualifications, employment, and compensation of public defenders and other circuit public defender office personnel.³²
- Assist the public defenders throughout the state in their efforts to provide adequate legal defense to the indigent.³³
- Negotiate and enter into contracts(not required to, but may), as appropriate, with independent counsel for the provision of indigent defense services in cases in which a conflict of interest exists in a public defender office and in other cases in which indigent representation by independent counsel is necessary or advisable.³⁴

OID shall...

- Supervise compliance among the circuit defender offices with rules, procedures, regulations, and standards adopted by the commission.³⁵
- Provide for the training of attorneys and other staff involved in the legal representation of persons subject to the provisions of this chapter.³⁶

Contract/Appointed Counsel and Conflicts of Interest

Commission shall...

- Approve and implement programs, services, rules, policies, procedures, regulations, and standards for compensation of attorneys appointed to represent indigent persons pursuant to this chapter.³⁷
- Approve and implement programs, services, rules, policies, procedures, regulations, and standards for accepting contractual indigent defense representation.³⁸
- Approve and implement programs, services, rules, policies, procedures, regulations, and standards for prescribing minimum experience, training, and other qualifications for appointed counsel where a conflict of interest arises between the public defender and an indigent person.³⁹

OID shall...

- Provide for the training of attorneys and other staff involved in the legal representation of persons subject to the provisions of this chapter.⁴⁰

Legal directives for the...

Commission on Indigent Defense

Applicable statutes: S.C. Code Ann. 17-3-310⁸ and 17-3-340⁹

Office of Indigent Defense (OID)

Applicable statutes: S.C. Code Ann. 17-3-330¹⁰ and 17-3-360¹¹

Specialty Work

Commission shall...

Experts and Investigators

- Approve and implement programs, services, rules, policies, procedures, regulations, and standards for providing and compensating experts, investigators, and other persons who provide services necessary for the effective representation of indigent persons.⁴¹

Juveniles

- Approve the development and improvement of programs which provide legal representation to indigent persons and juveniles accused of violations of criminal law.⁴²

OID shall...

Appeals

- Provide defense to indigents who desire to appeal a conviction in a trial court, or decision of a proceeding in civil commitment or other voluntary placement in a state, county, or municipal facility.⁴³

Death Penalty

- Provide defense to indigents in death penalty cases.⁴⁴

Statistics/Performance

Commission shall...

- Cooperate and consult with state agencies, professional associations, and other groups concerning⁴⁵
 - Causes of criminal conduct,
 - Rehabilitation and correction of persons charged with and convicted of crimes,
 - Administration of criminal justice, and
 - Improvement and expansion of defender services.
- Collect, maintain, review, and publish records and statistics for the purpose of evaluating the delivery of indigent defense representation in the State.⁴⁶
- Approve and implement programs, services, rules, policies, procedures, regulations, and standards for delivery of indigent services. This includes, but is not limited to, standards for:
 - public defender and appointed counsel caseloads, including a uniform definition of a “case” for purposes of determining caseload statistics;
 - performance of public defenders and appointed counsel representing indigent persons;
 - procedures for prescribing qualifications and performance of independent counsel representing indigent persons in both trial and appellate courts, whether by contract or court appointment; and
 - removing a circuit public defender for cause.⁴⁷

OID shall...

- Coordinate the services of the office with any federal, county, private, or other programs established to provide assistance to indigent persons entitled to representation pursuant to the provisions of this chapter and consult with professional organizations concerning the implementation and improvement of programs for providing indigent services.⁴⁸
- Serve as a resource for the compilation of accurate statistical data covering the indigent defense system in this state.⁴⁹
 - Note: This directive only requires the agency to serve as a resource for others who may be compiling information; it does not require the agency to compile information.⁵⁰ Currently, the only law requiring the agency to compile information is a proviso which requires the agency to compile information on revenue streams and expenditures by circuit.⁵¹
- Report annually to the General Assembly on the indigent defense system.⁵²

Mission and Vision

The agency provides Act 164 of 1993 and S.C. Code Ann. 17-3-310, et. seq., as the basis for its mission and vision.

SCCID's mission is as follows:

The Commission on Indigent Defense, through the Office of Indigent Defense and its divisions, and in cooperation and consultation with other state agencies, professional associations and other groups interested in the administration of criminal justice and the improvement and expansion of defender services, **establishes and monitors programs and services for legal representation to indigent defendants charged with criminal offenses in the courts of the state. The agency also manages the Rule 608 Contract program, contracting with attorneys across the state to provide representation in criminal and specific family court cases.** (emphasis added)

SCCID's vision is to

Ensure that individuals, determined to be indigent, are provided the highest quality legal defense representation.

RESOURCES AVAILABLE

Funding

In the Program Evaluation Report, the Committee asks the agency to provide information about the funding it has available. The agency provided the information below.⁵³

Table 2 includes information about the agency's different funding sources and amounts received from each during the past several years, and each amount's percent of the agency's total funding available. As seen in the chart, the agency's primary funding sources are recurring general fund appropriations, which comprise approximately 67% of its funding, and a combination of public defender application fees, court fines 2¹, conviction surcharges 2², and investment earnings 2³, which comprise approximately 27%-28%.⁴

Appendix A to the meeting packet includes a detailed breakdown of revenue streams from each individual public defender circuit and county, including, but not limited to, state funds, local funds, federal funds, and also nongovernmental sources of funds.⁵⁴ Appendix B includes a detailed breakdown of expenses by individual public defender circuit and county.⁵⁵ The agency will discuss this information in greater detail when it presents on the Office of Circuit Public Defenders.

¹ Includes: (1) Fee for filing complaints or petitions in civil actions described in 8-21-310(11)(a) (See, Section 14-1-204(A)(4)), which is legal aid collection that flows through to SC Legal Services; (2) Court Fine Assessment for those who are convicted of, plead guilty or nolo contendere to, or forfeits bond for a criminal offense in General Sessions, Magistrate, and Municipal Courts (see Sections 14-1-206(C)(4), 14-1-207(C)(6) and 14-1-208(C)(6) and Section 14-1-218(4)); and (3) Application fee for public defender services in General Sessions, Magistrate, and Municipal Courts (See, Section 17-3-30(B)).

² \$500 Probation Fee collected by the Clerks of Court and remitted to SCCID

³ Interest earned from the collection of Sources #12 Public Defender Application Fee, #13 Court Fine 2 based upon Section 14-1-204(A)(4), which is flow through to SC Legal Services; Court Fine Assessment based upon Section 14-1-218(4); Fees generated based upon Sections 14-1-206(C)(4), 14-1-207(C)(6) and 14-1-208(C)(6) and the application fee provided in Section 17-3-30(B) in General Sessions, Magistrate and Municipal Courts; and Source #14 Conviction Surcharge 2. The Treasurer's Office remits the interest payments to SCCID on a monthly basis.

⁴ The amounts for the public defender application fees, court fines 2, conviction surcharges 2, and investment earnings 2 are grouped together because that is how they appear in the S.C. Enterprise Information System (SCEIS).

Table 2. SCCID funding sources, amounts received from each, and each amount's percent of the agency's total funding available in fiscal years 2016-17 and 2017-18.⁵⁶

Sources of funding (Unless otherwise noted, there are no restrictions on the agency may use the funds)	Recurring?	State, Federal, Other	2016-17			2017-18		
			Cash balance at start of fiscal year	Total permitted to utilize (appropriated and authorized)		Cash balance at start of fiscal year	Total permitted to utilize (appropriated and authorized)	
				Start of Year	% of Total Funding		Start of Year	% of Total Funding
General Fund Appropriations 1 There are restrictions on how the agency may utilize portions of these funds ⁵⁷	Recurring	State	\$0	Start of Year: \$29,693,710 End of Year: \$29,895,488 ⁵⁸	Start of Year: 67.41% End of Year: 67.55%	\$920,736 ⁵⁹	Start of Year: \$30,816,224 End of Year: \$30,845,217 ⁶⁰	Start of Year: 68.43% End of Year: 68.45%
General Fund Appropriations 2⁶¹ There are restrictions on how the agency may utilize these funds ⁶²	One-Time	State	\$100,000	Start of Year: \$100,000 End of Year: Same as start	Start of Year: 0.23% End of Year: 0.23%	\$100,000	Start of Year: \$100,000 End of Year: Same as start	Start of Year: 0.22% End of Year: 0.22%
Capital Reserve Fund⁶³ There are restrictions on how the agency may utilize these funds ⁶⁴	One-Time	Other	\$137,906	Start of Year: \$137,906 End of Year: Same as start	Start of Year: 0.31% End of Year: 0.31%	\$64,819	Start of Year: \$64,819 End of Year: Same as start	Start of Year: 0.14% End of Year: 0.14%
Family & Circuit Court Filing Fee*	Recurring	Other	\$109,576 ⁶⁵	Start of Year: \$352,600 ⁶⁶ End of Year: Same as start	Start of Year: 0.80% End of Year: 0.80%	\$82,751	Start of Year: \$352,600 End of Year: Same as start	Start of Year: 0.78% End of Year: 0.78%
Conviction Surcharge 1 (1% of \$25 surcharge on fines, etc.) ^{67*}	Recurring	Other						

Sources of funding (Unless otherwise noted, there are no restrictions on the agency may use the funds)	Recurring?	State, Federal, Other	2016-17			2017-18		
			Cash balance at start of fiscal year	Total permitted to utilize (appropriated and authorized)		Cash balance at start of fiscal year	Total permitted to utilize (appropriated and authorized)	
				Start of Year	% of Total Funding		Start of Year	% of Total Funding
Court Fine 1 (14.56% of \$50 civil action filing fee) ^{68*} There are restrictions on how the agency may utilize these funds ⁶⁹	Recurring	Other	\$0	Start of Year: \$900,000 End of Year: Same as start	Start of Year: 2.04% End of Year: 2.03%	\$0	Start of Year: \$900,000 End of Year: Same as start	Start of Year: 2.00% End of Year: 2.00%
Traffic Education Program Fee (Magistrate Court)*	Recurring	Other	\$176,338 ⁷⁰	Start of Year: \$220,000 ⁷¹ End of Year: Same as start	Start of Year: 0.50% End of Year: 0.50%	\$215,723	Start of Year: \$220,000 End of Year: Same as start	Start of Year: 0.49% End of Year: 0.49%
Traffic Education Program Fee (Municipal Court)*	Recurring	Other						
Donations ⁷²	Recurring	Other	\$2,218	Start of Year: \$0 End of Year: Same as start	Start of Year: 0.00% End of Year: 0.00%	\$0	Start of Year: \$0 End of Year: Same as start	Start of Year: 0.00% End of Year: 0.00%




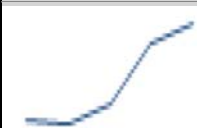

Sources of funding (Unless otherwise noted, there are no restrictions on the agency may use the funds)	Recurring?	State, Federal, Other	2016-17			2017-18		
			Cash balance at start of fiscal year	Total permitted to utilize (appropriated and authorized)		Cash balance at start of fiscal year	Total permitted to utilize (appropriated and authorized)	
				Start of Year	% of Total Funding		Start of Year	% of Total Funding
Civil Action Application Fee (\$40 for appointment of counsel in a civil action case)*	Recurring	Other	\$45,764 ⁷³	Start of Year: \$32,000 ⁷⁴	Start of Year: 0.07%	\$57,970 ⁷⁵	Start of Year: \$32,000	Start of Year: 0.07%
Investment Earnings 1 (on \$40 civil application fees for appointment of counsel in civil case) ⁷⁶	One-Time	Other		End of Year: Same as start	End of Year: 0.07%		End of Year: Same as start	End of Year: 0.07%
Public Defender Application Fee *	Recurring	Other	\$1,056,897	Start of Year: \$12,417,272 ⁷⁷ End of Year: Same as start ⁷⁸	Start of Year: 28.19% End of Year: 28.06%	\$1,266,604	Start of Year: \$12,417,272 ⁷⁹ End of Year: Same as start	Start of Year: 27.57% End of Year: 27.56%
Court Fine 2 ^{80^} There are restrictions on how the agency may utilize these funds ⁸¹	Recurring	Other	\$2,830,398			\$3,089,927		
Conviction Surcharge 2 (\$500 probation fee) ^{82*}	Recurring	Other	\$0			\$0		
Investment Earnings 2 ⁸³	One-Time	Other	\$0			\$0		

Sources of funding (Unless otherwise noted, there are no restrictions on the agency may use the funds)	Recurring?	State, Federal, Other	2016-17			2017-18		
			Cash balance at start of fiscal year	Total permitted to utilize (appropriated and authorized)		Cash balance at start of fiscal year	Total permitted to utilize (appropriated and authorized)	
				Start of Year	% of Total Funding		Start of Year	% of Total Funding
Federal Grant ⁸⁴ There are restrictions on how the agency may utilize these funds ⁸⁵	Recurring	Federal	\$0	Start of Year: \$198,595 End of Year: Same as start	Start of Year: 0.45% End of Year: 0.45%	\$0	Start of Year: \$129,829 End of Year: Same as start	Start of Year: 0.29% End of Year: 0.29%
TOTAL			\$4,459,097	Start of Year: \$44,052,083 End of Year: \$44,253,861		\$5,798,531	Start of Year: \$45,032,744 End of Year: \$45,061,737	

Table Note: An asterisk (*) denotes filing fees, fines, or other fees are collected by the Clerk of Courts Office and submitted to the State Treasurer's Office on a monthly bases for disbursement to our agency. An ^ denotes fines are collected by the Clerk of Courts Office and submitted to the State Treasurer's Office on a monthly bases for disbursement to our agency, except for the Probation Fee which is submitted directly to SCCID.

Table 3 includes information provided by the agency regarding amounts it has carryforward during the past several years.

Table 3. SCCID carry forward during fiscal years 2012-13 through 2016-17.⁸⁶

Amount of funding remaining at the end of the year listed in the heading that the agency was able to carry forward and use in the next year						
Type of Funding	Amount remaining at end of 2012-13	Amount remaining at end of 2013-14	Amount remaining at end of 2014-15	Amount remaining at end of 2015-16	Amount remaining at end of 2016-17	Trend Line
General Fund	\$298,131	\$0	\$0	\$0	\$920,736	
Supplemental Fund	\$0	\$0	\$0	\$100,000	\$100,000	
Capital Reserve Fund	\$243,800	\$205,880	\$137,906	\$137,906	\$64,819	
Special Revenue	\$2,600,752	\$2,507,660	\$2,958,251	\$4,221,190	\$4,712,976	
TOTAL	\$3,142,683	\$2,713,540	\$3,096,158	\$4,459,097	\$5,798,531	

Remainder of page intentionally left blank

Employees

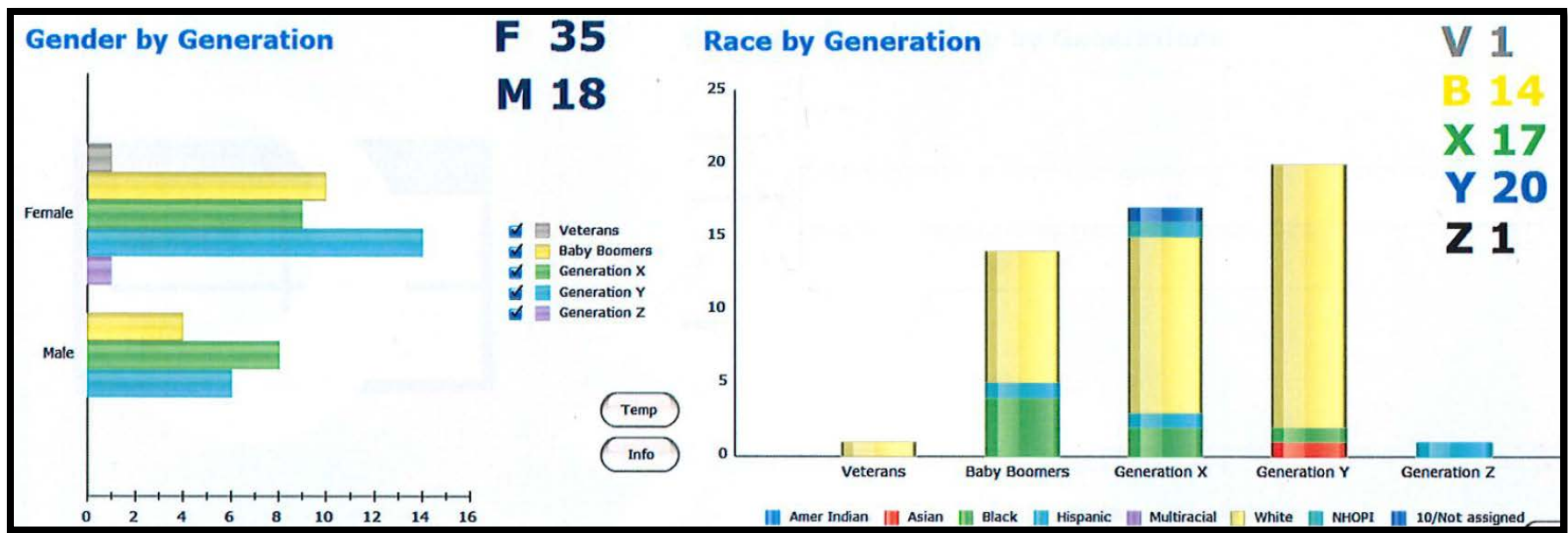
Table 4 and Figure 4 include information provided by the Division of State Human Resources about agency staffing. The agency indicates, in its Program Evaluation Report, that during FY 2014-15 through FY 2016-17, it did not obtain information from employees leaving the agency (e.g., exit interview, survey, evaluation, etc.).⁸⁷

Table 4. Authorized, filled, and vacant positions at the agency during fiscal years 2013-14 through 2017-18 (as of February 2018).⁸⁸

		<u>Authorized</u>	<u>Filled</u>	<u>Vacant</u>	<u>Actual</u>
2013-14	State Fund	62.0	58.500	2.0	60.500
	Other Fund	5.0	4.000	1.0	5.000
	Federal fund	0.0	0.000	0.0	0.000
	Total	67.0	62.500	3.0	65.500
2014-15	State Fund	64.0	56.500	2.0	58.500
	Other Fund	5.0	5.000	0.0	5.000
	Federal fund	0.0	0.000	0.0	0.000
	Total	69.0	61.500	2.0	63.500
2015-16	State Fund	64.0	63.500	0.5	64.000
	Other Fund	5.5	5.000	0.0	5.000
	Federal fund	0.0	0.000	0.0	0.000
	Total	69.5	68.500	0.5	69.000
2016-17	State Fund	64.0	60.563	3.5	64.063
	Other Fund	5.5	5.000	0.0	5.000
	Federal fund	0.0	0.000	0.0	0.000
	Total	69.5	65.563 ⁵	3.5	69.063
2017-18	State Fund	46.5	46.000	1.0	47.000
	Other Fund	24.0	21.563	2.0	23.563
	Federal fund	0.0	0.000	0.0	0.000
	Total	70.5	67.563	3.0	70.563

The agency indicates that as of April 2018, it has 68.50 filled FTEs and only 2.0 vacant FTEs.⁸⁹

⁵ An employee who works 37.5 hours per week is considered to be 1.0 FTE. An employee who works 18.75 hours per week is considered to be 0.50 FTE. In 2016-17, the agency had one employee who was working 22.5 hours per week, which made the employee considered to be 0.563 of an FTE.



Commission on Indigent Defense																							
Agency Director: Hugh Ryan EEO Officer: Lawrence Brown																							
1	2							3			4			5							6		
EEO CATEGORY	ACTUAL WORKFORCE ON 09/30/2017							Adjusted Availability% (Qualified Labor Pool)			UNDERUTILIZATION			HIRES AND PROMOTIONS - 10/01/2016 - 09/30/2017							% OF Goals Met Based on Adjusted Availability		
	WM	BM	OM	WF	BF	OF	TOTAL	BM	WF	BF	BM	WF	BF	WM	BM	OM	WF	BF	OF	TOTAL	BM	WF	BF
E1	# 1			1			2	7.9	21.7	5.4	7.9	NO	5.4								0.0%	YES	0.0%
	% 50.0			50.0			100.0																
E2	# 22	1		7	4		34	4.0	31.0	5.5	1.1	10.4	NO	1	1		1	1		4	72.5%	66.5%	YES
	% 64.7	2.9		20.6	11.8		100.0							25.0	25.0		25.0	25.0		100.0			
E3, E5 and E6	# 7		1	17	5	2	32	1.7	71.0	9.6	1.7	17.9	NO	2		1	6	2	2	13	0.0%	74.8%	YES
	% 21.9		3.1	53.1	15.6	6.3	100.0							15.4		7.7	46.2	15.4	15.4	100.0			

NOTE: See section entitled "Understanding the Report" for a detailed explanation of how the above information was computed.

LEGEND: WM = White Male BM = Black Male OM = Other Male T = Total % = Percentage
WF = White Female BF = Black Female OF = Other Female # = Number

If an agency is not employing any race/sex group at a rate equal to the Adjusted Availability percentage, the underutilization is noted in Column # 4.

*No goal established because the underutilization is less than one whole person.

Figure 4. Information on agency employees: gender and race by generation as of April 2018 and statistics from 2018 annual Human Affairs report on the status of equal employment opportunity in S.C. state government.⁹⁰

ORGANIZATION

Governing Body (i.e., director, commissioners, trustees, etc.)

In the Program Evaluation Report, the Committee asks the agency to provide information about the agency's governing body. The agency provided the information below.⁹¹

The agency's governing body is the Commission.⁹² The Commission consists of thirteen members. Nine are appointed. Two serve as a function of their legislative office. Table 5 provides details on the manner in which members are appointed and terms of each.

Table 5. Manner of appointing and terms of Commission members.

Number	Requirements	Who Appoints	Manner	Term
4 (1 from each judicial region of State)	Must be public defender	Governor	Recommended by Public Defender Association	4 years and until successor appointed and qualifies
1	Member of SC Bar whose principal practice is family law	Governor	Recommended by SC Bar Membership	2 years
2	Member of SC Bar whose principal practice is criminal defense law	Governor	Recommended by SC Bar Membership	2 years
2	Member of SC Bar whose principal practice is neither criminal defense nor family law	Governor	Recommended by SC Bar Membership	2 years
2	1 must be retired circuit court judge 1 must be either retired family court judge or retired appellate court judge	Chief Justice of the SC Supreme Court	NA	4 years and until successor appointed and qualifies
2	Chairmen of the Senate and House Judiciary Committees or their legislative designees	NA	NA	For the terms for which they were elected

There is no limitation on the total number of terms or the number of consecutive terms that an individual can serve.

The Chairman of the Commission is elected by the Commission from its membership. The Chairman serves for a term of two years. The Chairman may be re-elected. Table 6 includes information on the current members of the Commission.

Table 6. *Members of the Commission on Indigent Defense as of April 2018.*⁹³

Position	Position Title	Current Members	Appointed By	Term Begins	Expiration Date	On Comm. Since*
Chair of House Judiciary Committee	Designee	Smith, G. Murrell Jr.	House Judiciary	NA	NA	NA
Chair of Senate Judiciary Committee	Designee	Gerald Malloy	Senate Judiciary	NA	NA	NA
Judicial Region 1, Public Defender	Member (Chairman)	Dest, Harry A.	Governor Nikki R. Haley	07/01/2015	6/30/2019	2007
Judicial Region 2, Public Defender	Member	Strickler, Douglas S. **	Governor Nikki R. Haley	07/01/2013	6/30/2017	2007
Judicial Region 3, Public Defender	Member	Howle, Jack D. Jr.	Governor Nikki R. Haley	07/01/2015	7/1/2017	2009
Judicial Region 4, Public Defender	Member	Pennington, D. Ashley	Governor Nikki R. Haley	07/01/2015	7/1/2019	2009
Practices criminal defense law	Member	Murray-Boyles, Yvonne R.	Governor Henry McMaster	07/01/2017	7/1/2019	2011
Practices criminal defense law	Member	Epps, William N. Jr.	Governor Henry McMaster	07/01/2017	7/1/2019	2017
Practices family law	Member	Potterfield, Ashlin B.	Governor Henry McMaster	07/01/2017	7/1/2019	2007
Practices neither family or defense law	Member	Nichols, John S.	Governor Henry McMaster	07/01/2017	7/1/2019	2012
Practices neither family or defense law	Member	Willcox, Walker H.	Governor Henry McMaster	07/01/2017	7/1/2019	2011
Retired Circuit Court Judge	Member	Cottingham, Edward B.	Supreme Court	2/26/2016	2/26/2020	2007
Retired Family or Appellate Judge	Member	Pieper, Daniel F.	Supreme Court	4/17/2018	4/17/2022	2018

Table Note: The table includes the current commission structure which was established in 2007. Additionally, Mr. Douglas S. Strickler, whose name has two asterisks at the end (**) passed away April 13, 2018. The Public Defender Association has been notified regarding nomination of a replacement member for the Commission.

Internal Audit Process

In the Program Evaluation Report, the Committee asks the agency to provide information about internal audit process, if it has one. The agency indicated it does not have an internal audit staff.⁹⁴ Audits on SCCID are conducted by the State Auditor's Office annually as the Auditor's Office has resources available.⁹⁵ The one year federal grant the Richland County Circuit Public Defender's Office receives through SCCID, which is administered by the S.C. Department of Public Safety (DPS) is audited at the end of each year by DPS.

Organizational Units

The agency's Program Evaluation Report (PER) includes information about its organizational units.⁹⁶ Every agency has some type of organization and hierarchy. Within the organization are separate units. An agency may refer to these units as departments, divisions, functional areas, cost centers, etc. Each unit is responsible for contributing to the agency's ability to provide services and products.

To ensure agency employees understand how their work contributes to the agency's overall ability to provide effective services and products in an efficient manner, each organizational unit has at least one (and in most cases multiple), objectives, strategies, or goals for which it is solely responsible.

SCCID is comprised of four organizational units: (1) Administration; (2) Division of Appellate Defense; (3) Office of Circuit Public Defenders; and (4) Death Penalty Trial Division.

Administration is one of the agency's organizational units. This unit provides leadership and direction for the agency to include administrative, financial, and support services. Table 7.1 provides additional information about the unit.

Table 7.1. SCCID Organizational Unit: Administration.

Details	2014-15	2015-16	2016-17
What is the turnover rate?	0.00%	9.09%	18.18%
Is employee satisfaction evaluated?	×	×	×
Is anonymous employee feedback allowed?	×	×	×
Do any positions require a certification (e.g., teaching, medical, accounting, etc.)	✓	✓	✓
Did the agency pay for, or provide classes/instruction needed to maintain all, some, or none of required certifications?	Some*	Some*	Some*

Table Note: An asterisk (*) indicates SCCID pays basic S.C. Bar dues for attorneys employed in this division, but does not pay for continuing legal education courses which are required for an attorney to maintain their license in S.C.

Death Penalty Trial Division is one of the agency's organizational units. This unit provides representation and resources for capital trials statewide. Table 7.2 provides additional information about the unit.

Table 7.2. SCCID Organizational Unit: Death Penalty Trial Division.

<u>Details</u>	<u>2014-15</u>	<u>2015-16</u>	<u>2016-17</u>
What is the turnover rate?	20%	0%	20%
Is employee satisfaction evaluated?	×	×	×
Is anonymous employee feedback allowed?	×	×	×
Do any positions require a certification (e.g., teaching, medical, accounting, etc.)	✓	✓	✓
Did the agency pay for, or provide classes/instruction needed to maintain all, some, or none of required certifications?	Some*	Some*	Some*

Table Note: An asterisk () indicates SCCID pays basic S.C. Bar dues for attorneys employed in this division, but does not pay for continuing legal education courses which are required for an attorney to maintain their license in S.C.*

Division of Appellate Defense is one of the agency's organizational units. This unit represents indigents in the majority of criminal appeals, including death penalty appeals before the SC Court of Appeals and the SC Supreme Court. Table 7.3 provides additional information about the unit.

Table 7.3. SCCID Organizational Unit: Division of Appellate Defense.

<u>Details</u>	<u>2014-15</u>	<u>2015-16</u>	<u>2016-17</u>
What is the turnover rate?	18.60%	23.26%	27.91%
Is employee satisfaction evaluated?	×	×	×
Is anonymous employee feedback allowed?	×	×	×
Do any positions require a certification (e.g., teaching, medical, accounting, etc.)	×	×	×
Did the agency pay for, or provide classes/instruction needed to maintain all, some, or none of required certifications?	Some*	Some*	Some*

Table Note: An asterisk () indicates SCCID pays basic S.C. Bar dues for attorneys employed in this division, but does not pay for continuing legal education courses which are required for an attorney to maintain their license in S.C.*

Office of Circuit Public Defenders is one of the agency's organizational units. This unit provides a statewide public defender system with standards and accountability for the delivery of legal representation to indigent defendants in state courts. Table 7.4 provides additional information about the unit.

Table 7.4. SCCID Organizational Unit: Office of Circuit Public Defenders.

<u>Details</u>	<u>2014-15</u>	<u>2015-16</u>	<u>2016-17</u>
What is the turnover rate?	0.06%	21.88%	28.13%
Is employee satisfaction evaluated?	×	×	×
Is anonymous employee feedback allowed?	×	×	×
Do any positions require a certification (e.g., teaching, medical, accounting, etc.)	✓	✓	✓
Did the agency pay for, or provide classes/instruction needed to maintain all, some, or none of required certifications?	None	None	None

Remainder of page intentionally left blank

Organizational Chart

Figure 5 includes an organizational chart, current as of March, 2018.

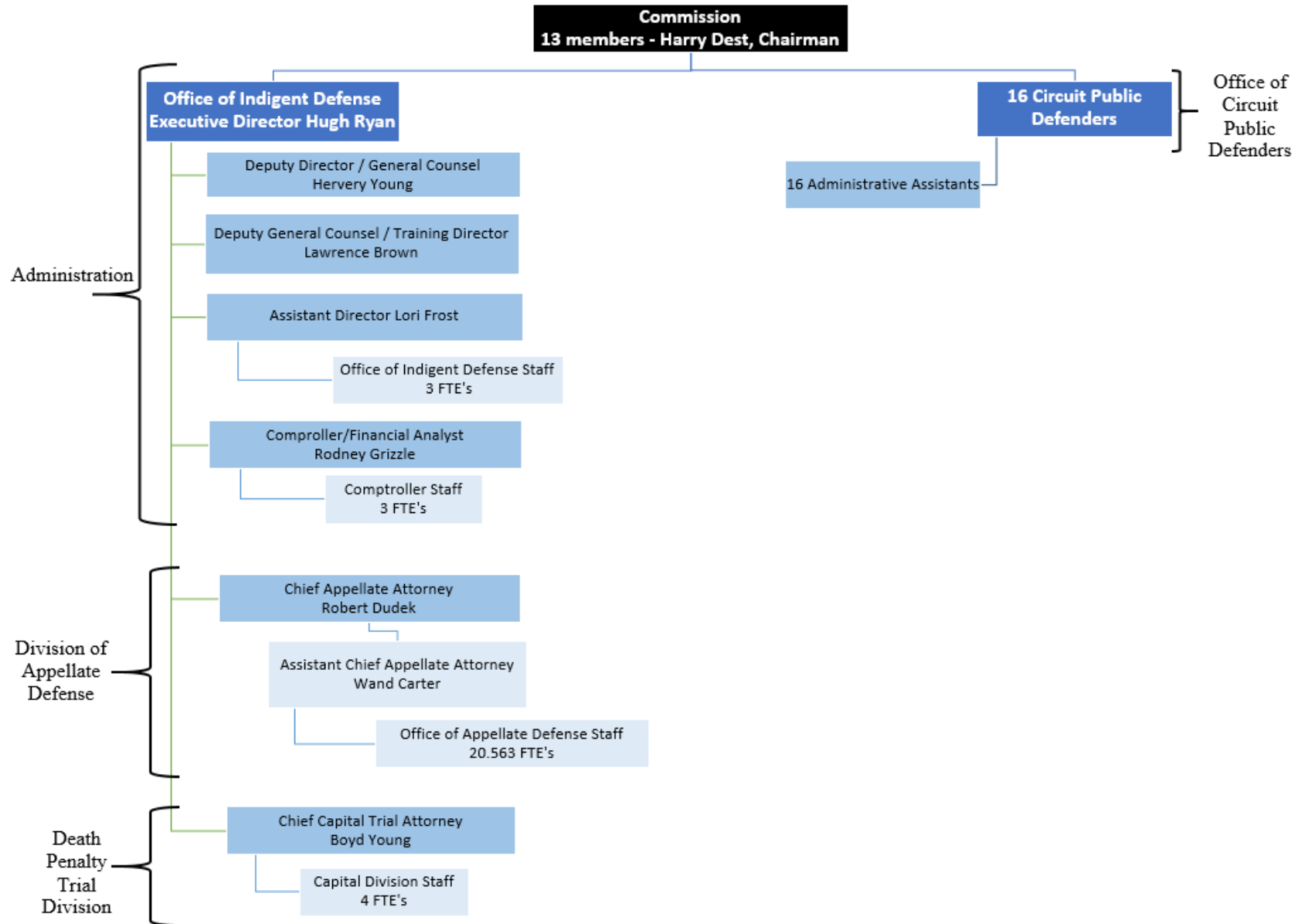


Figure 5. SCCID Organizational chart as of March 2018.⁹⁷

ADMINISTRATION UNIT

Overview of the Administration Unit

Administration is one of the agency's organizational units. This unit provides leadership and direction for the agency to include administrative, financial and support services.

Products, Services, and Customers related to the Administration Unit

In the Program Evaluation Report, the Committee asks an agency **to provide a list of its deliverables** (i.e., products and services) as well as additional information related to laws, customers, costs, and potential negatives impacts. This information, which is applicable to the administration unit, is provided on the next pages.

Table 8 includes an overview of the deliverables provided by the administration unit and Table 9 includes additional information about each.

Table 8. List of the Administration unit's deliverables.

		Customers					Costs	
			Does the agency...					
Item # ⁶	Deliverable	Does law require, allow, or not address it?	Evaluate the outcome obtained by customers / individuals who receive the service or product?	Know the annual number of potential customers ?	Know the annual number of customers served ?	Evaluate customer satisfaction ?	Know the cost it incurs, per unit, to provide the product or service?	Does the law allow the agency to charge for it to cover the agency's costs?
1B	Provides for appointment of legal counsel in criminal cases*	Require	×	×	✓	×	✓	✓
1C	Provides for appointment of legal counsel in murder cases*	Require	×	×	✓	×	✓	✓
1E	Provides for appointment of legal counsel in Sexually Violent Predator Act cases^	Require	×	×	✓	×	✓	×
1F-1H	Provides for appointment of legal counsel for children, parents/legal guardians of children, or other persons subject to any judicial proceeding who cannot afford legal representation including: (a) child abuse and neglect cases; (b) termination-of-parental-rights actions; and (c) adoption actions	Require	×	×	✓	×	✓	×

⁶ Item numbers are the ones utilized in agency's program evaluation report.

		Customers					Costs	
			Does the agency...					
Item # ⁶	Deliverable	Does law require, allow, or not address it?	Evaluate the outcome obtained by customers / individuals who receive the service or product?	Know the annual number of potential customers?	Know the annual number of customers served?	Evaluate customer satisfaction?	Know the cost it incurs, per unit, to provide the product or service?	Does the law allow the agency to charge for it to cover the agency's costs?
2	Provide annual report on the Indigent Defense System	Require	×	×	✓	×	×	×
3	Collection of court costs and expenses from indigent S.C. citizens*	Require	×	×	✓	×	×	×
4	Capital case post-conviction relief procedures - provides for appointment of counsel for indigent applicants	Require	×	×	✓	×	✓	×
5	Training for indigent defense attorneys (public defenders and contract attorneys)	Require	×	×	✓	✓	✓	×

Table Note: An asterisk (*) indicates the Office of Circuit Public Defenders is also associated with deliverable. An ^ indicates the Division of Appellate Defense is also associated with deliverable

Table 9. Additional details about each of the Administration unit's deliverables.

Deliverable #1B ⁹⁸	Legal representation of indigent S.C. citizens
-------------------------------	--

Product/Service Component: Legal services in criminal cases.

Does law require, allow, or not address it? Require

Applicable law: S.C. Code Ann. 17-3-10, -80, -90; and S.C. Code Ann. 63-19-830, -1040

Greatest potential harm to the public if deliverable is not provided:

- The indigent citizens of S.C. would be denied their constitutional rights under the sixth amendment, the right to counsel; and fourteenth amendment, the right to equal protection under the law.

1-3 recommendations to the General Assembly, other than \$, for how the General Assembly can help avoid the greatest potential harm

- Ensure only those citizens who are indigent, receive appointed counsel.
- Ensure indigency screening and appointment of counsel occurs as early as possible.

Other state agencies whose mission the deliverable may fit within: None

Does agency evaluate the outcome obtained by individuals who receive the service or product?	Does agency know the annual number of potential customers ?	Does agency know the annual number of customers served ?	Does the agency evaluate customer satisfaction ?	Does the agency know the cost it incurs, per unit, to provide the product or service ?	Does the law allow the agency to charge for it to cover the agency's costs ?
×	×	✓	×	✓	✓

Deliverable #1C⁹⁹**Legal representation of indigent S.C. citizens**

Product/Service Component: Legal services in murder cases.

Does law require, allow, or not address it? Require

Applicable law: S.C. Code Ann. 17-3-20, -80, -90

Greatest potential harm to the public if deliverable is not provided:

- The indigent citizens of S.C. would be denied their constitutional rights under the sixth amendment, the right to counsel; and fourteenth amendment, the right to equal protection under the law.

1-3 recommendations to the General Assembly, other than \$, for how the General Assembly can help avoid the greatest potential harm

- Ensure only those citizens who are indigent, receive appointed counsel.
- Ensure indigency screening and appointment of counsel occurs as early as possible.

Other state agencies whose mission the deliverable may fit within: None

Does agency evaluate the outcome obtained by individuals who receive the service or product?	Does agency know the annual number of potential customers ?	Does agency know the annual number of customers served ?	Does the agency evaluate customer satisfaction ?	Does the agency know the cost it incurs, per unit, to provide the product or service ?	Does the law allow the agency to charge for it to cover the agency's costs ?
×	×	✓	×	✓	×

Deliverable #1E¹⁰⁰**Legal representation of indigent S.C. citizens**

Product/Service Component: Legal services in Sexually Violent Predator Act cases.

Does law require, allow, or not address it? Require

Applicable law: S.C. Code Ann. 17-3-90; and S.C. Code Ann. 44-48-90, et. seq.

Greatest potential harm to the public if deliverable is not provided:

- The indigent citizens of S.C. would be denied their right to counsel under S.C. Code Ann. Section 44-48-90.

1-3 recommendations to the General Assembly, other than \$, for how the General Assembly can help avoid the greatest potential harm

- Ensure only those citizens who are indigent, receive appointed counsel.
- Ensure indigency screening and appointment of counsel occurs as early as possible.

Other state agencies whose mission the deliverable may fit within: None

Does agency evaluate the outcome obtained by individuals who receive the service or product?	Does agency know the annual number of potential customers ?	Does agency know the annual number of customers served ?	Does the agency evaluate customer satisfaction ?	Does the agency know the cost it incurs, per unit, to provide the product or service ?	Does the law allow the agency to charge for it to cover the agency's costs ?
×	×	✓	×	✓	×

Deliverable #1F¹⁰¹**Legal representation of indigent S.C. citizens**

Product/Service Component: Legal representation in child abuse and neglect cases. Provides for appointment of legal counsel for children, parents/legal guardians of children, or other persons subject to any judicial proceeding who cannot afford legal representation.

Does law require, allow, or not address it? Require

Applicable law: S.C. Code Ann. 17-3--80, -90; and S.C. Code Ann. 63-7-1620

Greatest potential harm to the public if deliverable is not provided:

- The indigent citizens of S.C. would be denied their right to counsel under S.C. Code Ann. Section 63-7-1620.

1-3 recommendations to the General Assembly, other than \$, for how the General Assembly can help avoid the greatest potential harm

- Ensure only those citizens who are indigent, receive appointed counsel.
- Ensure indigency screening and appointment of counsel occurs as early as possible.

Other state agencies whose mission the deliverable may fit within: None

Does agency evaluate the outcome obtained by individuals who receive the service or product?	Does agency know the annual number of potential customers ?	Does agency know the annual number of customers served ?	Does the agency evaluate customer satisfaction ?	Does the agency know the cost it incurs, per unit, to provide the product or service ?	Does the law allow the agency to charge for it to cover the agency's costs ?
×	×	✓	×	✓	×

Deliverable #1G¹⁰²**Legal representation of indigent S.C. citizens**

Product/Service Component: Legal services, costs, and expenses in Post-Conviction Relief actions.

Does law require, allow, or not address it? Require

Applicable law: S.C. Code Ann. 17-3-80, -90; S.C. Code Ann. 17-27-20, -60, -160; and Rule 71.1 of the S.C. Rules of Civil Procedure

Greatest potential harm to the public if deliverable is not provided:

- The indigent citizens of South Carolina would be denied their right to counsel under S.C. Code Ann. Sections 17-27-60, 17-27-110 and 17-27-160.

1-3 recommendations to the General Assembly, other than \$, for how the General Assembly can help avoid the greatest potential harm

- Ensure only those citizens who are indigent, receive appointed counsel.
- Ensure indigency screening and appointment of counsel occurs as early as possible.

Other state agencies whose mission the deliverable may fit within: None

Does agency evaluate the outcome obtained by individuals who receive the service or product?	Does agency know the annual number of potential customers ?	Does agency know the annual number of customers served ?	Does the agency evaluate customer satisfaction ?	Does the agency know the cost it incurs, per unit, to provide the product or service ?	Does the law allow the agency to charge for it to cover the agency's costs ?
×	×	✓	×	✓	×

Deliverable #1H¹⁰³**Legal representation of indigent S.C. citizens**

Product/Service Component: Legal services in Termination-of-Parental-Rights Actions and Adoption Actions.

Does law require, allow, or not address it? Require

Applicable law: S.C. Code Ann. 17-3-80, -90; S.C. Code Ann. 63-7-1620; and S.C. Code Ann. 63-9-320(2)

Greatest potential harm to the public if deliverable is not provided:

- The indigent citizens of South Carolina would be denied their right to counsel under S.C. Code Ann. Sections 63-7-2560 and 63-9-320.

1-3 recommendations to the General Assembly, other than \$, for how the General Assembly can help avoid the greatest potential harm

- Ensure only those citizens who are indigent, receive appointed counsel.
- Ensure indigency screening and appointment of counsel occurs as early as possible.

Other state agencies whose mission the deliverable may fit within: None

Does agency evaluate the outcome obtained by individuals who receive the service or product?	Does agency know the annual number of potential customers ?	Does agency know the annual number of customers served ?	Does the agency evaluate customer satisfaction ?	Does the agency know the cost it incurs, per unit, to provide the product or service ?	Does the law allow the agency to charge for it to cover the agency's costs ?
×	×	✓	×	✓	×

Deliverable #2¹⁰⁴ Annual report on indigent defense system

Product/Service Component: No additional components

Does law require, allow, or not address it? Require

Applicable law: S.C. Code Ann. 17-3-330.

Greatest potential harm to the public if deliverable is not provided:

- The General Assembly would not be able to make educated budgetary, policy or programmatic decisions on the Commission on Indigent Defense.

1-3 recommendations to the General Assembly, other than \$, for how the General Assembly can help avoid the greatest potential harm

- Maintain current system of submitting the annual report to the House of Representatives and Senate through the budgetary hearings process.

Other state agencies whose mission the deliverable may fit within: None

Does agency evaluate the outcome obtained by individuals who receive the service or product?	Does agency know the annual number of potential customers ?	Does agency know the annual number of customers served ?	Does the agency evaluate customer satisfaction ?	Does the agency know the cost it incurs, per unit, to provide the product or service ?	Does the law allow the agency to charge for it to cover the agency's costs ?
×	×	✓	×	×	×

Deliverable #3¹⁰⁵ Court costs and expenses from indigent S.C. citizens

Product/Service Component: No additional components

Does law require, allow, or not address it? Require

Applicable law: S.C. Code Ann. 17-27-60.

Greatest potential harm to the public if deliverable is not provided:

- The indigent citizens of S.C. would be denied their right to counsel and access to resources to provide a proper defense as established in S.C. Code Ann. Section 17-3-50.

1-3 recommendations to the General Assembly, other than \$, for how the General Assembly can help avoid the greatest potential harm

- Require the Judiciary Branch to follow the existing standards established in S.C. Code Ann. Section 17-3-50.

Other state agencies whose mission the deliverable may fit within: None

Does agency evaluate the outcome obtained by individuals who receive the service or product?	Does agency know the annual number of potential customers ?	Does agency know the annual number of customers served ?	Does the agency evaluate customer satisfaction ?	Does the agency know the cost it incurs, per unit, to provide the product or service ?	Does the law allow the agency to charge for it to cover the agency's costs ?
×	×	✓	×	×	×

Deliverable #4¹⁰⁶	Capital case post-conviction relief procedures - provide for appointment of counsel for indigent applicants
-------------------------------------	--

Product/Service Component: No additional components

Does law require, allow, or not address it? Require

Applicable law: S.C. Code Ann. 17-27-160

Greatest potential harm to the public if deliverable is not provided:

- The indigent citizens of S.C. would be denied their right to counsel under S.C. Code Ann. Section 17-27-160.

1-3 recommendations to the General Assembly, other than \$, for how the General Assembly can help avoid the greatest potential harm

- Require the Judiciary Branch to follow the existing standards established in S.C. Code Ann. Section 17-27-160.

Other state agencies whose mission the deliverable may fit within: None

Does agency evaluate the outcome obtained by individuals who receive the service or product?	Does agency know the annual number of potential customers ?	Does agency know the annual number of customers served ?	Does the agency evaluate customer satisfaction ?	Does the agency know the cost it incurs, per unit, to provide the product or service ?	Does the law allow the agency to charge for it to cover the agency's costs ?
×	×	✓	×	✓	×

Deliverable #5¹⁰⁷**Training to attorneys representing indigent S.C. citizens**

Product/Service Component: Regular training programs include an annual multi-session basic training program for new indigent defense attorneys, an ongoing series of workshops for juvenile defense attorneys, and other continuing legal education seminars and workshops pertinent to the provision of indigent defense services.

Does law require, allow, or not address it? Require

Applicable law: S.C. Code Ann. 16-3-26; S.C. Code Ann. 17-3-10, -20, -90, -310, -360; S.C. Code Ann. 17-27-60; S.C. Code Ann. 44-48-90, et seq.; S.C. Code Ann. 63-19-830 and 63-19-1040; and S.C. Code Ann. 63-7-1620.

Greatest potential harm to the public if deliverable is not provided:

- Indigent defense clients would not receive effective assistance of counsel.

1-3 recommendations to the General Assembly, other than \$, for how the General Assembly can help avoid the greatest potential harm

- Ensure indigent defense clients continue to receive effective assistance of counsel.

Other state agencies whose mission the deliverable may fit within: None

Does agency evaluate the outcome obtained by individuals who receive the service or product?	Does agency know the annual number of potential customers ?	Does agency know the annual number of customers served ?	Does the agency evaluate customer satisfaction ?	Does the agency know the cost it incurs, per unit, to provide the product or service ?	Does the law allow the agency to charge for it to cover the agency's costs ?
×	×	✓	✓	✓	×

Employee Information related to the Administration Unit

In the Program Evaluation Report, the Committee asks the agency to provide information about the employees in each of the agency's organizational units. Table 10 includes the information provided by the agency.

Table 10. Administration unit: Employee Information.

<u>Details</u>	<u>2014-15</u>	<u>2015-16</u>	<u>2016-17</u>
What is the turnover rate?	0.00%	9.09%	18.18%
Is employee satisfaction evaluated?	×	×	×
Is anonymous employee feedback allowed?	×	×	×
Do any positions require a certification (e.g., teaching, medical, accounting, etc.)	✓	✓	✓
Did the agency pay for, or provide classes/instruction needed to maintain all, some, or none of required certifications?	Some*	Some*	Some*

Table Note: An asterisk (*) indicates SCCID pays basic S.C. Bar dues for attorneys employed in this division, but does not pay for continuing legal education courses which are required for an attorney to maintain their license in S.C.

Revenue and Funding Sources of the Administration Unit

Revenue/Funding Received or Generated by the Administration Unit

In the Program Evaluation Report, the Committee asks the agency to provide information about its revenue sources.

The Administration unit **receives** funds from the following sources¹⁰⁸:

- General Fund Appropriations 1 - Recurring
- General Fund Appropriations 2 - One-Time
- Capital Reserve Fund
- Federal Grant

This unit **generates** funds through the following sources¹⁰⁹:

- Traffic Education Program Fee (Magistrate Court)
- Traffic Education Program Fee (Municipal Court)
- Donations
- Civil Action Application Fee
- Investment Earnings 1
- Public Defender Application Fee⁷
- Court Fine 2⁸
- Conviction Surcharge 2⁹
- Investment Earnings 2

Based on information in the Program Evaluation Report, total revenue generated by the unit in fiscal year 2015-16 was \$9,700,887 and in 2016-17, it was \$9,322,075. Table 11 includes the revenue generated by source during FY 2015-16 and 2016-17.

Table 11 Revenue generated by the Administration unit during FY 2015-16 and 2016-17.¹¹⁰

Revenue Source	Recurring or one-time?	State, Federal, or Other?	Does revenue remain with the agency or go to General Fund?	Total revenue generated in 2015-16	Total revenue estimated to generate in 2016-17
Traffic Education Program Fee (Magistrate Court)	Recurring	Other	Agency	\$31,945	\$31,887
Traffic Education Program Fee (Municipal Court)	Recurring	Other	Agency	\$8,205	\$7,528
Donations	Recurring	Other	Agency	\$0	\$0
Civil Action Application Fee	Recurring	Other	Agency	\$10,000	\$11,530
Investment Earnings 1	One-Time	Other	Agency	\$489	\$676
Public Defender Application Fee ¹⁰	Recurring	Other	Agency	\$611,751	\$620,300
Court Fine 2 ¹¹	Recurring	Other	Agency	\$7,351,747	\$7,175,473
Conviction Surcharge 2 ¹²	Recurring	Other	Agency	\$1,627,519	\$1,375,560
Investment Earnings 2	One-Time	Other	Agency	\$59,231	\$99,119
TOTAL				\$9,700,887	\$9,322,075

⁷ Office of Circuit Public Defenders organizational unit is also associated with this revenue source.

⁸ This revenue source is associated with all agency organizational units.

⁹ Office of Circuit Public Defenders organizational unit is also associated with this revenue source.

¹⁰ Office of Circuit Public Defenders organizational unit is also associated with this revenue source.

¹¹ This revenue source is associated with all agency organizational units.

¹² Office of Circuit Public Defenders organizational unit is also associated with this revenue source.

Revenue/Funding Utilized by the Administration Unit

Since the Administration unit is associated with every goal in the agency's strategic plan, it utilized all of the revenue and funding sources available to the agency in fiscal year 2015-16 and 2016-17. Table 12 includes information on revenue sources utilized by all agency organization units, including the administration unit.

Table 12. Agency revenue sources utilized by the Administration unit to achieve the agency's comprehensive strategic plan in FY 2016-17 and 2017-18.¹¹¹

Revenue Sources utilized	Recurring or one-time?	State, Federal, or Other?	Organizational Units utilizing the funds	Spent to achieve plan in 2016-17	Percent of total spent	Budgeted to achieve plan in 2017-18	Percent of total spent
General Fund Appropriations 1	Recurring	State	Administration, Division of Appellate Defense, Office of Circuit Public Defenders, Death Penalty Trial Division	\$28,974,752	74.53%	\$30,845,217	68.45%
General Fund Appropriations 2	One-Time	State	Administration, Division of Appellate Defense, Office of Circuit Public Defenders, Death Penalty Trial Division	\$0	0.00%	\$100,000	0.22%
Capital Reserve Fund	One-Time	Other	Administration, Division of Appellate Defense, Office of Circuit Public Defenders, Death Penalty Trial Division	\$73,087	0.19%	\$64,819	0.14%
Family & Circuit Court Filing Fee	Recurring	Other	Administration, Division of Appellate Defense	\$259,684 ¹³	0.67%	\$352,600	0.78%
Conviction Surcharge 1	Recurring	Other					
Court Fine 1	Recurring	Other	Administration, Office of Circuit Public Defenders	\$637,303	1.64%	\$900,000	2.00%
Traffic Education Program Fee (Magistrate Court)	Recurring	Other	Administration, Office of Circuit Public Defenders	\$2,248 ¹⁴	0.01%	\$220,000	0.49%
Traffic Education Program Fee (Municipal Court)	Recurring	Other					

¹³ These amounts are grouped together because that is how they appear in the S.C. Enterprise Information System.

¹⁴ These amounts are grouped together because that is how they appear in the S.C. Enterprise Information System.

Revenue Sources utilized	Recurring or one-time?	State, Federal, or Other?	Organizational Units utilizing the funds	Spent to achieve plan in 2016-17	Percent of total spent	Budgeted to achieve plan in 2017-18	Percent of total spent
Donations	Recurring	Other	None	\$0	0.00%	\$0	0.00%
Civil Action Application Fee	Recurring	Other	Administration, Office of Circuit Public Defenders	\$0 ¹⁵	0.00%	\$32,000	0.07%
Investment Earnings 1	One-Time	Other					
Public Defender Application Fee	Recurring	Other	Administration, Division of Appellate Defense, Office of Circuit Public Defenders, Death Penalty Trial Division	\$7,483,424 ¹⁶	19.25%	\$10,717,272	23.78%
Court Fine 2	Recurring	Other					
Conviction Surcharge 2	Recurring	Other					
Investment Earnings 2	One-Time	Other					
Federal Grant	Recurring	Federal	Administration, Office of Circuit Public Defenders	\$130,446	0.34%	\$129,829	0.29%
TOTAL				\$37,560,944	96.61%	\$43,361,737	96.23%

Table Note: The percent of total spent is not 100% because the agency did not spend 100% of its fund toward its strategic plan. \$1,317,793 spent in 2016-17, and \$1,700,000 authorized in 2017-18, was transferred to the S.C. Legal Services non-profit organization. Since the agency does not have control over how the organization utilizes the funds, those amounts were not included in amounts the agency spends toward accomplishment of its strategic plan.

Remainder of page intentionally left blank

¹⁵ These amounts are grouped together because that is how they appear in the S.C. Enterprise Information System.

¹⁶ These amounts are grouped together because that is how they appear in the S.C. Enterprise Information System.

Strategic Resource Allocation and Performance related to the Administration Unit

In the Program Evaluation Report, the **Committee asks an agency how it allocates its human and financial resources to accomplish its goals** (i.e., broad expression of a long-term priority) **and objectives** (i.e., specific, measurable and achievable description of an effort the agency is implementing to achieve a goal) in the agency's strategic plan.¹¹² The Committee also asks the agency to list any funds the agency spent or transferred not toward the agency's comprehensive strategic plan.

Funds Spent/Transferred not toward the agency's comprehensive strategic plan

In regards to revenue sources associated with the administration unit, the agency indicated \$1,317,793 spent in 2016-17, and \$1,700,000 authorized in 2017-18, were spent or transferred not directly toward the agency's strategic plan.¹¹³ These amounts were transferred to the S.C. Legal Services non-profit organization. S.C. Legal Services provides free legal assistance in a wide variety of civil (non-criminal) legal matters to eligible low income residents of South Carolina.¹¹⁴ Since the agency does not have control over how the organization utilizes the funds, the amounts were not included in amounts the agency spends toward accomplishment of its strategic plan.

Funds Spent toward the agency's comprehensive strategic plan

Since the administration unit is associated with every goal in the agency's strategic plan, Tables 13.1 - 13.5 includes an overview of how the agency allocated its resources to all of its strategic plan and the associated performance measures. This information is grouped by strategy. Detailed information regarding how the agency has performed on each of the performance measures will be provided in the packets for the meetings in which the agency presents information on each of its other organizational units.

Table 13.1. Part of agency's strategic plan related to the Administration unit, Strategy 1.1: Enhance the circuit public defender system.

GOAL 1 Ensure the effective legal representation of S.C. citizens eligible for indigent defense services

Strategy 1.1 Enhance the circuit public defender system

Objective 1.1.1	Provide effective administration for the circuit public defender offices and for the appointment of counsel for all qualified indigent defendants in S.C. trial courts and family court
Objective 1.1.2	Increase the number of public defenders in each circuit to reduce the number of cases handled by each public defender to ensure efficient representation of indigent defendants in all S.C. trial courts
Objective 1.1.3	Increase the number of investigators in each circuit
Objective 1.1.4	Monitor the Rule 608 contract system to provide effective representation for parents and other parties in family court matters and to control fees and expenses
Objective 1.1.5	Begin analysis of the interface of the circuit public defender offices into the Judicial Department's Case Management System (CMS)

Responsible Employee(s): Mr. Hugh Ryan (responsible for less than three years)
Employee have input in budget? Yes, Mr. Ryan has input into the budget for Strategy 1.1

External Partner(s): State and local government

	# of FTE equivalents utilized	Amount Spent (including employee salaries/wages and benefits)	% of Total Available to Spend	Associated Performance Measures
2016-17	37.4	\$34,524,212	78.01%	<ul style="list-style-type: none"> Increase the number of full-time public defenders in all 16 judicial circuits Decrease the number of cases handled by each individual public defender
2017-18	37.4	\$39,551,247	87.77%	

Table 13.2. Part of agency's strategic plan related to the Administration unit, Strategy 1.2: Maintain the appellate defense system.

GOAL 1 Ensure the effective legal representation of S.C. citizens eligible for indigent defense services

Strategy 1.2 Maintain the appellate defense system

- Objective 1.2.1** Provide effective administration of the appellate defense system for all indigent defendants in S.C. trial courts
- Objective 1.2.2** Ensure judicious submission of direct appeal or post-conviction relief briefs within the time limits established by the S.C. Supreme Court

Responsible Employee(s): Mr. Bob Dudek (responsible for more than three years)
Employee have input in budget? Yes, Mr. Dudek has input into the budget for Strategy 1.2

External Partner(s): Federal government, state government, and individuals

	# of FTE equivalents utilized	Amount Spent (including employee salaries/wages and benefits)	% of Total Available to Spend	Associated Performance Measures
2016-17	24.25	\$ 2,081,018	4.70%	<ul style="list-style-type: none"> SCCID's defender data system maintains a calendar application to ensure appeal submissions and documentation are done in a timely manner. Monitoring of appeal filings ensures indigent clients are receiving professional and effective legal representation.
2017-18	25.25	\$ 2,497,936	5.54%	

Table 13.3. Part of agency's strategic plan related to the Administration unit, Strategy 1.3: Ensure quality representation in capital death cases.

GOAL 1 Ensure the effective legal representation of S.C. citizens eligible for indigent defense services

Strategy 1.3 Ensure quality representation in capital death cases

Objective 1.3.1 Provide effective administration of the capital defense system for all indigent defendants in S.C. trial courts

Objective 1.3.2 Require all Capital Trial Division attorneys be certified as S.C. Supreme Court Death Penalty Qualified

Responsible Employee(s): Mr. Boyd Young (responsible for less than three years)
Employee have input in budget? Yes, Mr. Young has input into the budget for Strategy 1.3

External Partner(s): Federal government, state government, and individuals

	# of FTE equivalents utilized	Amount Spent (including employee salaries/wages and benefits)	% of Total Available to Spend	Associated Performance Measures
2016-17	7.25	\$ 848,615	1.92%	<ul style="list-style-type: none"> Continued training of the death penalty trial attorneys to ensure indigent clients receive professional and effective legal representation.
2017-18	7.25	\$ 931,235	2.07%	

Table 13.4. Part of agency's strategic plan related to the Administration unit, Strategy 2.1: Provide mandatory training program for all new public defenders and contract attorneys.

GOAL 2 Enhance training and professional development of S.C. public defenders and staff

Strategy 2.1 Provide mandatory training program for all new public defenders and contract attorneys

- Objective 2.1.1 Increase accessibility to PD 101, PD 102 and PD 103 training classes
- Objective 2.1.2 Conduct topic specific training to all public defenders and contract attorneys
- Objective 2.1.3 Implement online training for all public defenders in the indigent defense system

Responsible Employee(s): Mr. Lawrence Brown (responsible for less than three years)
Employee have input in budget? Yes, Mr. Brown has input into the budget for Strategy 1.1

External Partner(s): Local governments and individuals

	# of FTE equivalents utilized	Amount Spent (including employee salaries/wages and benefits)	% of Total Available to Spend	Associated Performance Measures
2016-17	0.55	\$ 104,414	0.24%	<ul style="list-style-type: none"> Increase attendance in the public defender training sessions: PD 101, PD 102 and PD 103 Increase the number of continuing education hours provided to public defenders (CLE)
2017-18	0.55	\$ 378,635	0.84%	

Table 13.5. Part of agency's strategic plan related to the Administration unit, Strategy 2.2: Enhance mentoring programs in circuit public defender offices.

GOAL 2 Enhance training and professional development of S.C. public defenders and staff

Strategy 2.2 Enhance mentoring programs in circuit public defender offices

Objective 2.2.1 Expand mentoring programs to all 16 public defender circuits

Objective 2.2.2 Provide mentoring opportunities to newly hired public defenders in family and summary courts

Responsible Employee(s): Mr. Lawrence Brown (responsible for less than three years)

Employee have input in budget? Yes, Mr. Brown has input into the budget for Strategy 1.1

External Partner(s): Local governments

	# of FTE equivalents utilized	Amount Spent (including employee salaries / wages and benefits)	% of Total Available to Spend	Associated Performance Measures
2016-17	0.05	\$ 2,685	0.01%	<ul style="list-style-type: none"> Increase the number of judicial circuits that have mentoring programs for new public defenders in family and summary courts
2017-18	0.05	\$ 2,685	0.01%	

Agency Recommendations - Agency Wide

In the Program Evaluation Report, the Committee asks the agency to provide a list of recommendations related to internal changes and changes in laws, which may improve the agency's efficiency and effectiveness, or update antiquated laws. All of the agency's recommendations, which are listed below, relate to the agency as a whole, as opposed to any particular organizational unit within the agency.

- Internal Agency Recommendation
 - #1: Electronic direct deposit to pay Rule 608 contract attorneys
- Law Recommendations
 - #1: S.C. Code Ann. 17-3-30
 - #2: S.C. Code Ann. 17-3-40
 - #3: S.C. Code Ann. 17-3-50
 - #4: S.C. Code Ann. 17-3-80
 - #5: S.C. Code Ann. 17-3-85
 - #6: S.C. Code Ann. 17-3-90
 - #7: S.C. Code Ann. 17-3-100
 - #8: S.C. Code Ann. 17-3-510

Internal Change Recommendation #1: Electronic direct deposit to pay Rule 608 contract attorneys

The South Carolina Commission on Indigent Defense is in the process of moving from payments of the 608 Attorney payment vouchers by check, to using electronic direct deposit. This internal process change will allow the agency to be more efficient in the processing of payment vouchers requests.

- a. Stage of analysis: A plan of implementation has been set
- b. Presented and Approved by Board/Commission: Commission has been notified of internal process change, but does not require Commission approval.
- c. Performance measures impacted and predicted impact: This internal change will allow SCCID to process voucher payments requests, with recipient to receive their payments in a shorter time.
- d. Impact on amount spent to accomplish the objective(s): SCCID anticipates a reduction in other operating costs, due to reduction in need for printed materials both at the agency and by the Comptroller General's office in the printing of checks and mailing cost since payments will be electronically deposited into identified recipient's accounts.
- e. Anticipated implementation date: March 1, 2018

Law Change Recommendation #1 - S.C. Code Ann. 17-3-30	
Law	S.C. Code Ann. 17-3-30 Affidavit of inability to employ counsel; payment of indigent's assets to state; application fee, waiver or reduction of fee; disposition of revenues; fund for screening applicants
Summary of Current Law	Provides for person applying for appointed counsel to file affidavit setting forth assets and pay \$40 fee; fee may be waived or reduced; how fee to be collected, handled and used.
Agency's Rationale for Revision	Eliminate Duplicative: Language of this section is included in § 17-3-45.
Agency's Recommended Language	<p>SECTION 17-3-30. Affidavit of inability to employ counsel; payment of indigent's assets to state; application fee; waiver or reduction of fee; disposition of fee revenues; fund for screening applicants.</p> <p>(A) A person to whom counsel has been provided shall execute an affidavit that he is financially unable to employ counsel and that affidavit must set forth all his assets. If it appears that the person has some assets but they are insufficient to employ private counsel, the court, in its discretion, may order the person to pay these assets to the general fund of the State.</p> <p>(B) A forty dollar application fee for public defender services must be collected from every person who executes an affidavit that he is financially unable to employ counsel. The person may apply to the clerk of court or other appropriate official for a waiver or reduction in the application fee. If the clerk or other appropriate official determines that the person is unable to pay the application fee, the fee may be waived or reduced, provided that if the fee is waived or reduced, the clerk or appropriate official shall report the amount waived or reduced to the trial judge upon sentencing and the trial judge shall order the remainder of the fee paid during probation if the person is granted probation. The clerk of court or other appropriate official shall collect the application fee imposed by this section and remit the proceeds to the state fund on a monthly basis. The monies must be deposited in an interest bearing account separate from the general fund and used only to provide for indigent defense services. The monies shall be administered by the Office of Indigent Defense. The clerk of court or other appropriate official shall maintain a record of all persons applying for representation and the disposition of the application and shall provide this information to the Office of Indigent Defense on a monthly basis as well as reporting the amount of funds collected or waived.</p> <p>(C) Sufficient funds shall be set aside from allocations provided for the defense of indigent to provide for adequate screening of applications for indigent assistance to ensure the applicant is qualified.</p> <p>HISTORY: 1962 Code § 17-282; 1969 (56) 374; 1977 Act No. 219 Pt II § 19; 1988 Act No. 356, § 1; 1993 Act No. 164, Part II, § 45E; 1994 Act No. 497, Part I, E23-§ 14; 1995 Act No. 145, Part IB, E23-§ 14; 1996 Act No. 458, Part II, § 26B; 1999 Act No. 100, Part II, § 17; 2007 Act No. 108, § 4, eff June 21, 2007.</p>
Presented and Approved by Board/Commission	2/23/18
Other agencies potentially impacted	None

Law Change Recommendation #2 - S.C. Code Ann. 17-3-40	
Law	S.C. Code Ann. 17-3-40 Creation of claim against assets and estate of person for whom counsel is provided
Summary of Current Law	Appointment of counsel creates a claim against the assets and estate of the person for whom counsel is provided. Claim may be filed, but does not constitute lien unless reduced to judgment by court.
Agency's Rationale for Revision	Eliminate Duplicative: Language of this section is included in § 17-3-45.
Agency's Recommended Language	SECTION 17-3-40. Creation of claim against assets and estate of person for whom counsel is provided. (a) The appointment of counsel, as hereinbefore provided, creates a claim against the assets and estate of the person who is provided counsel in an amount equal to the costs of representation as determined pursuant to Sections 17-3-50 and 17-3-80, less that amount that the person pays to the defender corporation of the county or counties wherein he is being represented or the judicial department as provided for in Section 17-3-30. (b) Such claim shall be filed in the office of the clerk of court in the county where the person is assigned counsel, but the filing of a claim shall not constitute a lien against real or personal property of the person unless, in the discretion of the court, part or all of such claim is reduced to judgment by appropriate order of the court, after serving the person with at least thirty days' notice that judgment will be entered. When a claim is reduced to judgment, it shall have the same effect as judgments, except as modified by this chapter. (c) The court may, in its discretion, order any claim or judgment waived, modified or withdrawn. (d) The Judicial Department shall be responsible for administering this section, and all moneys collected hereunder shall be paid over to the Judicial Department. HISTORY: 1962 Code § 17-283; 1969 (56) 374; 1977 Act No. 219 Part II § 19; 1988 Act No. 356, § 2.
Presented and Approved by Board/Commission	2/23/18
Other agencies potentially impacted	None

Law Change Recommendation #3 - S.C. Code Ann. 17-3-50	
Law	S.C. Code Ann. 17-3-50 Determination of fees for appointed counsel and public defenders; maximum amounts; authorization to exceed maximum; payment for certain services
Summary of Current Law	Provides hourly rates and caps for fees paid to private appointed counsel, investigators, experts, etc.
Agency's Rationale for Revision	Modify Requested change would conform language of statute to Budget Provisos 61.1 and 61.4 and clarify language to reflect Agency procedures and policies.
Agency's Recommended Language	<p>SECTION 17-3-50. Determination of fees for appointed counsel and public defenders; maximum amounts; authorization to exceed maximum; payment for certain services.</p> <p>(A) When private counsel is appointed pursuant to this chapter, he must be paid a reasonable fee to be determined on the basis of forty dollars an hour for time spent out of court and sixty dollars an hour for time spent in court. The same hourly rates apply in post-conviction proceedings. Compensation may not exceed three thousand five hundred dollars in a case in which one or more felonies is charged and one thousand dollars in a case in which only misdemeanors are charged. Compensation must be paid from funds available to the Office of Indigent Defense for the defense of indigents represented by court-appointed, private counsel. The same basis must be employed to determine the value of services provided by the office of the public defender for purposes of Section 17-3-40 <u>Section 17-3-45</u>.</p> <p>(B) Upon a finding in ex parte proceedings that investigative, expert, or other services are reasonably necessary for the representation of the defendant, the court shall authorize the defendant's attorney to obtain such services on behalf of the defendant and shall order the payment, from funds available to the Office of Indigent Defense, of fees and expenses not to exceed five hundred dollars as the court considers appropriate.</p> <p>(C) Payment in excess of the hourly rates and limits in subsection (A) or (B) is authorized only if the court certifies, in a written order with specific findings of fact, <u>prior to fees or expenses being incurred</u>, that payment in excess of the rates is necessary to provide compensation adequate to ensure effective assistance of counsel and payment in excess of the limit is appropriate because the services provided were reasonably and necessarily incurred <u>to be provided are reasonable and necessary</u>. <u>If prior approval by written order of the court is not obtained, no additional fees or expenses shall be paid.</u></p> <p>(D) Nothing in this section shall be construed to alter the provisions of Section 17-3-10 concerning those defendants who are entitled to legal representation.</p> <p>HISTORY: 1962 Code § 17-284; 1969 (56) 374; 1993 Act No. 164, Part II, § 45F; 2007 Act No. 108, § 5, eff June 21, 2007.</p>
Presented and Approved by Board/Commission	2/23/18
Other agencies potentially impacted	None

Law Change Recommendation #4 - S.C. Code Ann. 17-3-80	
Law	S.C. Code Ann. 17-3-80 Appropriation for expenses of appointed private counsel and public defenders; restrictions and limitations
Summary of Current Law	Provided additional funding for indigent defense services for FY 1969-70.
Agency's Rationale for Revision	Eliminate This Section reflects language from a fund that was established for FY 1969-70 that is no longer funded. Expenses of appointed counsel and public defenders are addressed in other code sections and budget provisos.
Agency's Recommended Language	SECTION 17-3-80. Appropriation for expenses of appointed private counsel and public defenders; restrictions and limitations. In addition to the appropriation as provided by law, there is appropriated for the fiscal year commencing July 1, 1969, the sum of fifty thousand dollars for the establishment of the defense fund which must be administered by the Office of Indigent Defense. This fund must be used to reimburse private appointed counsel, public defenders, and assistant public defenders for necessary expenses, not to exceed two thousand dollars for each case, actually incurred in the representation of persons pursuant to this chapter, so long as the expenses are approved by the trial judge. No reimbursement may be made for travel expenses except extraordinary travel expenses approved by the trial judge. The total state funds provided by this section may not exceed fifty thousand dollars. HISTORY: 1962 Code § 17-287; 1969 (56) 374; 1977 Act No. 219 Pt II § 19; 1987 Act No. 142 § 1; 1993 Act No. 164, Part II, § 45G.
Presented and Approved by Board/Commission	2/23/18
Other agencies potentially impacted	None

Law Change Recommendation #5 - S.C. Code Ann. 17-3-85	
Law	S.C. Code Ann. 17-3-85 Fiscal year-end disposition of unexpended appropriations for payment of private appointed counsel for counties without public defender corporations
Summary of Current Law	Provides for handling of unexhausted funds appropriated for counties without public defender corporations to pay private counsel.
Agency's Rationale for Revision	Eliminate Redundant: The creation of the statewide Circuit Public Defender system in 2007 replaced the previous system in which some counties had public-defender corporations and others did not. All counties are now covered by the statewide Circuit Public Defender system, so funds are no longer appropriated in this manner.
Agency's Recommended Language	SECTION 17-3-85. Fiscal year-end disposition of unexpended appropriations for payment of private appointed counsel for counties without public defender corporations. At the end of each fiscal year all funds appropriated for counties without public defender corporations which have not been exhausted shall be combined into one fund and any and all claims of private appointed counsel in other counties remaining unpaid by virtue of the exhaustion of appropriated funds in those respective counties shall be paid on a pro rata basis until such fund is exhausted or until all claims are satisfied. After payment of the above, any funds remaining at the end of a fiscal year maintained by the Judicial Department shall revert to the general fund of the State at the end of that fiscal year. HISTORY: 1982 Act No. 466, Part II § 43.
Presented and Approved by Board/Commission	2/23/18
Other agencies potentially impacted	None

Law Change Recommendation #6 - S.C. Code Ann. 17-3-90	
Law	S.C. Code Ann. 17-3-90 Vouchers for payment for services by private appointed counsel and for reimbursement of expenses; approval and submission for payment
Summary of Current Law	Sets forth procedure for approval and submission of vouchers by appointed counsel and public defenders for payment by the Office of Indigent Defense.
Agency's Rationale for Revision	Eliminate Voucher procedures established by Orders of the Supreme Court, budget provisos, and SCCID policies have superseded the procedure set forth in this Section.
Agency's Recommended Language	SECTION 17-3-90. Vouchers for payment for services by private appointed counsel and for reimbursement of expenses; approval and submission for payment. Private, appointed counsel shall submit a voucher to the Office of Indigent Defense setting forth all details of the appointment for purposes of remuneration pursuant to Section 17-3-50 and reimbursement of expenses pursuant to Section 17-3-80, and the public defender shall do likewise pursuant to Section 17-3-80. It is the duty of the Office of Indigent Defense to present the voucher to the trial judge for approval and to transmit the same to the Comptroller General for payment to the appropriate party. HISTORY: 1962 Code § 17-288; 1969 (56) 374; 1977 Act No. 219 Pt II § 19; 2007 Act No. 108, § 6, eff June 21, 2007.
Presented and Approved by Board/Commission	2/23/18
Other agencies potentially impacted	None

Law Change Recommendation #7 - S.C. Code Ann. 17-3-100	
Law	S.C. Code Ann. 17-3-100 Discretionary authority of judge to appoint counsel not limited; remuneration and reimbursement.
Summary of Current Law	Discretionary authority of judge to appoint counsel not limited; remuneration and reimbursement.
Agency's Rationale for Revision	Modify Refers to § 17-3-80 which the Agency recommends be deleted.
Agency's Recommended Language	SECTION 17-3-100. Discretionary authority of judge to appoint counsel is not limited; remuneration and reimbursement. Nothing herein contained is designed to limit the discretionary authority of a judge to appoint counsel in any case and any such counsel shall be entitled to remuneration and reimbursement as provided in §§ 17-3-50 and 17-3-80 hereof, so long as funds appropriated herein are available therefor. HISTORY: 1962 Code § 17-289; 1969 (56) 374.
Presented and Approved by Board/Commission	2/23/18
Other agencies potentially impacted	None

Law Change Recommendation #8 - S.C. Code Ann. 17-3-510	
Law	S.C. Code Ann. 17-3-510 Circuit Public Defender Selection Panel; county representation; nomination of Circuit Public Defender; election by South Carolina Prosecution Coordination Commission.
Summary of Current Law	Provides procedure for election of Circuit Public Defenders
Agency's Rationale for Revision	Modify Title of Statute incorrectly states that the Circuit Public Defender is elected by the SC Prosecution Commission
Agency's Recommended Language	<p>SECTION 17-3-510. Circuit Public Defender Selection Panel; county representation; nomination of Circuit Public Defender; election by South Carolina Prosecution Coordination Commission <u>Commission on Indigent Defense</u>.</p> <p>(A) There is created in each judicial circuit in the State a Circuit Public Defender Selection Panel, the membership of which is composed of, and must be elected by, the active, licensed attorneys who reside within the counties of each judicial circuit. Each county in each judicial circuit must be represented by at least one member and the remaining members must be determined by equal weighting of county population based on the most recent decennial census and the most recent annual county appropriations to public defender operations according to the following formula:</p> <p>(1) percentage of distribution of population plus the percentage of distribution of appropriations for public defender operations divided by two and rounded to the nearest whole number;</p> <p>(2) the weighted values of each county multiplied by the number of remaining members in each Circuit Public Defender Selection Panel determines the number of additional members each county must have on the panel.</p> <p>Judicial circuits with three or less counties must have five members. Judicial circuits with four counties must have seven members. Judicial circuits with five counties must have nine members.</p> <p>(B) A solicitor, assistant solicitor, an employee of a solicitor's office, or an employee of the South Carolina Prosecution Coordination Commission may not serve as a member of a Circuit Public Defender Selection Panel. Members of a Circuit Public Defender Selection Panel must reside in the judicial circuit in which they serve. Circuit Public Defender Selection Panel members shall serve for a term of five years. A vacancy for an appointed member must be in the same manner of the original appointment filled by the appointing authority.</p> <p>(C) By majority vote of its membership, the Circuit Public Defender Selection Panel shall nominate a person to serve as the circuit public defender in the judicial circuit as provided in this article. The commission shall, by majority vote of its members, accept or reject the nomination, but may not substitute the name of another person. Initial appointments of circuit public defenders must be made in order for the first appointees to take office no later than one year from the effective date of this act, for a term of four years. A circuit public defender may be reappointed by the commission to serve successive terms following the same manner of the original appointment. The circuit public defender for each judicial circuit must be a full-time employee of the State and must be compensated and have the same benefits as the circuit solicitor. A circuit public defender may not engage in the private practice of law or another full-time business for profit.</p> <p>(D) A circuit public defender may be removed for cause by a majority vote of the commission.</p>

	<p>(E) If a vacancy occurs, by death, resignation, or otherwise, in the position of circuit public defender, the commission shall appoint an interim circuit public defender to serve until a replacement has been selected by the commission. The Circuit Public Defender Selection Panel shall nominate a replacement circuit public defender within three months of the occurrence of the vacancy. Selection of a replacement must be in the same manner as the original appointment.</p> <p>HISTORY: 2007 Act No. 108, Section 3, eff June 21, 2007.</p>
Presented and Approved by Board/Commission	2/23/18
Other agencies potentially impacted	None

COMMITTEE CONTACT INFORMATION



- Website - <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee.php>
- Phone Number - 803-212-6810
- Email - HCommLegOv@schouse.gov
- Location - Blatt Building, Room 228

APPENDICES

Appendix A. Revenue stream breakdown by public defender circuit and county

This appendix includes reports for revenue streams in fiscal year 2015-16 and 2016-2017. The Commission on Indigent Defense and Prosecution Coordination Commission are required to submit these reports to the Chairman of the House Ways and Means Committee and Chairman of the Senate Finance Committee pursuant to Proviso 117.110, General Appropriations Bill for Fiscal Year 2016-17 and Proviso 117.109, General Appropriations Bill for Fiscal Year 2017-18.

COMMISSION ON INDIGENT DEFENSE
Proviso 117.110 Revenue Detail

Circuit	County	County	State	Federal	Municipal	Other	Non Governmental	Total Funding	Other Fund Detail
1	Calhoun	\$ 32,000.00	\$ 38,681.19	\$ -	\$ -	\$ -	\$ -	\$ 70,681.19	
1	Dorchester	\$ 643,525.00	\$ 348,079.05	\$ -	\$ 24,000.00	\$ -	\$ -	\$ 1,015,604.05	
1	Orangeburg	\$ 610,392.00	\$ 235,785.29	\$ -	\$ -	\$ -	\$ -	\$ 846,177.29	
1	Total	\$ 1,285,917.00	\$ 622,545.53	\$ -	\$ 24,000.00	\$ -	\$ -	\$ 1,932,462.53	
2	Aiken	\$ 449,701.00	\$ 408,092.74	\$ -	\$ 34,000.00	\$ -	\$ -	\$ 891,793.74	
2	Bamberg	\$ 32,500.00	\$ 40,750.90	\$ -	\$ 2,000.00	\$ -	\$ -	\$ 75,250.90	
2	Barnwell	\$ 75,000.00	\$ 57,661.01	\$ -	\$ 2,000.00	\$ -	\$ -	\$ 134,661.01	
2	Total	\$ 557,201.00	\$ 506,504.65	\$ -	\$ 38,000.00	\$ -	\$ -	\$ 1,101,705.65	
3	Clarendon	\$ 75,000.00	\$ 89,141.16	\$ -	\$ -	\$ -	\$ -	\$ 164,141.16	
3	Lee	\$ 40,000.00	\$ 48,991.83	\$ -	\$ -	\$ -	\$ -	\$ 88,991.83	
3	Sumter	\$ 225,000.00	\$ 273,905.65	\$ -	\$ -	\$ -	\$ -	\$ 498,905.65	
3	Williamsburg	\$ 31,853.00	\$ 87,744.32	\$ -	\$ -	\$ -	\$ -	\$ 119,597.32	
3	Total	\$ 371,853.00	\$ 499,782.96	\$ -	\$ -	\$ -	\$ -	\$ 871,635.96	
4	Chesterfield	\$ 189,050.00	\$ 119,125.09	\$ -	\$ -	\$ -	\$ -	\$ 308,175.09	
4	Darlington	\$ 145,000.00	\$ 175,068.02	\$ -	\$ -	\$ -	\$ -	\$ 320,068.02	
4	Dillon	\$ 54,000.00	\$ 81,726.16	\$ -	\$ -	\$ -	\$ -	\$ 135,726.16	
4	Marlboro	\$ 56,290.00	\$ 73,750.30	\$ -	\$ -	\$ -	\$ -	\$ 130,040.30	
4	Total	\$ 444,340.00	\$ 449,669.57	\$ -	\$ -	\$ -	\$ -	\$ 894,009.57	
5	Kershaw	\$ 150,000.00	\$ 157,265.61	\$ -	\$ -	\$ -	\$ -	\$ 307,265.61	
5	Richland	\$ 1,567,650.00	\$ 980,101.69	\$ -	\$ 100,000.00	\$ -	\$ 12,000.00	\$ 2,659,751.69	Funds from New York University for a project
5	Total	\$ 1,717,650.00	\$ 1,137,367.30	\$ -	\$ 100,000.00	\$ -	\$ 12,000.00	\$ 2,967,017.30	
6	Chester	\$ 100,980.00	\$ 84,473.93	\$ -	\$ -	\$ -	\$ -	\$ 185,453.93	
6	Fairfield	\$ 64,000.00	\$ 61,063.94	\$ -	\$ -	\$ -	\$ -	\$ 125,063.94	
6	Lancaster	\$ 270,000.00	\$ 195,386.14	\$ -	\$ -	\$ -	\$ -	\$ 465,386.14	
6	Total	\$ 434,980.00	\$ 340,924.01	\$ -	\$ -	\$ -	\$ -	\$ 775,904.01	
7	Cherokee	\$ 140,000.00	\$ 141,066.93	\$ -	\$ -	\$ -	\$ -	\$ 281,066.93	
7	Spartanburg	\$ 1,116,169.00	\$ 724,699.35	\$ -	\$ -	\$ -	\$ -	\$ 1,840,868.35	
7	Total	\$ 1,256,169.00	\$ 865,766.28	\$ -	\$ -	\$ -	\$ -	\$ 2,121,935.28	
8	Abbeville	\$ 26,790.00	\$ 64,788.05	\$ -	\$ -	\$ -	\$ -	\$ 91,578.05	
8	Greenwood	\$ 149,000.00	\$ 177,566.10	\$ -	\$ -	\$ -	\$ -	\$ 326,566.10	
8	Laurens	\$ 86,000.00	\$ 169,602.96	\$ -	\$ -	\$ -	\$ -	\$ 255,602.96	
8	Newberry	\$ 70,475.00	\$ 95,608.00	\$ -	\$ -	\$ -	\$ -	\$ 166,083.00	
8	Total	\$ 332,265.00	\$ 507,565.11	\$ -	\$ -	\$ -	\$ -	\$ 839,830.11	
9	Berkeley	\$ 413,139.00	\$ 453,322.24	\$ -	\$ -	\$ 87,257.12	\$ -	\$ 953,718.36	
9	Charleston	\$ 3,097,292.00	\$ 892,683.75	\$ -	\$ 50,000.00	\$ 280,899.56	\$ -	\$ 4,320,875.31	
9	Total	\$ 3,510,431.00	\$ 1,346,005.99	\$ -	\$ 50,000.00	\$ 368,156.68	\$ -	\$ 5,274,593.67	
10	Anderson	\$ 338,775.00	\$ 476,984.64	\$ -	\$ -	\$ -	\$ -	\$ 815,759.64	
10	Oconee	\$ 200,000.00	\$ 189,322.11	\$ -	\$ -	\$ -	\$ -	\$ 389,322.11	
10	Total	\$ 538,775.00	\$ 666,306.75	\$ -	\$ -	\$ -	\$ -	\$ 1,205,081.75	

COMMISSION ON INDIGENT DEFENSE
Proviso 117.110 Revenue Detail

Circuit	County	County	State	Federal	Municipal	Other	Non Governmental	Total Funding	Other Fund Detail
11	Edgefield	\$ 27,400.00	\$ 68,784.84	\$ -	\$ -	\$ -	\$ -	\$ 96,184.84	
11	Lexington	\$ 543,932.00	\$ 668,835.33	\$ -	\$ -	\$ -	\$ -	\$ 1,212,767.33	
11	McCormick	\$ 23,400.00	\$ 26,085.03	\$ -	\$ -	\$ -	\$ -	\$ 49,485.03	
11	Saluda	\$ 22,400.00	\$ 50,661.42	\$ -	\$ -	\$ -	\$ -	\$ 73,061.42	
11	Total	\$ 617,132.00	\$ 814,366.62	\$ -	\$ -	\$ -	\$ -	\$ 1,431,498.62	
12	Florence	\$ 719,865.00	\$ 348,920.26	\$ -	\$ 20,000.00	\$ -	\$ -	\$ 1,088,785.26	
12	Marion	\$ 64,179.00	\$ 84,275.12	\$ -	\$ -	\$ -	\$ -	\$ 148,454.12	
12	Total	\$ 784,044.00	\$ 433,195.38	\$ -	\$ 20,000.00	\$ -	\$ -	\$ 1,237,239.38	
13	Greenville	\$ 747,825.00	\$ 1,150,172.06	\$ -	\$ -	\$ -	\$ -	\$ 1,897,997.06	
13	Pickens	\$ 102,286.00	\$ 303,902.31	\$ -	\$ -	\$ -	\$ -	\$ 406,188.31	
13	Total	\$ 850,111.00	\$ 1,454,074.37	\$ -	\$ -	\$ -	\$ -	\$ 2,304,185.37	
14	Allendale	\$ 20,000.00	\$ 26,558.03	\$ -	\$ -	\$ -	\$ -	\$ 46,558.03	
14	Beaufort	\$ 819,293.00	\$ 413,532.35	\$ -	\$ -	\$ -	\$ -	\$ 1,232,825.35	
14	Colleton	\$ 234,901.00	\$ 99,135.83	\$ -	\$ -	\$ -	\$ -	\$ 334,036.83	
14	Hampton	\$ 44,000.00	\$ 53,758.51	\$ -	\$ -	\$ -	\$ -	\$ 97,758.51	
14	Jasper	\$ 124,000.00	\$ 63,156.69	\$ -	\$ -	\$ -	\$ -	\$ 187,156.69	
14	Total	\$ 1,242,194.00	\$ 656,141.41	\$ -	\$ -	\$ -	\$ -	\$ 1,898,335.41	
15	Georgetown	\$ 126,100.00	\$ 153,342.56	\$ -	\$ -	\$ -	\$ -	\$ 279,442.56	
15	Horry	\$ 989,354.00	\$ 686,423.88	\$ -	\$ -	\$ -	\$ -	\$ 1,675,777.88	
15	Total	\$ 1,115,454.00	\$ 839,766.44	\$ -	\$ -	\$ -	\$ -	\$ 1,955,220.44	
16	Union	\$ 100,822.00	\$ 73,821.71	\$ -	\$ -	\$ -	\$ -	\$ 174,643.71	
16	York	\$ 1,369,721.00	\$ 576,261.69	\$ -	\$ 15,000.00	\$ -	\$ -	\$ 1,960,982.69	
16	Total	\$ 1,470,543.00	\$ 650,083.40	\$ -	\$ 15,000.00	\$ -	\$ -	\$ 2,135,626.40	
	Grand Total	\$ 16,529,059.00	\$ 11,790,065.77	\$ -	\$ 247,000.00	\$ 368,156.68	\$ 12,000.00	\$ 28,946,281.45	

COMMISSION ON INDIGENT DEFENSE
Proviso 117.109 Revenue Detail

Circuit	County	County	State	Federal	Municipal	Other	Non Governmental	Total Funding	Other Fund Detail
1	Calhoun	\$ 32,000.00	\$ 62,459.59	\$ -	\$ -	\$ -	\$ -	\$ 94,459.59	
1	Dorchester	\$ 642,853.50	\$ 562,053.99	\$ -	\$ 29,050.00	\$ -	\$ -	\$ 1,233,957.49	
1	Orangeburg	\$ 620,142.50	\$ 380,729.78	\$ -	\$ 24,000.00	\$ -	\$ -	\$ 1,024,872.28	
1	Total	\$ 1,294,996.00	\$ 1,005,243.36	\$ -	\$ 53,050.00	\$ -	\$ -	\$ 2,353,289.36	
2	Aiken	\$ 773,224.00	\$ 658,959.99	\$ -	\$ 69,200.00	\$ -	\$ -	\$ 1,501,383.99	
2	Bamberg	\$ 32,500.00	\$ 65,801.74	\$ -	\$ -	\$ -	\$ -	\$ 98,301.74	
2	Barnwell	\$ 50,000.00	\$ 93,106.98	\$ -	\$ -	\$ -	\$ -	\$ 143,106.98	
2	Total	\$ 855,724.00	\$ 817,868.71	\$ -	\$ 69,200.00	\$ -	\$ -	\$ 1,742,792.71	
3	Clarendon	\$ 75,000.00	\$ 143,939.00	\$ -	\$ -	\$ -	\$ -	\$ 218,939.00	
3	Lee	\$ 40,000.00	\$ 79,108.62	\$ -	\$ -	\$ -	\$ -	\$ 119,108.62	
3	Sumter	\$ 225,000.00	\$ 442,283.86	\$ -	\$ 27,500.00	\$ -	\$ -	\$ 694,783.86	
3	Williamsburg	\$ 31,853.00	\$ 141,683.46	\$ -	\$ -	\$ -	\$ -	\$ 173,536.46	
3	Total	\$ 371,853.00	\$ 807,014.94	\$ -	\$ 27,500.00	\$ -	\$ -	\$ 1,206,367.94	
4	Chesterfield	\$ 118,527.00	\$ 192,354.96	\$ -	\$ -	\$ -	\$ -	\$ 310,881.96	
4	Darlington	\$ 210,000.00	\$ 282,687.78	\$ -	\$ -	\$ -	\$ -	\$ 492,687.78	
4	Dillon	\$ 81,000.00	\$ 131,965.69	\$ -	\$ 1,000.00	\$ -	\$ -	\$ 213,965.69	
4	Marlboro	\$ 65,362.50	\$ 119,086.87	\$ -	\$ -	\$ -	\$ -	\$ 184,449.37	
4	Total	\$ 474,889.50	\$ 726,095.30	\$ -	\$ 1,000.00	\$ -	\$ -	\$ 1,201,984.80	
5	Kershaw	\$ 200,000.00	\$ 253,941.96	\$ -	\$ 5,000.00	\$ -	\$ -	\$ 458,941.96	
5	Richland	\$ 1,567,650.00	\$ 1,582,600.46	\$ -	\$ 100,000.00	\$ -	\$ 20,000.00	\$ 3,270,250.46	<i>Gideon's Promise Stipend</i>
5	Total	\$ 1,767,650.00	\$ 1,836,542.42	\$ -	\$ 105,000.00	\$ -	\$ 20,000.00	\$ 3,729,192.42	
6	Chester	\$ 105,980.00	\$ 136,402.69	\$ -	\$ 4,800.00	\$ -	\$ -	\$ 247,182.69	
6	Fairfield	\$ 64,000.00	\$ 98,601.77	\$ -	\$ 3,600.00	\$ -	\$ -	\$ 166,201.77	
6	Lancaster	\$ 279,885.00	\$ 315,496.04	\$ -	\$ 7,500.00	\$ -	\$ -	\$ 602,881.04	
6	Total	\$ 449,865.00	\$ 550,500.50	\$ -	\$ 15,900.00	\$ -	\$ -	\$ 1,016,265.50	
7	Cherokee	\$ 140,000.00	\$ 227,785.08	\$ -	\$ 6,000.00	\$ -	\$ -	\$ 373,785.08	
7	Spartanburg	\$ 998,035.00	\$ 1,170,194.30	\$ -	\$ -	\$ -	\$ -	\$ 2,168,229.30	
7	Total	\$ 1,138,035.00	\$ 1,397,979.38	\$ -	\$ 6,000.00	\$ -	\$ -	\$ 2,542,014.38	
8	Abbeville	\$ 26,790.00	\$ 104,615.18	\$ -	\$ 2,000.00	\$ -	\$ -	\$ 133,405.18	
8	Greenwood	\$ 126,500.00	\$ 286,721.41	\$ -	\$ -	\$ -	\$ -	\$ 413,221.41	
8	Laurens	\$ 62,000.00	\$ 273,863.18	\$ -	\$ 4,500.00	\$ -	\$ -	\$ 340,363.18	
8	Newberry	\$ 87,192.00	\$ 154,381.17	\$ -	\$ -	\$ -	\$ -	\$ 241,573.17	
8	Total	\$ 302,482.00	\$ 819,580.94	\$ -	\$ 6,500.00	\$ -	\$ -	\$ 1,128,562.94	
9	Berkeley	\$ 475,608.96	\$ 731,993.46	\$ -	\$ -	\$ 44,920.94	\$ -	\$ 1,252,523.36	<i>Recoverable Court Costs</i>
9	Charleston	\$ 3,130,000.00	\$ 1,441,443.84	\$ -	\$ 50,000.00	\$ 422,097.56	\$ -	\$ 5,043,541.40	<i>Recoverable Court Costs</i>
9	Total	\$ 3,605,608.96	\$ 2,173,437.30	\$ -	\$ 50,000.00	\$ 467,018.50	\$ -	\$ 6,296,064.76	
10	Anderson	\$ 338,755.00	\$ 770,201.85	\$ -	\$ 49,678.00	\$ -	\$ -	\$ 1,158,634.85	
10	Oconee	\$ 200,000.00	\$ 305,704.19	\$ -	\$ 5,338.00	\$ 459.37	\$ -	\$ 511,501.56	<i>PD Fund payments from previous years</i>
10	Total	\$ 538,755.00	\$ 1,075,906.04	\$ -	\$ 55,016.00	\$ 459.37	\$ -	\$ 1,670,136.41	

COMMISSION ON INDIGENT DEFENSE
Proviso 117.109 Revenue Detail

Circuit	County	County	State	Federal	Municipal	Other	Non Governmental	Total Funding	Other Fund Detail
11	Edgefield	\$ 25,000.00	\$ 111,069.00	\$ -	\$ -	\$ -	\$ -	\$ 136,069.00	
11	Lexington	\$ 543,532.00	\$ 1,079,989.07	\$ -	\$ 400.00	\$ -	\$ -	\$ 1,623,921.07	
11	McCormick	\$ 21,000.00	\$ 42,118.55	\$ -	\$ -	\$ -	\$ -	\$ 63,118.55	
11	Saluda	\$ 20,000.00	\$ 81,804.57	\$ -	\$ -	\$ -	\$ -	\$ 101,804.57	
11	Total	\$ 609,532.00	\$ 1,314,981.18	\$ -	\$ 400.00	\$ -	\$ -	\$ 1,924,913.18	
12	Florence	\$ 447,384.00	\$ 563,412.25	\$ -	\$ 3,600.00	\$ 20,000.00	\$ -	\$ 1,034,396.25	<i>Solicitor Office - Drug Court</i>
12	Marion	\$ 65,184.00	\$ 136,081.64	\$ -	\$ -	\$ -	\$ -	\$ 201,265.64	
12	Total	\$ 512,568.00	\$ 699,493.89	\$ -	\$ 3,600.00	\$ 20,000.00	\$ -	\$ 1,235,661.89	
13	Greenville	\$ 916,630.00	\$ 1,857,220.97	\$ -	\$ 40,000.00	\$ -	\$ -	\$ 2,813,850.97	
13	Pickens	\$ -	\$ 490,720.40	\$ -	\$ -	\$ -	\$ -	\$ 490,720.40	
13	Total	\$ 916,630.00	\$ 2,347,941.37	\$ -	\$ 40,000.00	\$ -	\$ -	\$ 3,304,571.37	
14	Allendale	\$ 20,000.00	\$ 42,884.12	\$ -	\$ -	\$ -	\$ -	\$ 62,884.12	
14	Beaufort	\$ 699,293.00	\$ 667,743.43	\$ -	\$ -	\$ -	\$ -	\$ 1,367,036.43	
14	Colleton	\$ 235,000.00	\$ 160,077.65	\$ -	\$ -	\$ -	\$ -	\$ 395,077.65	
14	Hampton	\$ 47,500.00	\$ 86,805.45	\$ -	\$ -	\$ -	\$ -	\$ 134,305.45	
14	Jasper	\$ 119,000.00	\$ 101,980.97	\$ -	\$ -	\$ -	\$ -	\$ 220,980.97	
14	Total	\$ 1,120,793.00	\$ 1,059,491.62	\$ -	\$ -	\$ -	\$ -	\$ 2,180,284.62	
15	Georgetown	\$ 126,100.00	\$ 247,607.51	\$ -	\$ -	\$ -	\$ -	\$ 373,707.51	
15	Horry	\$ 1,092,214.00	\$ 1,108,389.15	\$ -	\$ -	\$ -	\$ -	\$ 2,200,603.15	
15	Total	\$ 1,218,314.00	\$ 1,355,996.66	\$ -	\$ -	\$ -	\$ -	\$ 2,574,310.66	
16	Union	\$ 110,410.00	\$ 119,202.12	\$ -	\$ -	\$ -	\$ -	\$ 229,612.12	
16	York	\$ 1,353,464.98	\$ 930,505.88	\$ -	\$ 76,353.00	\$ -	\$ -	\$ 2,360,323.86	
16	Total	\$ 1,463,874.98	\$ 1,049,708.00	\$ -	\$ 76,353.00	\$ -	\$ -	\$ 2,589,935.98	
	Grand Total	\$ 16,641,570.44	\$ 19,037,781.62	\$ -	\$ 509,519.00	\$ 487,477.87	\$ 20,000.00	\$ 36,696,348.93	

Appendix B. Expenditures breakdown by public defender circuit and county

This appendix includes detailed expenditure reports in fiscal year 2015-16 and 2016-2017. The Commission on Indigent Defense and Prosecution Coordination Commission are required to submit these reports to the Chairman of the House Ways and Means Committee and Chairman of the Senate Finance Committee pursuant to Proviso 117.110, General Appropriations Bill for Fiscal Year 2016-17 and Proviso 117.109, General Appropriations Bill for Fiscal Year 2017-18.

COMMISSION ON INDIGENT DEFENSE
Proviso 117.110 Revenue/Expense Summary
FY15-16

CIRCUIT	County Name	Salaries	Employer Paid Benefits	Auto Expense	Non Capital Purchases Equip/Furn	Postage	Rent	Utilities	Telecom Services	Travel	Case Services	Training	IT Services	Other	Total Expenses	Total Revenue	Difference
1	CALHOUN	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 70,681.19	\$ 70,681.19
1	DORCHESTER	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,015,604.05	\$ 1,015,604.05
1	ORANGEBURG	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 846,177.29	\$ 846,177.29
	Circuit Total	\$ 1,196,867.00	\$ 352,605.00	\$ 6,856.00	\$ 5,973.00	\$ 4,693.00	\$ 53,880.00	\$ 5,702.00	\$ 27,042.00	\$ 530.00	\$ 30,731.29	\$ 21,054.00	\$ 20,497.00	\$ 23,601.00	\$ 1,750,031.29	\$ 1,932,462.53	\$ 182,431.24
2	AIKEN	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 891,793.74	\$ 891,793.74
2	BAMBERG	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 75,250.90	\$ 75,250.90
2	BARNWELL	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 134,661.01	\$ 134,661.01
	Circuit Total	\$ 936,835.78	\$ 183,751.17	\$ 16,397.50	\$ 6,000.00	\$ 509.03	\$ 62,800.00	\$ -	\$ 3,183.95	\$ -	\$ 23,405.69	\$ 2,781.96	\$ 20,178.33	\$ 104,696.75	\$ 1,360,540.16	\$ 1,101,705.65	\$ (258,834.51)
3	CLARENDON	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 164,141.16	\$ 164,141.16
3	LEE	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 88,991.83	\$ 88,991.83
3	SUMTER	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 498,905.65	\$ 498,905.65
3	WILLIAMSBURG	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 119,597.32	\$ 119,597.32
	Circuit Total	\$ 692,096.00	\$ 199,495.78	\$ -	\$ 3,559.28	\$ 3,444.71	\$ -	\$ -	\$ 3,439.36	\$ -	\$ 100.00	\$ 9,930.97	\$ -	\$ 14,430.13	\$ 926,496.23	\$ 871,635.96	\$ (54,860.27)
4	CHESTERFIELD	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 308,175.09	\$ 308,175.09
4	DARLINGTON	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 320,068.02	\$ 320,068.02
4	DILLON	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 135,726.16	\$ 135,726.16
4	MARLBORO	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 130,040.30	\$ 130,040.30
	Circuit Total	\$ 525,693.04	\$ 150,020.76	\$ 1,572.25	\$ 80,040.43	\$ 732.00	\$ 5,850.00	\$ 6,878.13	\$ 5,047.05	\$ -	\$ 15,925.00	\$ 10,818.84	\$ 475.72	\$ 38,399.94	\$ 841,453.16	\$ 894,009.57	\$ 52,556.41
5	KERSHAW	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 307,265.61	\$ 307,265.61
5	RICHLAND	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,659,751.69	\$ 2,659,751.69
	Circuit Total	\$ 2,956,694.22	\$ -	\$ 18,411.77	\$ -	\$ 1,324.89	\$ 10,764.00	\$ 1,521.15	\$ 14,812.55	\$ 3,071.37	\$ 5,539.25	\$ 47,790.05	\$ -	\$ 85,242.67	\$ 3,145,171.92	\$ 2,967,017.30	\$ (178,154.62)
6	CHESTER	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 185,453.93	\$ 185,453.93
6	FAIRFIELD	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 125,063.94	\$ 125,063.94
6	LANCASTER	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 465,386.14	\$ 465,386.14
	Circuit Total	\$ 628,115.43	\$ 175,028.46	\$ -	\$ 1,685.33	\$ 1,528.43	\$ -	\$ -	\$ 11,976.93	\$ 1,958.29	\$ 51,639.33	\$ 7,795.26	\$ 521.14	\$ 12,854.37	\$ 893,102.97	\$ 775,904.01	\$ (117,198.96)
7	CHEROKEE	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 281,066.93	\$ 281,066.93
7	SPARTANBURG	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,840,868.35	\$ 1,840,868.35
	Circuit Total	\$ 1,468,428.00	\$ 474,395.00	\$ -	\$ 11,010.30	\$ 894.00	\$ 12,800.00	\$ 4,651.00	\$ 10,220.00	\$ 3,322.00	\$ 59,640.63	\$ 22,383.80	\$ -	\$ 41,286.18	\$ 2,109,030.91	\$ 2,121,935.28	\$ 12,904.37
8	ABBEVILLE	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 91,578.05	\$ 91,578.05
8	GREENWOOD	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 326,566.10	\$ 326,566.10
8	LAURENS	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 255,602.96	\$ 255,602.96
8	NEWBERRY	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 166,083.00	\$ 166,083.00
	Circuit Total	\$ 494,813.47	\$ 110,117.62	\$ -	\$ 18,603.94	\$ 3,069.01	\$ 2,293.00	\$ -	\$ 4,221.00	\$ 3,569.82	\$ 34,307.01	\$ 16,015.18	\$ 507.00	\$ 28,199.33	\$ 715,716.38	\$ 839,830.11	\$ 124,113.73

COMMISSION ON INDIGENT DEFENSE
Proviso 117.110 Revenue/Expense Summary
FY15-16

CIRCUIT	County Name	Salaries	Employer Paid Benefits	Auto Expense	Non Capital Purchases Equip/Furn	Postage	Rent	Utilities	Telecom Services	Travel	Case Services	Training	IT Services	Other	Total Expenses	Total Revenue	Difference
9	BERKELEY	\$ 560,162.00	\$ 197,415.00	\$ 19,507.00	\$ 575.00	\$ 521.00	\$ 29,923.00	\$ 3,195.00	\$ 7,921.00	\$ 767.00	\$ 87,669.00	\$ 7,561.00	\$ -	\$ 36,725.00	\$ 951,941.00	\$ 953,718.36	\$ 1,777.36
9	CHARLESTON	\$ 2,707,141.00	\$ 1,052,861.00	\$ 8,939.00	\$ 15,918.00	\$ 9,214.00	\$ -	\$ -	\$ 38,804.00	\$ 12,955.00	\$ 341,709.00	\$ 26,054.00	\$ 19,960.00	\$ 120,113.00	\$ 4,353,668.00	\$ 4,320,875.31	\$ (32,792.69)
	Circuit Total	\$ 3,267,303.00	\$ 1,250,276.00	\$ 28,446.00	\$ 16,493.00	\$ 9,735.00	\$ 29,923.00	\$ 3,195.00	\$ 46,725.00	\$ 13,722.00	\$ 429,378.00	\$ 33,615.00	\$ 19,960.00	\$ 156,838.00	\$ 5,305,609.00	\$ 5,274,593.67	\$ (31,015.33)
10	ANDERSON	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 815,759.64	\$ 815,759.64
10	OCONEE	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 389,322.11	\$ 389,322.11
	Circuit Total	\$ 760,722.64	\$ 235,757.69	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 8,043.30	\$ 40,181.41	\$ 9,099.77	\$ -	\$ 24,654.20	\$ 1,078,459.01	\$ 1,205,081.75	\$ 126,622.74
11	EDGEFIELD	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 96,184.84	\$ 96,184.84
11	LEXINGTON	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,212,767.33	\$ 1,212,767.33
11	McCORMICK	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 49,485.03	\$ 49,485.03
11	SALUDA	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 73,061.42	\$ 73,061.42
	Circuit Total	\$ 907,842.00	\$ 298,751.00	\$ 27,460.00	\$ 17,732.00	\$ 1,543.00	\$ 29,784.00	\$ 5,990.00	\$ 7,276.00	\$ -	\$ 141,535.00	\$ 15,839.00	\$ -	\$ 15,733.00	\$ 1,469,485.00	\$ 1,431,498.62	\$ (37,986.38)
12	FLORENCE	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,088,785.26	\$ 1,088,785.26
12	MARION	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 148,454.12	\$ 148,454.12
	Circuit Total	\$ 624,849.00	\$ 181,984.00	\$ 3,854.00	\$ 63.00	\$ 616.00	\$ 7,200.00	\$ 1,623.00	\$ 1,375.00	\$ 8,920.00	\$ -	\$ 2,000.00	\$ -	\$ 33,359.00	\$ 865,843.00	\$ 1,237,239.38	\$ 371,396.38
13	GREENVILLE	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,897,997.06	\$ 1,897,997.06
13	PICKENS	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 406,188.31	\$ 406,188.31
	Circuit Total	\$ 1,439,728.00	\$ 384,688.00	\$ 2,194.00	\$ 3,487.00	\$ 800.00	\$ -	\$ -	\$ 3,493.00	\$ 20,651.00	\$ 3,038.00	\$ 10,450.00	\$ 1,344.00	\$ 58,736.00	\$ 1,928,609.00	\$ 2,304,185.37	\$ 375,576.37
14	ALLENDALE	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 46,558.03	\$ 46,558.03
14	BEAUFORT	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,232,825.35	\$ 1,232,825.35
14	COLLETON	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 334,036.83	\$ 334,036.83
14	HAMPTON	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 97,758.51	\$ 97,758.51
14	JASPER	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 187,156.69	\$ 187,156.69
	Circuit Total	\$ 1,138,196.48	\$ 475,450.23	\$ 51,621.77	\$ 357.97	\$ 1,743.61	\$ -	\$ -	\$ 11,680.89	\$ -	\$ 105,347.03	\$ 17,029.23	\$ 3,713.59	\$ 30,855.74	\$ 1,835,996.54	\$ 1,898,335.41	\$ 62,338.87
15	GEORGETOWN	\$ 154,247.00	\$ 46,690.00	\$ -	\$ 500.00	\$ 1,500.00	\$ 2,000.00	\$ -	\$ 2,000.00	\$ 3,000.00	\$ 500.00	\$ 900.00	\$ -	\$ 4,500.00	\$ 215,837.00	\$ 279,442.56	\$ 63,605.56
15	HORRY	\$ 1,080,380.00	\$ 330,945.00	\$ 5,000.00	\$ 2,500.00	\$ 1,000.00	\$ 15,000.00	\$ -	\$ 11,500.00	\$ 3,500.00	\$ 1,000.00	\$ 28,000.00	\$ -	\$ 34,000.00	\$ 1,512,825.00	\$ 1,675,777.88	\$ 162,952.88
	Circuit Total	\$ 1,234,627.00	\$ 377,635.00	\$ 5,000.00	\$ 3,000.00	\$ 2,500.00	\$ 17,000.00	\$ -	\$ 13,500.00	\$ 6,500.00	\$ 1,500.00	\$ 28,900.00	\$ -	\$ 38,500.00	\$ 1,728,662.00	\$ 1,955,220.44	\$ 226,558.44
16	UNION	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 174,643.71	\$ 174,643.71
16	YORK	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,960,982.69	\$ 1,960,982.69
	Circuit Total	\$ 1,465,700.84	\$ 416,281.05	\$ 2,201.41	\$ 818.50	\$ 3,464.38	\$ 1,593.90	\$ -	\$ 8,639.87	\$ 2,117.79	\$ 15,178.25	\$ 2,700.00	\$ -	\$ 16,935.52	\$ 1,935,631.51	\$ 2,135,626.40	\$ 199,994.89

Grand Total \$ 19,738,511.90 \$ 5,266,236.76 \$ 164,014.70 \$ 168,823.75 \$ 36,597.06 \$ 233,887.90 \$ 29,560.28 \$ 172,632.60 \$ 72,405.57 \$ 957,445.89 \$ 258,203.06 \$ 67,196.78 \$ 724,321.83 \$ 27,889,838.08 \$ 28,946,281.45 \$ 1,056,443.37

Other costs include professional dues, memberships, office supplies, online research services, subscriptions, tort liability, equipment leases.
Circuits showing a deficit balance used carry forward/accumulated funds from previous years to provide additional revenue

COMMISSION ON INDIGENT DEFENSE
Proviso 117.109 Revenue/Expense Summary
FY16-17

CIRCUIT	County Name	Salaries	Employer Paid Benefits	Auto Expense	Non Capital Purchases Equip/Furn	Postage	Rent	Utilities	Telecom Services	Travel	Case Services	Training	IT Services	Other	Total Expenses	Total Revenue	Difference
1	CALHOUN	\$ 57,684.89	\$ 20,678.77	\$ 256.55	\$ -	\$ -	\$ 4,030.00	\$ -	\$ -	\$ -	\$ -	\$ 1,018.00	\$ -	\$ 1,488.67	\$ 85,156.88	\$ 94,459.59	\$ 9,302.71
1	DORCHESTER	\$ 769,573.77	\$ 217,930.62	\$ 7,497.44	\$ 15,654.64	\$ 2,665.51	\$ 33,060.00	\$ 5,860.68	\$ 19,457.65	\$ 26,300.00	\$ 2,094.45	\$ 28,399.06	\$ 6,627.49	\$ 37,000.26	\$ 1,172,121.57	\$ 1,233,957.49	\$ 61,835.92
1	ORANGEBURG	\$ 586,781.11	\$ 182,452.33	\$ 2,185.45	\$ 3,420.77	\$ 1,897.49	\$ 24,400.00	\$ -	\$ 18,402.35	\$ 24,700.00	\$ 48,000.00	\$ 13,724.34	\$ 11,805.94	\$ 22,615.80	\$ 940,385.58	\$ 1,024,872.28	\$ 84,486.70
	Circuit Total	\$ 1,414,039.77	\$ 421,061.72	\$ 9,939.44	\$ 19,075.41	\$ 4,563.00	\$ 61,490.00	\$ 5,860.68	\$ 37,860.00	\$ 51,000.00	\$ 50,094.45	\$ 43,141.40	\$ 18,433.43	\$ 61,104.73	\$ 2,197,664.03	\$ 2,353,289.36	\$ 155,625.33
2	AIKEN	\$ 1,055,215.60	\$ 175,150.00	\$ 8,283.00	\$ 48,344.00	\$ 315.02	\$ -	\$ -	\$ 5,738.55	\$ -	\$ 5,355.68	\$ 5,110.25	\$ 9,554.49	\$ 73,816.30	\$ 1,386,882.89	\$ 1,501,383.99	\$ 114,501.10
2	BAMBERG	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 98,301.74	\$ 98,301.74
2	BARNWELL	\$ -	\$ -	\$ -	\$ -	\$ 84.00	\$ -	\$ -	\$ 423.67	\$ -	\$ 335.27	\$ -	\$ -	\$ 3,509.43	\$ 4,352.37	\$ 143,106.98	\$ 138,754.61
	Circuit Total	\$ 1,055,215.60	\$ 175,150.00	\$ 8,283.00	\$ 48,344.00	\$ 399.02	\$ -	\$ -	\$ 6,162.22	\$ -	\$ 5,690.95	\$ 5,110.25	\$ 9,554.49	\$ 77,325.73	\$ 1,391,235.26	\$ 1,742,792.71	\$ 351,557.45
3	CLARENDON	\$ 152,792.76	\$ 47,322.22	\$ -	\$ 2,111.48	\$ 213.62	\$ -	\$ -	\$ 1,006.15	\$ 3,730.08	\$ -	\$ -	\$ -	\$ 3,295.76	\$ 210,472.07	\$ 218,939.00	\$ 8,466.93
3	LEE	\$ 64,287.28	\$ 22,017.84	\$ -	\$ 3,856.85	\$ 88.00	\$ -	\$ -	\$ 1,018.37	\$ 4,463.26	\$ -	\$ -	\$ -	\$ 27,596.77	\$ 123,328.37	\$ 119,108.62	\$ (4,219.75)
3	SUMTER	\$ 405,414.45	\$ 123,536.30	\$ -	\$ 4,250.75	\$ 2,569.36	\$ -	\$ -	\$ -	\$ 4,818.73	\$ -	\$ -	\$ -	\$ 62,910.41	\$ 603,500.00	\$ 694,783.86	\$ 91,283.86
3	WILLIAMSBURG	\$ 94,043.38	\$ 36,963.20	\$ -	\$ 3,856.85	\$ 548.03	\$ -	\$ -	\$ 341.36	\$ 3,730.08	\$ -	\$ -	\$ -	\$ 4,055.19	\$ 143,538.09	\$ 173,536.46	\$ 29,998.37
	Circuit Total	\$ 716,537.87	\$ 229,839.56	\$ -	\$ 14,075.93	\$ 3,419.01	\$ -	\$ -	\$ 2,365.88	\$ 16,742.15	\$ -	\$ -	\$ -	\$ 97,858.13	\$ 1,080,838.53	\$ 1,206,367.94	\$ 125,529.41
4	CHESTERFIELD	\$ 99,863.89	\$ 24,307.77	\$ 3,668.66	\$ 30,272.75	\$ -	\$ -	\$ -	\$ -	\$ 1,251.00	\$ 450.00	\$ 19,223.73	\$ 255.23	\$ 26,945.15	\$ 206,238.18	\$ 310,881.96	\$ 104,643.78
4	DARLINGTON	\$ 258,650.24	\$ 79,780.96	\$ 485.36	\$ 22,832.00	\$ 293.49	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,636.28	\$ -	\$ 10,858.52	\$ 376,536.85	\$ 492,687.78	\$ 116,150.93
4	DILLON	\$ 112,249.90	\$ 31,963.71	\$ 2,654.88	\$ 1,794.21	\$ 98.00	\$ 5,400.00	\$ 1,944.29	\$ -	\$ 150.00	\$ -	\$ 2,235.40	\$ 532.99	\$ 14,494.47	\$ 173,517.85	\$ 213,965.69	\$ 40,447.84
4	MARLBORO	\$ 104,134.50	\$ 23,713.88	\$ -	\$ -	\$ 138.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,220.81	\$ 163.27	\$ 5,050.71	\$ 134,421.17	\$ 184,449.37	\$ 50,028.20
	Circuit Total	\$ 574,898.53	\$ 159,766.32	\$ 6,808.90	\$ 54,898.96	\$ 529.49	\$ 5,400.00	\$ 1,944.29	\$ -	\$ 1,401.00	\$ 450.00	\$ 26,316.22	\$ 951.49	\$ 57,348.85	\$ 890,714.05	\$ 1,201,984.80	\$ 311,270.75
5	KERSHAW	\$ 301,763.08	\$ 34,138.97	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 140.40	\$ -	\$ -	\$ -	\$ 1,688.29	\$ 337,730.74	\$ 458,941.96	\$ 121,211.22
5	RICHLAND	\$ 2,526,509.50	\$ 338,374.67	\$ -	\$ 13,892.55	\$ 392.12	\$ 14,408.34	\$ 1,157.84	\$ 17,725.09	\$ 14,173.44	\$ 2,133.36	\$ 46,806.39	\$ 5,245.75	\$ 95,772.59	\$ 3,076,591.64	\$ 3,270,250.46	\$ 193,658.82
	Circuit Total	\$ 2,828,272.58	\$ 372,513.64	\$ -	\$ 13,892.55	\$ 392.12	\$ 14,408.34	\$ 1,157.84	\$ 17,725.09	\$ 14,313.84	\$ 2,133.36	\$ 46,806.39	\$ 5,245.75	\$ 97,460.88	\$ 3,414,322.38	\$ 3,729,192.42	\$ 314,870.04
6	CHESTER	\$ -	\$ -	\$ -	\$ 128.52	\$ 156.48	\$ -	\$ -	\$ -	\$ 217.08	\$ 147.54	\$ -	\$ 628.70	\$ 1,379.46	\$ 2,657.78	\$ 247,182.69	\$ 244,524.91
6	FAIRFIELD	\$ -	\$ -	\$ -	\$ 301.39	\$ -	\$ -	\$ -	\$ -	\$ 383.77	\$ 6,832.35	\$ -	\$ -	\$ 868.44	\$ 8,385.95	\$ 166,201.77	\$ 157,815.82
6	LANCASTER	\$ 665,545.26	\$ 182,753.10	\$ -	\$ 751.17	\$ 1,080.24	\$ -	\$ -	\$ 12,628.02	\$ 1,301.13	\$ 9,369.45	\$ 6,412.50	\$ -	\$ 9,273.55	\$ 889,114.42	\$ 602,881.04	\$ (286,233.38)
	Circuit Total	\$ 665,545.26	\$ 182,753.10	\$ -	\$ 1,181.08	\$ 1,236.72	\$ -	\$ -	\$ 12,628.02	\$ 1,901.98	\$ 16,349.34	\$ 6,412.50	\$ 628.70	\$ 11,521.45	\$ 900,158.15	\$ 1,016,265.50	\$ 116,107.35
7	CHEROKEE	\$ 261,351.18	\$ 71,712.71	\$ -	\$ 2,915.45	\$ 915.88	\$ 13,200.00	\$ 3,524.45	\$ 1,955.98	\$ 102.06	\$ 114.29	\$ 4,894.26	\$ 120.00	\$ 5,798.40	\$ 366,604.66	\$ 373,785.08	\$ 7,180.42
7	SPARTANBURG	\$ 1,464,689.17	\$ 477,309.67	\$ 3,999.12	\$ 15,701.46	\$ -	\$ -	\$ -	\$ 6,660.70	\$ -	\$ 5,673.91	\$ 20,648.97	\$ -	\$ 53,729.93	\$ 2,048,412.93	\$ 2,168,229.30	\$ 119,816.37
	Circuit Total	\$ 1,726,040.35	\$ 549,022.38	\$ 3,999.12	\$ 18,616.91	\$ 915.88	\$ 13,200.00	\$ 3,524.45	\$ 8,616.68	\$ 102.06	\$ 5,788.20	\$ 25,543.23	\$ 120.00	\$ 59,528.33	\$ 2,415,017.59	\$ 2,542,014.38	\$ 126,996.79
8	ABBEVILLE	\$ 57,836.49	\$ 18,086.38	\$ -	\$ 4,564.68	\$ 907.54	\$ -	\$ -	\$ 1,301.55	\$ -	\$ 10,088.41	\$ 1,600.46	\$ -	\$ 4,893.61	\$ 99,279.12	\$ 133,405.18	\$ 34,126.06
8	GREENWOOD	\$ 216,773.52	\$ 48,713.38	\$ -	\$ 9,129.36	\$ 1,815.09	\$ 2,210.00	\$ -	\$ 3,904.66	\$ 1,940.76	\$ 28,717.86	\$ 4,801.38	\$ 1,014.44	\$ 18,216.16	\$ 337,236.61	\$ 413,221.41	\$ 75,984.80
8	LAURENS	\$ 271,666.81	\$ 61,733.30	\$ -	\$ 9,990.50	\$ 1,815.09	\$ 102.00	\$ -	\$ -	\$ 1,297.62	\$ 12,900.00	\$ 9,887.34	\$ 231.43	\$ 9,465.56	\$ 379,089.65	\$ 340,363.18	\$ (38,726.47)
8	NEWBERRY	\$ 112,678.92	\$ 23,592.00	\$ -	\$ 200.00	\$ 100.00	\$ -	\$ -	\$ 2,200.00	\$ -	\$ 7,595.83	\$ 1,250.00	\$ -	\$ 2,506.60	\$ 150,123.35	\$ 241,573.17	\$ 91,449.82
	Circuit Total	\$ 658,955.74	\$ 152,125.06	\$ -	\$ 23,884.54	\$ 4,637.72	\$ 2,312.00	\$ -	\$ 7,406.21	\$ 3,238.38	\$ 59,302.10	\$ 17,539.18	\$ 1,245.87	\$ 35,081.93	\$ 965,728.73	\$ 1,128,562.94	\$ 162,834.21
9	BERKELEY	\$ 669,070.77	\$ 253,126.67	\$ 2,027.12	\$ 5,579.97	\$ 786.58	\$ 44,250.98	\$ 4,289.63	\$ 9,521.64	\$ 608.31	\$ 92,590.52	\$ 6,252.69	\$ -	\$ 59,859.31	\$ 1,147,964.19	\$ 1,252,523.36	\$ 104,559.17
9	CHARLESTON	\$ 2,925,388.27	\$ 1,154,671.32	\$ 7,788.34	\$ 49,793.28	\$ 15,410.90	\$ -	\$ -	\$ 39,785.00	\$ 14,787.76	\$ 386,514.88	\$ 28,267.94	\$ 30,273.08	\$ 118,378.63	\$ 4,771,059.40	\$ 5,043,541.40	\$ 272,482.00
	Circuit Total	\$ 3,594,459.04	\$ 1,407,797.99	\$ 9,815.46	\$ 55,373.25	\$ 16,197.48	\$ 44,250.98	\$ 4,289.63	\$ 49,306.64	\$ 15,396.07	\$ 479,105.40	\$ 34,520.63	\$ 30,273.08	\$ 178,237.94	\$ 5,919,023.59	\$ 6,296,064.76	\$ 377,041.17

COMMISSION ON INDIGENT DEFENSE
Proviso 117.109 Revenue/Expense Summary
FY16-17

CIRCUIT	County Name	Salaries	Employer Paid Benefits	Auto Expense	Non Capital Purchases Equip/Furn	Postage	Rent	Utilities	Telecom Services	Travel	Case Services	Training	IT Services	Other	Total Expenses	Total Revenue	Difference
10	ANDERSON	\$ 558,909.81	\$ 126,799.32	\$ -	\$ -	\$ 2,510.79	\$ 1,020.00	\$ -	\$ 517.21	\$ 10,607.27	\$ 2,455.51	\$ 1,849.00	\$ 1,849.00	\$ 18,375.81	\$ 724,893.72	\$ 1,158,634.85	\$ 433,741.13
10	OCONEE	\$ 338,575.97	\$ 117,579.22	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 5,111.78	\$ 519.40	\$ 1,200.00	\$ -	\$ 11,999.89	\$ 474,986.26	\$ 511,501.56	\$ 36,515.30
	Circuit Total	\$ 897,485.78	\$ 244,378.54	\$ -	\$ -	\$ 2,510.79	\$ 1,020.00	\$ -	\$ 517.21	\$ 15,719.05	\$ 2,974.91	\$ 3,049.00	\$ 1,849.00	\$ 30,375.70	\$ 1,199,879.98	\$ 1,670,136.41	\$ 470,256.43
11	EDGEFIELD	\$ 56,000.00	\$ 19,065.20	\$ 3,597.50	\$ -	\$ 100.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,000.00	\$ -	\$ 1,000.00	\$ 80,762.70	\$ 136,069.00	\$ 55,306.30
11	LEXINGTON	\$ 995,511.00	\$ 356,029.76	\$ 14,079.92	\$ 485.17	\$ 1,118.83	\$ 24,850.00	\$ 5,203.33	\$ 7,552.91	\$ -	\$ -	\$ 15,403.74	\$ 38,985.26	\$ 28,366.56	\$ 1,487,586.48	\$ 1,623,921.07	\$ 136,334.59
11	McCORMICK	\$ -	\$ -	\$ 5,396.26	\$ -	\$ 100.00	\$ -	\$ -	\$ 1,111.68	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 6,607.94	\$ 63,118.55	\$ 56,510.61
11	SALUDA	\$ 74,061.06	\$ 22,617.81	\$ 8,993.76	\$ -	\$ 100.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,000.00	\$ -	\$ 1,000.00	\$ 107,772.63	\$ 101,804.57	\$ (5,968.06)
	Circuit Total	\$ 1,125,572.06	\$ 397,712.77	\$ 32,067.44	\$ 485.17	\$ 1,418.83	\$ 24,850.00	\$ 5,203.33	\$ 8,664.59	\$ -	\$ -	\$ 17,403.74	\$ 38,985.26	\$ 30,366.56	\$ 1,682,729.75	\$ 1,924,913.18	\$ 242,183.43
12	FLORENCE	\$ 532,408.43	\$ 182,151.75	\$ 2,277.43	\$ 14,354.29	\$ 372.93	\$ -	\$ 1,347.46	\$ -	\$ 9,333.97	\$ -	\$ 2,150.00	\$ -	\$ 36,550.12	\$ 780,946.38	\$ 1,034,396.25	\$ 253,449.87
12	MARION	\$ 99,921.27	\$ 32,444.88	\$ -	\$ -	\$ 164.00	\$ 7,200.00	\$ 1,638.00	\$ -	\$ 2,600.00	\$ 430.00	\$ 535.20	\$ -	\$ 6,374.00	\$ 151,307.35	\$ 201,265.64	\$ 49,958.29
	Circuit Total	\$ 632,329.70	\$ 214,596.63	\$ 2,277.43	\$ 14,354.29	\$ 536.93	\$ 7,200.00	\$ 2,985.46	\$ -	\$ 11,933.97	\$ 430.00	\$ 2,685.20	\$ -	\$ 42,924.12	\$ 932,253.73	\$ 1,235,661.89	\$ 303,408.16
13	GREENVILLE	\$ 1,654,873.00	\$ 521,563.00	\$ 2,555.00	\$ 17,946.00	\$ 1,499.00	\$ -	\$ -	\$ 4,703.00	\$ 7,285.00	\$ 61,254.00	\$ 34,497.00	\$ -	\$ 70,946.00	\$ 2,377,121.00	\$ 2,813,850.97	\$ 436,729.97
13	PICKENS	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 490,720.40	\$ 490,720.40
	Circuit Total	\$ 1,654,873.00	\$ 521,563.00	\$ 2,555.00	\$ 17,946.00	\$ 1,499.00	\$ -	\$ -	\$ 4,703.00	\$ 7,285.00	\$ 61,254.00	\$ 34,497.00	\$ -	\$ 70,946.00	\$ 2,377,121.00	\$ 3,304,571.37	\$ 927,450.37
14	ALLENDALE	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 62,884.12	\$ 62,884.12
14	BEAUFORT	\$ 1,571,825.00	\$ 515,521.00	\$ 49,821.00	\$ 8,558.41	\$ 2,200.00	\$ -	\$ -	\$ 14,600.00	\$ -	\$ 24,819.21	\$ 24,117.48	\$ 8,000.00	\$ 21,780.30	\$ 2,241,242.40	\$ 1,367,036.43	\$ (874,205.97)
14	COLLETON	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 395,077.65	\$ 395,077.65
14	HAMPTON	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 134,305.45	\$ 134,305.45
14	JASPER	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 220,980.97	\$ 220,980.97
	Circuit Total	\$ 1,571,825.00	\$ 515,521.00	\$ 49,821.00	\$ 8,558.41	\$ 2,200.00	\$ -	\$ -	\$ 14,600.00	\$ -	\$ 24,819.21	\$ 24,117.48	\$ 8,000.00	\$ 21,780.30	\$ 2,241,242.40	\$ 2,180,284.62	\$ (60,957.78)
15	GEORGETOWN	\$ 182,877.99	\$ 57,820.49	\$ 591.62	\$ -	\$ 1,135.91	\$ 1,704.31	\$ -	\$ -	\$ 3,617.55	\$ 148.25	\$ -	\$ -	\$ 34,619.61	\$ 282,515.73	\$ 373,707.51	\$ 91,191.78
15	HORRY	\$ 1,196,044.29	\$ 381,532.28	\$ 10,226.67	\$ 3,317.19	\$ 1,287.93	\$ 8,795.87	\$ -	\$ 17,312.58	\$ -	\$ 1,604.06	\$ 41,616.71	\$ -	\$ 139,281.55	\$ 1,801,019.13	\$ 2,200,603.15	\$ 399,584.02
	Circuit Total	\$ 1,378,922.28	\$ 439,352.77	\$ 10,818.29	\$ 3,317.19	\$ 2,423.84	\$ 10,500.18	\$ -	\$ 17,312.58	\$ 3,617.55	\$ 1,752.31	\$ 41,616.71	\$ -	\$ 173,901.16	\$ 2,083,534.86	\$ 2,574,310.66	\$ 490,775.80
16	UNION	\$ 167,897.16	\$ 46,847.98	\$ -	\$ 1,811.00	\$ 70.00	\$ -	\$ -	\$ 1,118.31	\$ 180.00	\$ -	\$ 400.00	\$ -	\$ 338.89	\$ 218,663.34	\$ 229,612.12	\$ 10,948.78
16	YORK	\$ 1,522,816.99	\$ 459,037.36	\$ -	\$ 6,539.00	\$ 3,899.83	\$ -	\$ -	\$ 9,749.41	\$ 2,771.28	\$ 11,644.95	\$ 7,086.00	\$ 720.00	\$ 21,295.98	\$ 2,045,560.80	\$ 2,360,323.86	\$ 314,763.06
	Circuit Total	\$ 1,690,714.15	\$ 505,885.34	\$ -	\$ 8,350.00	\$ 3,969.83	\$ -	\$ -	\$ 10,867.72	\$ 2,951.28	\$ 11,644.95	\$ 7,486.00	\$ 720.00	\$ 21,634.87	\$ 2,264,224.14	\$ 2,589,935.98	\$ 325,711.84

Grand Total \$ 22,185,686.71 \$ 6,489,039.82 \$ 136,385.08 \$ 302,353.69 \$ 46,849.66 \$ 184,631.50 \$ 24,965.68 \$ 198,735.84 \$ 145,602.33 \$ 721,789.18 \$ 336,244.93 \$ 116,007.07 \$ 1,067,396.68 \$ 31,955,688.17 \$ 36,696,348.93 \$ 4,740,660.76

Other costs include professional dues, memberships, office supplies, online research services, subscriptions, tort liability, equipment leases.
Circuits showing a deficit balance used carry forward/accumulated funds from previous years to provide additional revenue

¹ Visual Summary Figure 1 is compiled from information in the Commission on Indigent Defense study materials available online under "Citizens' Interest," under "House Legislative Oversight Committee Postings and Reports," and then under "Indigent Defense, Commission on"

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyPHPFiles/IndigentDefense.php> (accessed April 17, 2018).

² Greenville Online, <https://www.greenvilleonline.com/story/news/crime/2015/03/09/citizens-group-court-backlog-making-streets-unsafe/24524199/> (Accessed April 19, 2018)

³ SC House of Representatives, House Legislative Oversight Committee, "Program Evaluation Report (March 16, 2018)," under "Committee Postings and Reports," under "House Legislative Oversight Committee," and under "Indigent Defense, Commission on"

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/IndigentDefense/PER%20-%20Complete%20-%20Commission%20on%20Indigent%20Defense.pdf> (accessed April 16, 2018).

Hereinafter, "Agency PER." See question six.

⁴ 1993 Act 164.

⁵ 2005 Act 103.

⁶ 2007 Act 108.

⁷ 2007 Act 108.

⁸ S.C. Code Ann. 17-3-310. Commission created; appointment of members; terms; powers and duties.

(A) There is created the Commission on Indigent Defense consisting of thirteen members.

(B) Nine members shall be appointed by the Governor as follows: (1) One member from each of the four judicial regions of the State appointed upon recommendation of the South Carolina Public Defender Association. Members shall serve for terms of four years and until their successors are appointed and qualify. Vacancies must be filled in the manner of original appointment for the unexpired portion of the term. A person may not be appointed to the commission pursuant to the provisions of this item or, once appointed pursuant to the provisions of this item, may not continue to serve on the commission unless the person is a public defender. (2) A member of the South Carolina Bar whose practice is principally in family law, appointed upon recommendation by the South Carolina Bar membership for a term of two years and who may be reappointed. (3) Two members of the South Carolina Bar whose practice is principally in criminal defense law, appointed upon recommendation of the South Carolina Bar membership, who shall serve for a term of two years and may be reappointed. (4) Two members of the South Carolina Bar whose practice is principally neither criminal defense nor family law, appointed upon recommendation of the South Carolina Bar membership, who shall serve for two-year terms and who may be reappointed.

(C) The remaining four members must be appointed as follows: (1) two members appointed by the Chief Justice of the South Carolina Supreme Court, one of whom must be a retired circuit court judge and one of whom must be either a retired family court judge or a retired appellate court judge, each of whom shall serve for a term of four years and until a successor is appointed and qualifies; and (2) the Chairmen of the Senate and House Judiciary Committees, or their legislative designees, for the terms for which they are elected.

(D) The chairman must be elected by the commission from its membership and shall serve for a term of two years. A chairman may be re-elected.

(E) Members currently serving as of July 1, 2005, shall continue to serve until the expiration of their term and may be reappointed as provided in subsection (B)(1).

(F) The commission may adopt an appropriate seal and promulgate regulations consistent with the provisions of this article to govern its operations and procedures and shall supervise the operations of the Office of Indigent Defense including all the divisions of the office.

(G) The commission: (1) may establish divisions within the office to administer the services and programs as it

considers necessary to fulfill the purposes of this article; (2) shall develop rules, policies, procedures, regulations, and standards as it considers necessary to carry out the provisions of the article and comply with state law or regulations and the rules of the Supreme Court, including the nature and scope of services to be provided, the clientele to be served, and the establishment of criteria to be used in the determination of indigency and qualifications for services for indigent legal representation; (3) shall cooperate and consult with state agencies, professional associations, and other groups concerning the causes of criminal conduct, the rehabilitation and correction of persons charged with and convicted of crimes, the administration of criminal justice, and the improvement and expansion of defender services; (4) shall assist the public defenders throughout the State in their efforts to provide adequate legal defense to the indigent. This assistance includes, but is not limited to: (a) the preparation and distribution of a basic defense manual and other educational materials; (b) the preparation and distribution of model forms and documents employed in indigent defense; (c) the promotion of and assistance in the training of indigent defense attorneys; (d) the provision of legal research assistance to public defenders; and (e) the provision of other assistance to public defenders as may be authorized by law; (5) shall collect, maintain, review, and publish records and statistics for the purpose of evaluating the delivery of indigent defense representation in the State; and (6) shall have the authority to negotiate and enter into contracts, as appropriate, with independent counsel for the provision of indigent defense services in cases in which a conflict of interest exists in a public defender office and in other cases in which indigent representation by independent counsel is necessary or advisable. This authority may be delegated by the commission to a circuit public defender, but is at all times subject to standards established by the commission. (7) The commission shall establish and administer the rules and procedures for selection of members to serve on the Circuit Public Defender Selection Panels, and shall establish the rules and procedures under which the selection panels shall operate.

⁹ S.C. Code Ann. 17-3-340. Duties of commission.

(A) All members of the commission shall at all times act in the best interest of indigent defendants who are receiving legal representation pursuant to the provisions of this chapter.

(B) All members of the commission are entitled to vote on all matters before the commission unless otherwise provided by law or by rules adopted by the commission concerning conflicts of interest.

(C) Each member of the commission shall serve until a successor has been appointed. Removal of commission members is for cause and must be in accordance with policies and procedures adopted by the commission.

(D) Unless otherwise provided in this article, a quorum is a majority of the members of the commission who are currently serving in office, and decisions of the commission are determined by majority vote of the members present, except that a majority of the entire commission must approve the appointment or removal of a circuit public defender or the executive director for cause.

(E) The commission shall meet at least quarterly and at other times and places as it deems necessary or convenient for the performance of its duties and shall keep and maintain minutes of all commission meetings.

(F) The commission shall elect such officers, other than the chairperson, from the members of the commission as it deems necessary and shall adopt rules for the transaction of its business as it desires. Elected officers shall serve for a term of one year and may be removed without cause by a vote of two-thirds of the members of the entire commission and for cause by a majority vote of the entire commission. The chairperson shall retain a vote on all matters except those in which the chairperson has a conflict of interest.

(G) The members of the commission shall receive no compensation for their services but will be reimbursed for their actual expenses incurred in the performance of their duties as members of the commission. Expenses incurred by the commission must be paid from the general operating budget of the commission.

(H) The commission shall approve the development and improvement of programs which provide legal representation to indigent persons and juveniles accused of violations of criminal law.

(I) The commission shall approve and implement programs, services, rules, policies, procedures, regulations, and standards as may be necessary or advisable to fulfill the purposes and provisions of this article in the delivery of indigent services. This includes, but is not limited to, standards for: (1) maintaining and operating circuit public defender offices, including requirements regarding qualifications, training, and size of the legal and support staff of the offices and access to data and records, including business records, in each circuit public defender office; (2) prescribing minimum experience, training, and other qualifications for appointed counsel where a conflict of interest arises between the public defender and an indigent person; (3) public defender and appointed counsel caseloads; (4) the qualifications, employment, and compensation of public defenders and other circuit public defender office personnel, based on job description, education, training, and experience; (5) the performance of public defenders and appointed counsel representing indigent persons; (6) procedures for prescribing qualifications and performance of independent counsel representing indigent persons in both trial and appellate courts, whether by contract or court appointment; (7) providing and compensating experts, investigators, and other persons who provide services necessary for the effective representation of indigent persons; (8) determining indigence and for assessing and collecting the costs of legal representation and related services; (9) compensation of attorneys appointed to represent indigent persons pursuant to this chapter; (10) removing a circuit public defender for cause; (11) a uniform definition of a "case" for purposes of determining caseload statistics; and (12) accepting contractual indigent defense representation.

¹⁰ S.C. Code Ann. 17-3-330. Duties of Office of Indigent Defense.

(A) The Office of Indigent Defense shall: (1) serve as the entity which distributes all funds appropriated by the General Assembly for the defense of indigents, including funds allocated to public defender offices pursuant to the formula, funds for the defense of capital cases, funds for attorney's fees and expenses in non-capital cases, and other funds appropriated for these purposes; (2) perform those functions provided pursuant to Section 17-3-360; (3) serve as a resource for the compilation of accurate statistical data covering the indigent defense system in this State; (4) implement other duties the commission may direct; and (5) report annually to the General Assembly on the indigent defense system.

(B) On or about June thirtieth of each year, if the Office of Indigent Defense determines, after taking into consideration all outstanding obligations against the fund for payment of attorney fees and expenses in non-capital cases, that unexpended funds remain, these funds shall be rolled over into the fund for payment of attorney's fees and expenses in capital cases; provided, however, this shall occur only in the event the funds in the capital fund have been exhausted at that time. This fund shall at no time exceed three million dollars.

(C) Notwithstanding another provision of law, only attorneys who are licensed to practice in this State and residents of this State may be appointed by the court and compensated with funds appropriated to the Death Penalty Trial Fund in the Office of Indigent Defense.

¹¹ S.C. Code Ann. 17-3-360. Division of Appellate Defense created; administration and staffing; duties and responsibilities.

(A) There is created within the Office of Indigent Defense, the Division of Appellate Defense. All of the allied, advisory, affiliated, or related entities as well as the employees, funds, property, and all contractual rights and obligations associated with the commission and Office of Appellate Defense formerly provided in Chapter 4, Title 17 are transferred to and incorporated in and must be administered as part of the Office of Indigent Defense.

(B) The division must be administered by a chief attorney. The staff of the division shall consist of additional attorneys and administrative, investigative, secretarial, and clerical employees necessary to discharge the duties of the division. No person may be hired to serve as an attorney who is not licensed to practice law in this State. Attorneys employed by the division shall devote full time to their duties and may not engage in the private practice of law.

(C) The division shall carry out the following duties and responsibilities: (1) It shall represent a person who the office determines, subject to court review, falls within the guidelines promulgated pursuant to Section 17-3-310(G)(2) who files Notice of Intention to Appeal or desires to appeal a conviction in a trial court, or decision of a proceeding in civil commitment or other voluntary placement in a state, county, or municipal facility. A person desiring representation by the division shall request a determination of his indigency status in writing from the

Supreme Court, the court of appeals, the circuit or family court, or the division. A court receiving a request for indigent appellate representation shall forward the request to the office who, within ten days of the receipt of the request for representation, shall notify the person requesting representation and the court in which the appeal will be effected of its decision. (2) Upon a finding that a person requesting representation qualifies as an indigent and after being appointed as counsel for this person by the court in which the appeal will be effected, the division shall represent this person in his appeal of a conviction in a trial court, or decision of a proceeding in civil commitment or other involuntary placement in a state, county, or municipal facility, provided nothing in this article requires the division to pursue an appeal unless the chief attorney of the division is first satisfied that there is arguable merit to the appeal. (3) It shall represent indigents, other than at trial or commitment proceedings when appointed by the court. (4) It shall represent indigents in appeals of convictions in trial courts of this State, or decisions of civil commitment proceedings or other involuntary placement only in courts of this State.

¹² S.C. Code Ann. 17-3-310.

¹³ S.C. Code Ann. 17-3-340.

¹⁴ S.C. Code Ann. 17-3-340.

¹⁵ S.C. Code Ann. 17-3-340.

¹⁶ S.C. Code Ann. 17-3-340.

¹⁷ S.C. Code Ann. 17-3-310.

¹⁸ S.C. Code Ann. 17-3-340.

¹⁹ S.C. Code Ann. 17-3-320.

²⁰ S.C. Code Ann. 17-3-320.

²¹ S.C. Code Ann. 17-3-320.

²² S.C. Code Ann. 17-3-320. Office of Indigent Defense; executive director; appointment; duties.

(A) There is created the Office of Indigent Defense under the jurisdiction of the commission. The office must be administered by an executive director appointed by the commission. The executive director may hire other administrative, clerical, and legal staff and is authorized to contract with outside consultants on behalf of the office as he considers necessary to provide the services as required pursuant to the provisions of this article.

(B) The executive director shall: (1) administer and coordinate the operations of the office and all divisions within the office and supervise compliance among the circuit defender offices with rules, procedures, regulations, and standards adopted by the commission; (2) maintain proper records of all financial transactions related to the operation of the office; (3) coordinate the services of the office with any federal, county, private, or other programs established to provide assistance to indigent persons entitled to representation pursuant to the provisions of this chapter and consult with professional organizations concerning the implementation and improvement of programs for providing indigent services; (4) prepare and submit annually to the commission a proposed budget for the provision of statewide indigent defense services; and prepare and submit an annual report containing pertinent data on the operations, costs, and needs of the state's indigent defense system and other information as the commission may require; (5) coordinate in the development and implementation of rules, policies, procedures, regulations, and standards adopted by the commission to carry out the provisions of this chapter and comply with all applicable laws and standards; (6) maintain proper records of all financial transactions related to the operation of the commission; (7) apply for and accept on behalf of the commission funds that may become available from any source, including government, nonprofit, or private grants, gifts, or bequests; (8) provide for the training of attorneys and other staff involved in the legal representation of persons subject to the provisions of this chapter; (9) attend all commission meetings, except those meetings or portions of the meetings that address the question of appointment or removal of the director; (10) ensure that the expenditures of the commission are not greater than the amounts budgeted or available from other revenue sources; and (11) perform other duties as the commission assigns.

²³ S.C. Code Ann. 17-3-320.

²⁴ S.C. Code Ann. 17-3-320.

²⁵ S.C. Code Ann. 17-3-320.

²⁶ S.C. Code Ann. 17-3-330. including funds allocated to public defender offices pursuant to the formula, funds for the defense of capital cases, funds for attorney's fees and expenses in non-capital cases, and other funds appropriated for these purposes

²⁷ S.C. Code Ann. 17-3-320.

²⁸ S.C. Code Ann. 17-3-330.

²⁹ S.C. Code Ann. 17-3-340.

³⁰ S.C. Code Ann. 17-3-310.

³¹ S.C. Code Ann. 17-3-310.

³² S.C. Code Ann. 17-3-340.

³³ S.C. Code Ann. 17-3-310.

³⁴ S.C. Code Ann. 17-3-310.

³⁵ S.C. Code Ann. 17-3-320.

³⁶ S.C. Code Ann. 17-3-320.

³⁷ S.C. Code Ann. 17-3-340.

³⁸ S.C. Code Ann. 17-3-340.

³⁹ S.C. Code Ann. 17-3-340.

⁴⁰ S.C. Code Ann. 17-3-320.

⁴¹ S.C. Code Ann. 17-3-340.

⁴² S.C. Code Ann. 17-3-340.

⁴³ S.C. Code Ann. 17-3-330. See also, S.C. Code Ann. 17-3-360.

⁴⁴ S.C. Code Ann. 17-3-330(B)-(C)

⁴⁵ S.C. Code Ann. 17-3-310.

⁴⁶ S.C. Code Ann. 17-3-310.

⁴⁷ S.C. Code Ann. 17-3-340.

⁴⁸ S.C. Code Ann. 17-3-320.

⁴⁹ S.C. Code Ann. 17-3-330.

⁵⁰ Phone conversation between Mr. Hugh Ryan, SCCID, Mr. Rodney Grizzle, SCCID, and Mr. Charles Appleby, House Legislative Oversight Committee staff, on April 20, 2018.

⁵¹ Phone conversation between Mr. Hugh Ryan, SCCID, Mr. Rodney Grizzle, SCCID, and Mr. Charles Appleby, House Legislative Oversight Committee staff, on April 20, 2018. See also, Proviso 117.110, General Appropriations Bill for Fiscal Year 2016-17 and Proviso 117.109, General Appropriations Bill for Fiscal Year 2017-18 (The Prosecution Coordination Commission and the Commission on Indigent Defense shall provide detailed expenditure reports and associated revenue streams for each individual circuit, revenue streams shall include, but not be limited to, state funds, local funds, Federal funds, and also nongovernmental sources of funds, by no later than September first, on the prior fiscal year, to the appropriate commission. The commissions shall then provide the Chairman of the House Ways and Means Committee and Chairman of the Senate Finance Committee with a combined report by September fifteenth of the current fiscal year.)

⁵² S.C. Code Ann. 17-3-330.

⁵³ Agency PER, Comprehensive Strategic Finances Chart.

⁵⁴ See Proviso 117.110, General Appropriations Bill for Fiscal Year 2016-17 and Proviso 117.109, General Appropriations Bill for Fiscal Year 2017-18 (The Prosecution Coordination Commission and the Commission on Indigent Defense shall provide detailed expenditure reports and associated revenue streams for each individual circuit, revenue streams shall include, but not be limited to, state funds, local funds, Federal funds, and also nongovernmental sources of funds, by no later than September first, on the prior fiscal year, to the appropriate commission. The commissions shall then provide the Chairman of the House Ways and Means Committee and Chairman of the Senate Finance Committee with a combined report by September fifteenth of the current fiscal year.)

⁵⁵ See Proviso 117.110, General Appropriations Bill for Fiscal Year 2016-17 and Proviso 117.109, General Appropriations Bill for Fiscal Year 2017-18 (The Prosecution Coordination Commission and the Commission on Indigent Defense shall provide detailed expenditure reports and associated revenue streams for each individual circuit, revenue streams shall include, but not be limited to, state funds, local funds, Federal funds, and also nongovernmental sources of funds, by no later than September first, on the prior fiscal year, to the appropriate commission. The commissions shall then provide the Chairman of the House Ways and Means Committee and Chairman of the Senate Finance Committee with a combined report by September fifteenth of the current fiscal year.)

⁵⁶ Agency PER, Comprehensive Strategic Finances Chart.

⁵⁷ Funding in part I.E., Rule 608 Appointment Funds, of the General Appropriations Act can only be used for the purpose for which they are appropriated and any unexpended funds can be carried-forward into the new fiscal year and spent only on 608 appointment expenditures.

Funding in the following parts of the General Appropriations Act, must be distributed to each of the sixteen Circuit Public Defender Offices utilizing a per capita method, based upon the 2010 Census: III.A Defense of Indigents/Per Capita, III.B DUI Defense of Indigents, and III.C. Criminal Domestic Violence.

⁵⁸ The amount appropriated and authorized at the start of the year was increased during the year by \$201,778 to cover the S.C. Retirement System and Police Officers Retirement System 0.50% rate increase and health and dental insurance.

⁵⁹ Balance of \$920,736 remaining, was special carry-forward funds from the Rule 608 Appointment line within the SCCID budget.

⁶⁰ The amount appropriated and authorized at the start of the year was increased during the year by \$28,993 to cover the S.C. Retirement System and Police Officers Retirement System 1% rate increase and health and dental insurance.

⁶¹ Information Technology and Security Infrastructure is Proviso 118.14 of the FY2015-16 Appropriations Act.

⁶² Supplemental funds from the fiscal year 2015-16 General Appropriations Act can only be used for information technology and security infrastructure at the agency.

⁶³ Technology for Docket Management, Electronic Filing and Case Management was CRF for FY2011-12.

⁶⁴ CRF funds from the fiscal year 2011-12 General Appropriations Act can only be used by the agency for information technology expenditures.

⁶⁵ These amounts are grouped together because that is how they appear in the S.C. Enterprise Information System (SCEIS).

⁶⁶ Include Family & Circuit Filing Fee and Conviction Surcharge

⁶⁷ \$25 surcharge on all fines, forfeitures, escheatment, or other monetary penalties imposed in General Sessions, Magistrates, and Municipal Courts, of which 1% goes to SCCID (See S.C. Code Ann. Section 14-1-212(B)(1)(h)).

⁶⁸ \$50 fee on civil action filings of which 14.56% goes to SCCID (See S.C. Code Ann. 14-1-204(B)(1)(b)).

⁶⁹ Funding in part III.A., Defense of Indigents/Per Capita, of the General Appropriations Act must be distributed to the Circuit Public Defender Offices on a per capita method, based upon the 2010 Census.

⁷⁰ These amounts are grouped together because that is how they appear in the S.C. Enterprise Information System (SCEIS).

⁷¹ Include Traffic Education Program Fees for both Magistrate and Municipal Courts.

⁷² Budget Proviso 61.10 authorized the agency to accept, expend and carry-forward donations.

⁷³ These amounts are grouped together because that is how they appear in the S.C. Enterprise Information System (SCEIS).

⁷⁴ Include Civil Action Application Fee and Investment earnings.

⁷⁵ These amounts are grouped together because that is how they appear in the S.C. Enterprise Information System (SCEIS).

⁷⁶ Interest earned from the collection of the \$40 Civil Application Fees for the appointment of counsel in a civil action case, the Treasurer's Office remits the interest payments to SCCID on a monthly basis.

⁷⁷ Include the Authorization totals for Public Defender Application Fee, Court Fine, Conviction Surcharge and Investment Earnings

⁷⁸ These amounts are grouped together because that is how they appear in the S.C. Enterprise Information System (SCEIS).

⁷⁹ Include the Authorization totals for Public Defender Application Fee, Court Fine, Conviction Surcharge and Investment Earnings

⁸⁰ Includes: (1) Fee for filing complaints or petitions in civil actions described in 8-21-310(11)(a) (See, Section 14-1-204(A)(4)), which is legal aid collection that flows through to SC Legal Services; (2) Court Fine Assessment for those who are convicted of, plead guilty or nolo contendere to, or forfeits bond for a criminal offense in General Sessions, Magistrate, and Municipal Courts (see Sections 14-1-206(C)(4), 14-1-207(C)(6) and 14-1-208(C)(6) and Section 14-1-218(4)); and (3) Application fee for public defender services in General Sessions, Magistrate, and Municipal Courts (See, Section 17-3-30(B)).

⁸¹ Funding in the following parts of the General Appropriations Act, must be distributed to each of the sixteen Circuit Public Defender Offices utilizing a per capita method, based upon the 2010 Census: III.A Defense of Indigents/Per Capita, III.B DUI Defense of Indigents, and III.C. Criminal Domestic Violence.

Funding in part I.C., Legal Aid Funding, of the General Appropriations Act must be distributed, in bi-annual payments, to S.C. Legal Services, a non-profit entity.

⁸² \$500 Probation Fee collected by the Clerks of Court and remitted to SCCID.

⁸³ Interest earned from the collection of Sources #12 Public Defender Application Fee, #13 Court Fine 2 based upon Section 14-1-204(A)(4), which is flow through to SC Legal Services; Court Fine Assessment based upon Section 14-1-218(4); Fees generated based upon Sections 14-1-206(C)(4), 14-1-207(C)(6) and 14-1-208(C)(6) and the application fee provided in Section 17-3-30(B) in General Sessions, Magistrate and Municipal Courts; and Source #14 Conviction Surcharge 2. The Treasurer's Office remits the interest payments to SCCID on a monthly basis.

⁸⁴ The Grants are with the Richland County Public Defenders Office and only flow-through The Commission on Indigent Defense because the grants require a state agency as the grant recipient.

⁸⁵ The federal grant will only reimburse agency expenditures that were in the grant's budget, which was submitted with the grant application. A copy of the approved grant budget is available from the agency upon request.

⁸⁶ Agency PER, Question 14.

⁸⁷ Agency PER, Organizational Units Chart.

⁸⁸ Email from Kevin Paul, State Human Resources Division, to Charles Appleby, House Legislative Oversight Committee, in February 2018.

⁸⁹ Conversation between Rodney Grizzle, SCCID, and Charles Appleby, House Legislative Oversight Committee, on April 20, 2018.

⁹⁰ Email from Kevin Paul, State Human Resources Division, to Charles Appleby, House Legislative Oversight Committee, in April 2018 with information entered by the agency into the South Carolina Enterprise Information System. See also, *The Status of Equal Employment Opportunity in South Carolina State Government Annual Report to the General Assembly, South Carolina State Human Affairs Commission* (February 1, 2018), <http://www.scstatehouse.gov/reports/HumanAffairsComm/2018AnnualReport.pdf> (Accessed April 20, 2018).

⁹¹ Agency PER, Question 7.

⁹² S.C. Code Ann. 17-3-310.

⁹³ Agency's PER, Question 7, and conversation between Rodney Grizzle, SCCID, and Charles Appleby, House Legislative Oversight Committee on April 20, 2018.

⁹⁴ Agency PER, Question 8.

⁹⁵ PER, Question 8.

⁹⁶ Agency PER, Organizational Units Chart.

⁹⁷ Agency PER.

⁹⁸ Item numbers are the ones utilized in agency's program evaluation report.

⁹⁹ Item numbers are the ones utilized in agency's program evaluation report.

¹⁰⁰ Item numbers are the ones utilized in agency's program evaluation report.

¹⁰¹ Item numbers are the ones utilized in agency's program evaluation report.

¹⁰² Item numbers are the ones utilized in agency's program evaluation report.

¹⁰³ Item numbers are the ones utilized in agency's program evaluation report.

¹⁰⁴ Item numbers are the ones utilized in agency's program evaluation report.

¹⁰⁵ Item numbers are the ones utilized in agency's program evaluation report.

¹⁰⁶ Item numbers are the ones utilized in agency's program evaluation report.

¹⁰⁷ Item numbers are the ones utilized in agency's program evaluation report.

¹⁰⁸ Agency's PER, Comprehensive Strategic Finances Chart

¹⁰⁹ Agency's PER, Comprehensive Strategic Finances Chart

¹¹⁰ Agency's PER, Comprehensive Strategic Finances Chart

¹¹¹ Agency's PER, Comprehensive Strategic Plan Chart and Strategic Plan Summary Chart.

¹¹² Department of Administration, Executive Budget Office, "2016-17 Accountability Report Technical Assistance Guide," under Agency Accountability Reports <http://www.admin.sc.gov/files/FY%202016-17%20Accountability%20Report%20Technical%20Assistance.pdf> (accessed July 21, 2017). See also, Agency PER.

¹¹³ Agency's PER, Comprehensive Strategic Finances Chart.

¹¹⁴ See S.C. Legal Services website, History, <https://sclegal.org/history/> (Accessed April 19, 2018). (Congress passed the Legal Services Corporation Act in 1974. For the first time, there was a federal statute setting forth terms and conditions, with authority to make grants, for provision of civil legal services, including formulas based on population and access. The Legal Services Corporation was inaugurated as the primary funding source for legal aid providers. Congress in successive years allowed for funding to expand the existing network of legal services programs to rural and suburban areas of the United States that had never been included as a target population for free civil legal services. The funding injected new vitality into the existing legal aid network—allowing for critical expansion into rural counties so that all forty-six counties in South Carolina were eligible for assistance. The regional approach from the 1979s continued, however, with several legal aid programs all coexisting with their separate boards and staffs. In the late 1990s, the Legal Services Corporation promoted mergers of regional programs with the aim of consolidation and streamlining of resources. Thus, in 2002, through seasons of change, South Carolina Legal Services was born.)