



SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Hugh Ryan

Executive Director

Hervery Young

Deputy Director/General Counsel

Lawrence Brown

Deputy General Counsel/Training Director

Lori Frost

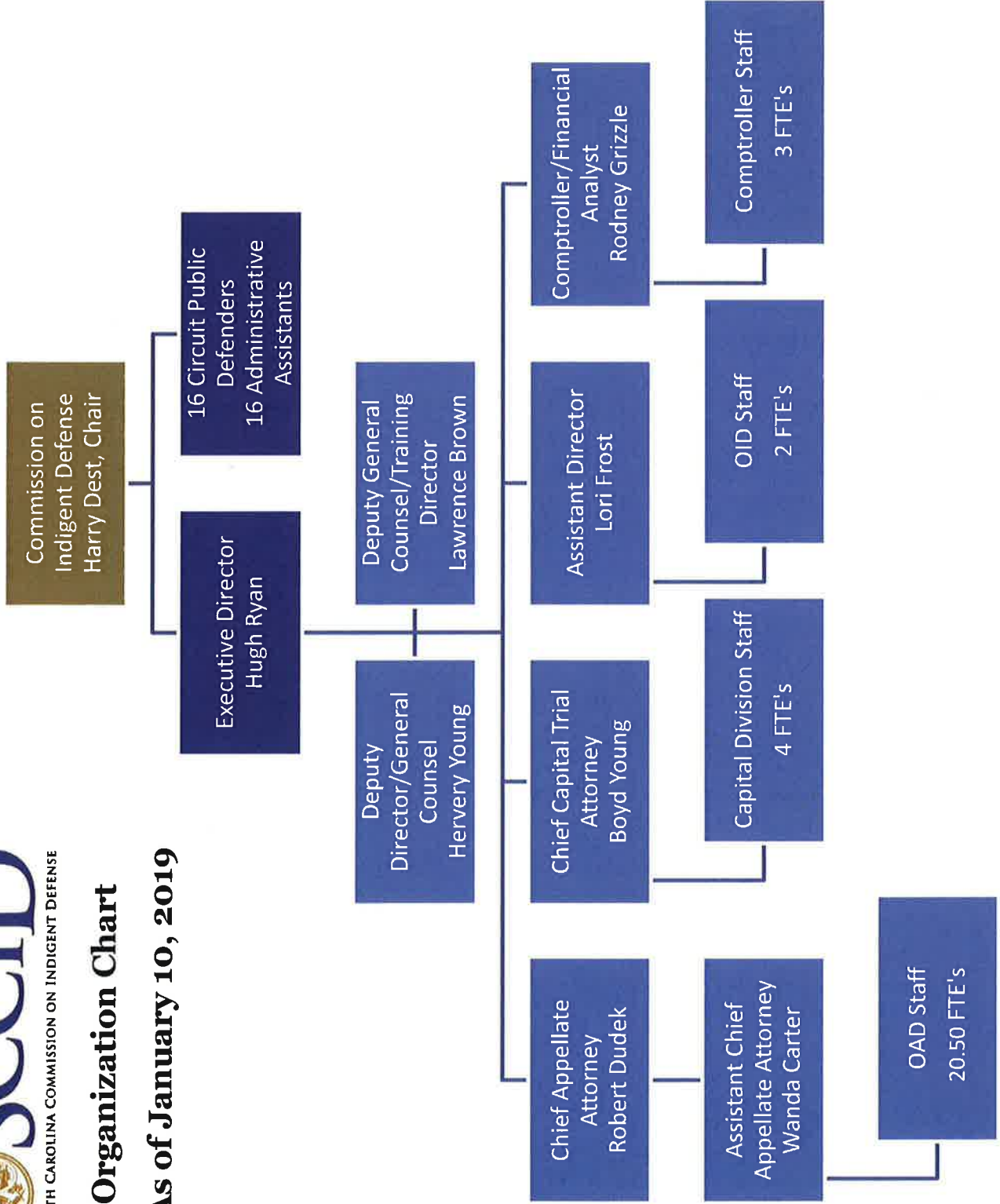
Assistant Director/HR Manager

Rodney Grizzle

Comptroller



Organization Chart
As of January 10, 2019



AGENCY NAME:	South Carolina Commission on Indigent Defense		
AGENCY CODE:	E230	SECTION:	61

**Fiscal Year 2017-18
Accountability Report**

SUBMISSION FORM

AGENCY MISSION

The Commission and the Office of Indigent Defense were established by Act 164 of 1993, effective July 1, 1993. The Office operates pursuant to §17-3-310, et seq. of the South Carolina Code of Laws, 1976, as amended. Effective July 1, 2005, the Office of Appellate Defense became a division within the agency.

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.

The Appellate Defense division of SCCID handles appeals on behalf of indigent clients and consists of a staff of eleven attorneys.

The Capital Trial division within SCCID handles capital cases, statewide, frequently partnering with outside counsel appointed by the court.

The Office of Indigent Defense establishes guidelines for court-appointed attorneys in representing indigent clients and administers distribution of funding for indigent defense. Additionally, the office establishes and supervises training programs for public defenders and staff across the State and oversees a central reporting system of statistical data in the delivery of indigent defense services.

AGENCY VISION

The SC Commission on Indigent Defense (SCCID) is responsible for ensuring that qualifying individuals are provided indigent defense services in South Carolina and provide the highest quality of representation to our clients.

The SCCID sets and enforces standards, allocates resources, and seeks to maintain accountability of those persons entrusted with the life and liberty of indigent persons charged with crimes, facing DSS abuse and neglect, Termination of Parental Rights, other Family Court matters, PCR and SVP matters.

AGENCY NAME:	South Carolina Commission on Indigent Defense		
AGENCY CODE:	E230	SECTION:	61

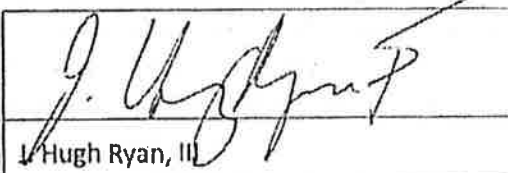
Please select yes or no if the agency has any major or minor (internal or external) recommendations that would allow the agency to operate more effectively and efficiently.

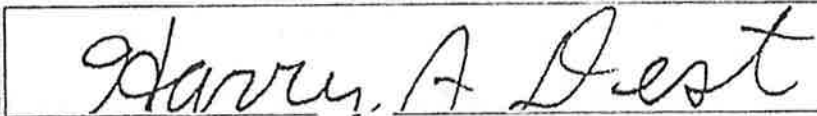
RESTRUCTURING RECOMMENDATIONS:	Yes	No
	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Please identify your agency's preferred contacts for this year's accountability report.

	<u>Name</u>	<u>Phone</u>	<u>Email</u>
PRIMARY CONTACT:	Rodney P. Grizzle	803-734-1168	rgrizzle@sccid.sc.gov
SECONDARY CONTACT:	Donna Bridges	803-734-1451	dbridges@sccid.sc.gov

I have reviewed and approved the enclosed FY 2017-18 Accountability Report, which is complete and accurate to the extent of my knowledge.

AGENCY DIRECTOR (SIGN AND DATE):	
(TYPE/PRINT NAME):	J. Hugh Ryan, III

BOARD/CMSN CHAIR (SIGN AND DATE):	
(TYPE/PRINT NAME):	Harry A. Dest, Chairman

AGENCY NAME:

South Carolina Commission on Indigent Defense

AGENCY CODE:

E230

SECTION:

61

AGENCY'S DISCUSSION AND ANALYSIS

The South Carolina Commission on Indigent Defense (SCCID) continued to strengthen and fulfill the mission of our statewide public defender system which was created in 2007. Circuit Public Defenders actively participated in all phases of the legislative budget process and with legislation affecting the state's criminal justice system by attending sub-committee and committee hearings throughout the legislative session.

SCCID continued quarterly meetings with the Circuit Public Defenders and maintained open communication lines with all. SCCID continued to expand its training program. SCCID successfully conducted its 4th annual Public Defense 100 training series for new public defenders entering the system from throughout the state. The program consists of three multi-day seminars and workshops focusing on case analysis and trial advocacy. SCCID has also expanded its training to include attorneys, who contract with the agency, to represent indigent clients in cases where the public defender has a conflict. Working with the Children's Law Center, SCCID has also begun an ongoing series of training workshops for juvenile defenders. In addition to its ongoing training programs, SCCID will continue to present seminars on new and developing areas in the law to assure that clients receive knowledgeable and effective representation.

The agency entered its 6th year of contracting with private attorneys to handle criminal conflicts, Family Court, PCR and SVP cases. Contracts are awarded on a one-year basis to attorneys throughout the state. This program, which effectively supplants the Rule 608 court-administered program, continues to be highly successful and efficient in moving cases, and continues to receive universal approval from judges, participating attorneys, prosecutors, and agencies that are involved. Only the most qualified attorneys are selected for contracts which are awarded by a committee consisting of representatives of the agency, the SC Bar, the Commission, and the Circuit Public Defenders. The results of the contract system have been to eliminate calendar conflicts, move the dockets faster, reduce the number of potential appeals, and provide quality representation. The agency continued its partnership with the USC Law School's Children's Law Center to co-host seminars on Family Law issues for contract attorneys and public defenders handling juvenile criminal cases. SCCID fully participates in the Bench and Bar Committee for Family Law and has a well-established cooperative relationship with all interests which are represented on the committee including DSS, DJJ, Court Administration, GAL Program, Family Court Judges, and other key personnel in the Family Court.

The agency continues to monitor and review its policies and guidelines and their application by service providers, including private investigators, contract attorneys and other counsel appointed by the courts. We have frequently requested hearings or telephone conferences with judges and counsel to address requests for attorney fee/expert witness fees that exceed caps, policies and guidelines, or to establish an agreement as to caps on fees and experts in many cases. This involvement has resulted in a much more efficient use of limited state resources. While it has taken many years to reach this point, nearly all participants in the system now recognize that the agency does carefully monitor and audit voucher requests for payment of fees and costs that do not appear reasonable. The contract system, because of its flat fee structure, has resulted in a more efficient voucher processing system. Due to this increased efficiency, the agency did not find it necessary to fill a voucher processing position after the position became vacant.

AGENCY NAME:	South Carolina Commission on Indigent Defense		
AGENCY CODE:	E230	SECTION:	61

We continue to work very diligently to have municipalities with their own optional courts provide resources for indigent representation. As a result, in a growing number of municipalities, the municipality and the circuit public defender have entered into contracts to do so. The legislature overwhelmingly again approved Proviso 61.12, which requires adequate funding by municipalities that chose to have a municipal court. This requirement continues to fulfill a long-term goal of the Commission and the agency and is a significant achievement in both providing access to justice at the municipal level and having the funding source for it as well.

The agency continued support and program planning and implementation with the SC Public Defender Association and the SC Public Defender Investigator Association for their respective annual training conferences; co-sponsoring with the USC School of Law's Children's Law Center seminars on juvenile issues for both public defenders and private bar contract attorneys; the highly successful Public Defender Summer Rural Extern Program in partnership with the Charleston School of Law; its arrangement with the Nelson Mullins law firm to provide pro bono appellate attorneys to assist the agency's appellate division in brief writing and oral arguments of selective cases before the state's appellate courts to help alleviate the crushing caseload that our appellate division must handle.

The position of Comptroller/Financial Analyst, created in July of 2016 and filled in August of 2016 continues to serve a crucial function for the agency. This position provides the agency with an uninterrupted focus on its finances and their sources, which can be very complex to understand and follow, and allows us to pursue financial audits of fee and fine allocations. It has also allowed the Assistant Director position to focus entirely on administrative and personnel matters and supervise voucher processing and payment. All of this has resulted in a much smoother and more cost-effective operation of the agency with increased accountability. In addition, there is continued publishing of weekly (every Monday) financial reports with year to date and supporting information and side-by-side comparisons of 3 consecutive fiscal years; continued adjustments in agency operational priorities as necessary and close monitoring of fees and fines revenue designated for agency receipt.

The Commission in accordance with Proviso 117.142, conducted extensive research into the issue of the screening process of those applying for Public Defender Services. We met with the Chief Justice of the South Carolina Supreme Court, Legislators, court personnel in all 46 counties, and numerous others involved in the screening process to develop a proposed plan to improve this process and ensure that only those truly indigent receive appointed counsel. A report on this issue was completed and filed with the appropriate Legislative Committees on December 1, 2017.

A few years ago, the Commission approved Performance Standards for Public Defenders. In conjunction with The Children's Law Center, SCCID undertook the task of developing Standards of Practice for Attorneys Representing Parents in Abuse and Neglect Cases. The majority of the attorneys providing this representation are Rule 608 Contract attorneys. A committee was formed to develop these practice standards in order to promote quality representation and uniformity of practice throughout the State for attorneys for indigent parents in child abuse and neglect cases. The committee consists of practicing Rule 608 attorneys, and representatives from DSS, Judiciary, and SCCID. The Commission hopes to discuss and approve the practice standards by the end of FY18-19.

The South Carolina Supreme Court received a grant to participate in the Right to Counsel Campaign. The grant provides Training and Technical Assistance (TTA). SCCID has been invited by the Chief Justice to participate on the team of stakeholders in South Carolina to explore the adoption,

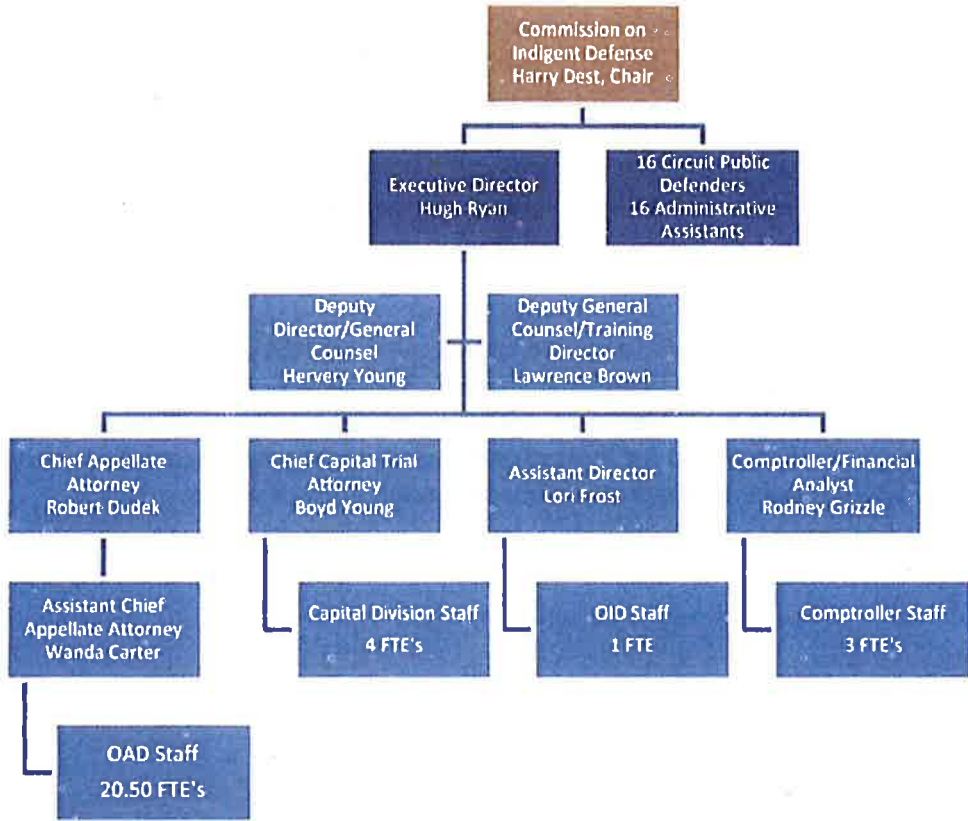
AGENCY NAME:	South Carolina Commission on Indigent Defense		
AGENCY CODE:	E230	SECTION:	61

implementation, and sustainment of effective approaches to ensuring the Right to Counsel in all courts across the State. The first meeting was held in June 2018, and we continue to meet to work on this project.

The Agency has continued to work on ways to give and receive employee feedback. We mandated a March 30, 2018 deadline for Agency supervisors to meet with employees they supervise to review expectations for the next year and receive feedback regarding any issues/concerns that individual personnel may have. Prior to March 30, 2019 supervisors will prepare an evaluation of each employee's performance and meet with them to review their performance outlining any areas for improvement, highlight things they have done well, and accept feedback on each employee's assessment of the Agency's performance. The Agency also implemented a policy that all employees leaving the Agency will complete an exit interview. This will provide the Agency with information concerning tasks we may be doing well and those tasks we may can improve on.

The Agency began the FY and continues as one of several agencies under review by the House Oversight Committee. This process has required substantial work and production of documents, many of which can be found posted on the SC Legislature website (<https://www.scstatehouse.gov/>) under the tab "Committee Postings and Reports". There you can also find video archives of each of the meetings. The Agency has prepared extremely hard for these presentations, and we have received positive feedback from the Committee for our preparation and extensive compilation of Agency data.

AGENCY NAME:	South Carolina Commission on Indigent Defense		
AGENCY CODE:	E230	SECTION:	61



Agency Name: COMMISSION ON INDIGENT DEFENSE
 Agency Code: 4230 Section: 41

Strategic Planning and Performance Measurement Template	Meaningful Use of Measure	Calculation Method	Data Source and Availability	Time Applicable	2017/18		Description	Measure
					Base	Target		
Enhance Mentoring Programs in Circuit Public Defender Offices								
M	2.2.1	Expand Mentoring programs to all 16 Public Defender Circuits		July 1 - June 30	9	16		7
<p>As with any high stress position there is constant turnover with public defenders. As a way of providing a professional management tool, SCCID is trying to expand the Mentoring Program in order to allow more experienced public defender to mentor the new public defenders as a way of help them to avoid the pitfalls associated with high stress position. The directors of all courts in South Carolina should allow the agency to have good attorneys on staff and bring them along and document the agency to receive a return on it's investment for hiring the public defender.</p>								
M	2.2.2	Provide Mentoring opportunities to newly hired PD in Family and Summary Courts		July 1 - June 30	9	16		7
<p>As with any high stress position there is constant turnover with public defenders. As a way of providing a professional management tool, SCCID is trying to expand the Mentoring Program in order to allow more experienced public defender to mentor the new public defenders as a way of help them to avoid the pitfalls associated with high stress position. The agency to have good attorneys on staff and bring them along and allowing the agency to receive a return on it's investment for hiring the public defender.</p>								

Total number of Mentoring Programs in the State-wide Public Defender Office.

Total number of Family and Summary Court Mentoring Programs in the State wide Public Defender Office.

SCCID Annual Agency Report

SCCID Annual Agency Report

Agency Name:		COMMISSION ON INDIGENT DEFENSE	
Agency Code:		E330	61
Type	Item #	Item #	Item #
5	2.1	2.1	2.1

Strategic Planning and Performance Measurement Template
 Meaningful Use of Measure

Base	2018-19 Target	2019-20 Target	Time Applicable	Data Source and Availability	Calculation Method	Description
9	16		July 1 - June 30	SCOD Annual Agency Report	Total number of Mentoring Programs in the State wide Public Defender Office.	Enhance Mentoring Programs in Circuit Public Defender Offices
M	2.2.1					Expanded Mentoring programs to all 16 Public Defender Circuits
M	2.2.2		July 1 - June 30	SCOD Annual Agency Report	Total number of Family and Summary Court Mentoring Programs in the State wide Public Defender Office.	Provide Mentoring opportunities to newly hired PD in Family and Summary Courts

As with any high stress positions there is constant turnover with public defenders. As a way of providing a professional management tool, SCOD is trying to expand the Mentoring Program in order to allow more experienced public defenders to mentor the new public defenders as a way of help pressure of the duties and workload in South Carolina. This will allow the agency to keep good attorneys on staff and bring them along and encourage the agency to receive a return on its investment for having the public defender.

As with any high stress positions there is constant turnover with public defenders. As a way of providing a professional management tool, SCOD is trying to expand the Mentoring Program in order to allow more experienced public defenders to mentor the new public defenders as a way of help pressure of the duties associated with high courts. This will allow the agency to keep good attorneys on staff and bring them along and encourage the agency to receive a return on its investment for having the public defender.

Agency Name: COMMISSION ON INDIGENT DEFENSE
 Agency Code: E230 Section: 061

Program/Title	FY 2017-18 Expenditures (Actual)			FY 2018-19 Expenditures (Projected)			TOTAL	Associated Measure(s)
	General	Other	Federal	General	Other	Federal		
I. Administration	\$ 8,935,781	\$ 4,049,016	\$ 71,671	\$ 13,056,469	\$ 9,780,450	\$ 8,025,042	\$ 17,805,492	1.1.1, 1.1.2, 1.1.3, 1.2.1, 1.2.2, 1.3.1, 1.3.2, 2.1.1, 2.1.2, 2.2.1, 2.2.2
II. Division of Appellate Defense	\$ 707,523	\$ 699,601		\$ 1,407,124	\$ 732,411	\$ 883,883	\$ 1,616,294	1.2.1, 1.2.2
III. Office of Circuit Public Defenders	\$ 17,564,710	\$ 4,891,541		\$ 22,456,251	\$ 17,536,050	\$ 4,173,052	\$ 21,709,102	1.1.1, 1.1.2, 1.1.3, 2.1.1, 2.2.2
IV. Death Penalty Trial Division	\$ 436,910			\$ 436,910	\$ 471,600		\$ 471,600	1.3.1, 1.3.2
V. State Employer Contributions	\$ 1,992,786	\$ 362,400	\$ 23,241	\$ 2,378,428	\$ 2,207,399	\$ 368,295	\$ 2,575,694	N/A
VI. Non-Recruiting Appropriations	\$ 100,000	\$ 7,318		\$ 107,318	\$ 57,502		\$ 57,502	1.1.2, 1.1.3, 1.2.2
Total	\$ 29,300,801	\$ 10,445,785	\$ 94,912	\$ 39,842,498	\$ 30,256,310	\$ 13,979,374	\$ 44,235,684	

Agency Name: **COMMISSION ON INDIGENT DEFENSE**
Agency Code: **E230** Section: **091**

Legal Standards Template

Item #	Law Number	Jurisdiction	Type of Law	Statutory Requirement and/or Authority Granted	Does this law specify why your agency must or may serve? (Y/N)	Does this law specify a product or service your agency must or may provide?	If Yes, what type of service or product?	If Other Justice Provider, please specify what service or product.
1	US Constitution 6th Amendment	Federal	Statute	Guarantees a citizen the right to a speedy and public trial, an impartial jury, to be informed of the nature and cause of the accusation, to confront witnesses against him, to present witnesses in his favor, and to be represented by an attorney	Yes	No - But relates to manner in which one or more agency deliverables is provided	Other service or product our agency must/may provide	Any person entitled to counsel under the Constitution of the United States determined to be financially unable to retain counsel
2	US Constitution 14th Amendment	Federal	Statute	Requires the state to provide equal protection and due process under the law.	Yes	No - But relates to manner in which one or more agency deliverables is provided	Other service or product our agency must/may provide	Any person entitled to counsel under the Constitution of the United States determined to be financially unable to retain counsel
3	14-1-201	State	Statute	26.78 percent of 55 percent of \$100 filing fee in civil actions is paid to the Defense of Indigents Per Capita Fund administered by SCID. SCID distributes the funds to SC organizations that are grantees of the Legal Services Corporation. (SCID acts as pass-through agency for distribution of funds.)	No	No - But relates to sources of funding for one or more agency deliverables.		
4	14-1-205	State	Statute	Commission on Indigent Defense. Defense of indigents per capita receives 14.55 percent of additional \$50 filing fee in civil actions.	No	No - Does not relate directly to any agency deliverables.		
5	14-1-207	State	Statute	Persons convicted in general sessions court must pay assessment of 107.5 percent of fine amount. After specified deductions, Office of Indigent Defense receives 14.46 percent of remaining funds for the defense of indigents.	No	No - But relates to sources of funding for one or more agency deliverables		
6	14-1-208	State	Statute	Persons convicted in municipal court must pay assessment of 107.5 percent of fine amount. After specified deductions, Office of Indigent Defense receives 14.46 percent of remaining funds for the defense of indigents.	No	No - But relates to sources of funding for one or more agency deliverables		
7	14-9-26	State	Statute	Punishment for murder; notice to defense attorney of solicitor's intention to seek death penalty; appointment of attorneys for indigent; investigative, expert or other services.	Yes	Yes	Other service or product our agency must/may provide	Legal Services
8	17-2-5	State	Statute	Definitions	No	No - Does not relate directly to any agency deliverables.		
9	17-3-10	State	Statute	Persons entitled to counsel shall be so advised; when counsel shall be provided	Yes	Yes	Other service or product our agency must/may provide	Legal Services
10	17-3-20	State	Statute	Requires that adequate legal counsel be appointed for persons charged with murder, who are determined to be financially unable to retain adequate counsel and that the attorney appointed be paid fees and costs as deemed appropriate by the court.	Yes	Yes	Other service or product our agency must/may provide	Persons charged with murder determined to be financially unable to retain adequate legal counsel. This section specifies a customer/deliverable for the agency as the attorney appointed will be either a public defender or private counsel who will be compensated with indigent defense funds of the Agency.

Agency Name:	COMMISSION ON INDIGENT DEFENSE	
Agency Code:	4230	Section: 061

Item #	Law Number	Jurisdiction	Type of Law	Statutory Requirement and/or Authority Granted	Does this law specify who your agency must or may serve? (Y/N)	Does this law specify a product or service your agency must or may provide?	If yes, what type of service or product?	If other service or product, please specify what service or product.
11	17-3-30	State	Statute	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	Yes	No - Does not relate directly to any agency deliverables	Other service or product our agency must/may provide	No - This relates to a customer of the agency for which the deliverable is handled by another entity
12	17-3-40	State	Statute	Creation of claim against assets and estate of person for whom counsel is provided	No	No - Does not relate directly to any agency deliverables	Other service or product our agency must/may provide	No - This relates to a customer of the agency for which the deliverable is handled by another entity
13	17-3-45	State	Statute	Affidavit of assets of persons seeking appointed counsel; application fee; claim against assets and estate of person provided counsel	Yes	Yes	Other service or product our agency must/may provide	No - This relates to a customer of the agency for which the deliverable is handled by another entity
14	17-3-50	State	Statute	Determination of fees for appointed counsel and public defenders; maximum amounts; authorization to exceed maximum; payment for certain services	Yes	No - Does not relate directly to any agency deliverables	Other service or product our agency must/may provide	No - This relates to a customer of the agency for which the deliverable is handled by another entity
15	17-3-55	State	Statute	Carry-forward of unpaid obligations	No	No - Does not relate directly to any agency deliverables	Other service or product our agency must/may provide	No - This relates to a customer of the agency for which the deliverable is handled by another entity
16	17-3-80	State	Statute	Appropriation for expenses of appointed private counsel and public defenders; restrictions and limitations	Yes	Yes	Other service or product our agency must/may provide	Legal Services
17	17-3-85	State	Statute	Fiscal year-end disposition of unexpended appropriations for payment of private appointed counsel for counties without public defender corporations	No	No - Does not relate directly to any agency deliverables	Other service or product our agency must/may provide	Legal Services
18	17-3-90	State	Statute	Voucher for payment for services by private appointed counsel and for reimbursement of expenses; approval and submission for payment	Yes	Yes	Other service or product our agency must/may provide	Legal Services
19	17-3-100	State	Statute	Discretionary authority of judge to appoint counsel not limited; remuneration and reimbursement	No	No - Does not relate directly to any agency deliverables	Other service or product our agency must/may provide	Legal Services
20	17-3-110	State	Statute	Power of Supreme Court to establish rules and regulations	No	No - Does not relate directly to any agency deliverables	Other service or product our agency must/may provide	Legal Services
21	17-3-310	State	Statute	Commission on Indigent Defense Created; Appointment of members; terms; powers and duties	Yes	Yes	Other service or product our agency must/may provide	Legal Services
22	17-3-320	State	Statute	Office of Indigent Defense; executive director; appointment; duties	No	No		
23	17-3-330 (A)(1-4); (B); (C)	State	Statute	Duties of Office of Indigent Defense; Distribute all funds appropriated by GA for defense of indigents; perform duties of Appellate Defense; compile statistics covering indigent defense in the State;	No	No		
24	17-3-330 (A)(5)	State	Statute	Report annually to the General Assembly on the indigent defense system	Yes	Yes	Report our agency must/may provide	Through the Budget process SCOD reports to the Governor, Ways & Means and Senate Finance Committees on the status of the indigent defense system.
25	17-3-340	State	Statute	Duties of Commission: Approve programs which provide legal representation to indigent persons and juveniles accused of violations of criminal law. Approve policies and standards for Circuit Public Defender Offices; minimum training for appointed counsel; Procedures for qualifications/performance of indigent counsel; providing and compensating experts, investigators, etc to provide effective representation; determining indigence and assessing and collecting costs of legal representation; compensation of appointed attorneys; removing circuit PD for cause; Uniform definition of "case" for determining caseload statistics; accepting contractual indigent defense representation.	No	No - Does not relate directly to any agency deliverables		

Agency Name: **COMMISSION ON INDIGENT DEFENSE**
Agency Code: **E230** Section: **061**

Legal Standards Template

Item #	Law Number	Jurisdiction	Type of Law	Statutory Requirement and/or Authority Granted	Does this law specify who your agency must or may serve? (Y/N)	Does the law specify a product or service your agency must or may provide?	(If yes, what type of service or product?)	(If either service or product, please specify what service or product.)
26	17-3-350	State	Statute	Immunity from civil liability for Commission members and Circuit PD Selection Panel members	No	No - Does not relate directly to any agency deliverables	Other service or product our agency must/may provide	Legal Services
27	17-3-360	State	Statute	Division of Appellate Defense created; Administration and staffing; duties and responsibilities	Yes	Yes		
28	17-3-370	State	Statute	Appointment of Counsel by Court; Court can still appoint counsel for disqualified person for conflict or when division deems it advisable not to provide representation	No	No - Does not relate directly to any agency deliverables		
29	17-3-380	State	Statute	Funding for the commission will be by appropriations in the state General Appropriations Act including federal funds as may be available.	No	No - But relates to sources of funding for one or more agency deliverables		
30	17-3-510	State	Statute	Circuit Public Defender Selection Panel, county representation, nomination of Circuit Public Defender, election of Circuit Public Defender	No	No - Does not relate directly to any agency deliverables		
31	17-3-520	State	Statute	Circuit Public Defender, qualification, responsibilities	No	No - Does not relate directly to any agency deliverables		
32	17-3-530	State	Statute	Chief county public defenders, responsibilities and duties	No	No - Does not relate directly to any agency deliverables		
33	17-3-540	State	Statute	Maintenance and staffing of county public defender offices	No	No - Does not relate directly to any agency deliverables		
34	17-3-550	State	Statute	Funding	No	No - But relates to sources of funding for one or more agency deliverables		
35	17-3-560	State	Statute	Administration of Funds	No	No - But relates to manner in which one or more agency deliverables is provided		
36	17-3-570	State	Statute	Administration of Personnel	No	No - But relates to manner in which one or more agency deliverables is provided		
37	17-3-580	State	Statute	Public Defenders, requirements as to employment	No	No - But relates to manner in which one or more agency deliverables is provided		
38	17-3-590	State	Statute	Office space and equipment	No	No - Does not relate directly to any agency deliverables		
39	17-3-600	State	Statute	Existing contracts for providing indigent defense services; Contracts for indigent services in existence at time Act enacted remain effective until expire or one year from effective date of act, whichever is sooner.	No	No - But relates to manner in which one or more agency deliverables is provided		
40	17-37-10	State	Statute	Short Title - Uniform Post-Conviction Relief Act	No	No - Does not relate directly to any agency deliverables		
41	17-37-20	State	Statute	Persons who may institute proceeding; exclusiveness of remedy	Yes	Yes	Other service or product our agency must/may provide	Legal Services

Agency Name: **COMMISSION ON INDIGENT DEFENSE**
 Agency Code: **E230** Section: **061**

Item #	Law Number	Jurisdiction	Type of Law	Statutory Requirement and/or Authority Granted	Does this law specify who your agency must or may serve? (Y/N)	Does the law specify a product or service your agency must or may provide?	If yes, what type of service or product?	If other service or product, please specify what service or product.
42	17-27-90	State	Statute	Jurisdiction of Court	No	No - But relates to manner in which one or more agency deliverables is provided		
43	17-27-40	State	Statute	Commencement of Proceedings by filing application	No	No - But relates to manner in which one or more agency deliverables is provided		
44	17-27-45	State	Statute	Filing procedures for post-conviction relief actions	No	No - But relates to manner in which one or more agency deliverables is provided		
45	17-27-50	State	Statute	Form and contents of application	No	No - But relates to manner in which one or more agency deliverables is provided		
46	17-27-60	State	Statute	Court costs and expenses for indigents	Yes	Yes	Other service or product our agency must/may provide	Legal Services
47	17-27-70	State	Statute	Court procedures on receipt of application	No	No - But relates to manner in which one or more agency deliverables is provided		
48	17-27-80	State	Statute	Hearing on application; final judgment	No	No - But relates to manner in which one or more agency deliverables is provided		
49	17-27-90	State	Statute	Grounds for relief	No	No - But relates to manner in which one or more agency deliverables is provided		
50	17-27-100	State	Statute	Appeals	No	No - But relates to manner in which one or more agency deliverables is provided		
51	17-27-110	State	Statute	Rules - Supreme Court may adopt rules deemed necessary. Note: Supreme Court has passed Rule 71.1 South Carolina Rule of Civil Procedure requiring appointment of counsel for indigent applicants in certain PCR actions.	No	No - But relates to manner in which one or more agency deliverables is provided		
52	17-27-120	State	Statute	Construction. Chapter to be interpreted to make law uniform in states that adopt it.	No	No - Does not relate directly to any agency deliverables		
53	17-27-130	State	Statute	Waiver of attorney-client privilege by allegation of ineffective prior counsel; access to files.	No	No - But relates to manner in which one or more agency deliverables is provided		
54	17-27-130	State	Statute	Discovery in post-conviction relief proceeding	No	No - But relates to manner in which one or more agency deliverables is provided		
55	17-27-160	State	Statute	Capital case post-conviction relief procedures - provides for appointment of counsel for indigent applicants	Yes	Yes	Other service or product our agency must/may provide	Legal Services

Agency Name: COMMISSION ON INDIGENT DEFENSE
 Agency Code: E230 Section: 061

Legal Standards Template

Item #	Law Number	Jurisdiction	Type of Law	Statutory Requirement and/or Authority Granted	Does this law specify who your agency must or may serve? (Y/N)	Does the law specify a product or service your agency must or may provide?	If yes, what type of service or product must/may provide?	If either service or product, please specify what service or product.
56	63-7-1620	State	Statute	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.	Yes	Yes	Other service or product our agency must/may provide	Legal Services
57	63-7-2560	State	Statute	Representation by Counsel; guardian ad litem. (A) In Termination-of-Parental-Rights actions, requires that the family court appoint counsel to represent parents, guardians, or other persons entitled to legal counsel, who are unable to afford legal representation. (B) Requires appointment of attorney for the guardian ad litem to protect the child's interests in certain circumstances.	Yes	Yes	Other service or product our agency must/may provide	Legal Services
58	63-4-320	State	Statute	Persons not required to give consent or relinquishment. In adoption matters, requires that the family court appoint legal counsel to represent an incompetent indigent parent, unless good cause is shown to waive that appointment.	Yes	Yes	Other service or product our agency must/may provide	Legal Services
59	62-19-1010	State	Statute	Taking a child into custody. Sets forth rules for detention and release of children accused of violations of criminal laws, requirements for notifications of certain persons, information to be provided to those persons, and restrictions of use of such information.	No	No	But relates to manner in which one or more agency deliverables is provided	Legal Services
60	63-19-1020	State	Statute	Detention hearings, screenings. Requires court to appoint counsel for child at detention hearing if none is retained. Prohibits child from proceeding without talking to attorney at least once.	Yes	Yes	Other service or product our agency must/may provide	Legal Services
61	63-19-1040	State	Statute	Indigent defense. In determining indigence for appointment of legal counsel for child in delinquency proceeding, court must determine financial ability of parents to retain counsel. If parents could afford to retain counsel but refuse, court appoints counsel and may order parents of reimburse indigent Defense Fund or pay court-appointed attorney an amount determined by the court.	Yes	Yes	Other service or product our agency must/may provide	Legal Services
62	64-48-20	State	Statute	Statute Title - Sexually Violent Predator Act	No	No	Does not relate directly to any agency deliverables	
63	41-48-20	State	Statute	Legislative Findings	No	No	But relates to manner in which one or more agency deliverables is provided	
64	44-46-20	State	Statute	Definitions	No	No	But relates to manner in which one or more agency deliverables is provided	
65	41-48-40	State	Statute	Notification to team, victim and AG regarding release, hearing or parole, effective date of parole or release; immunity.	No	No	But relates to manner in which one or more agency deliverables is provided	
66	41-48-50	State	Statute	Multidisciplinary team; appointments; review of records; membership	No	No	But relates to manner in which one or more agency deliverables is provided	
67	44-48-60	State	Statute	Prosecutor's review committee; scope of review; membership requirements.	No	No	But relates to manner in which one or more agency deliverables is provided	

Agency Name: COMMISSION ON INDIGENT DEFENSE
 Agency Code: E230 Section: 061

Legal Standards Template

Item #	Law Number	Jurisdiction	Type of Law	Statutory Requirement and/or Authority Granted	Does this law specify who your agency must or may serve? (Y/N)	Does this law specify a product or service your agency must or may provide?	If yes, what type of service or product?	If relevant to product, please specify what service or product.
68	44-1b-70	State	Statute	Petition for probable cause determination.	No	No - But relates to manner in which one or more agency deliverables is provided		
69	44-1b-90	State	Statute	Determination of probable cause; taking person into custody; hearing, evaluation. Requires notification of right to counsel.	No	No - But relates to manner in which one or more agency deliverables is provided		
70	44-1b-90	State	Statute	Trial, trial of fact; continuation of trial; assistance of counsel; access of examiners to person; payment of expenses. Requires court to appoint counsel for indigent person and to authorize reasonable payment for expenses for professional expert services.	Yes	Yes	Other service or product our agency must/may provide	Legal Services
71	44-1b-100	State	Statute	Standard for determining predator status, control, care, and treatment of person, release, mutual procedures; persons incompetent to stand trial.	No	No - But relates to manner in which one or more agency deliverables is provided		
72	44-1b-110	State	Statute	Periodic mental examinations of committed persons, report, petition for release, hearing, trial to consider release. Provides for right to counsel; payment for expert services.	No	No - But relates to manner in which one or more agency deliverables is provided		
73	44-1b-120	State	Statute	Petition for release; hearing ordered by court; examination by qualified expert, burden of proof. Provides for payment for expert services.	No	No - But relates to manner in which one or more agency deliverables is provided		
74	44-4b-130	State	Statute	Grounds for denial of petition for release.	No	No - But relates to manner in which one or more agency deliverables is provided		
75	44-4b-140	State	Statute	Restricted release of confidential information and records to agencies and Attorney General.	No	No - But relates to manner in which one or more agency deliverables is provided		
76	44-4b-150	State	Statute	Evidentiary records; court order to open sealed records.	No	No - But relates to manner in which one or more agency deliverables is provided		
77	44-1b-160	State	Statute	Registration of persons released from commitment.	No	No - But relates to manner in which one or more agency deliverables is provided		
78	44-4b-170	State	Statute	Involuntary detention or commitment; constitutional requirements.	No	No - But relates to manner in which one or more agency deliverables is provided		
79	2017-2018 SC Appropriations Act, Parts 1A & 1B, Section 61	State	Proviso	Budgetary Expenditure and Proviso Authority	No	No - But relates to sources of funding for one or more agency deliverables		

Agency Name: COMMISSION ON INDIGENT DEFENSE
 Agency Code: E230 Section: 61

Divisions or Major Programs Description Service/Product Provided to Customers Customer Segments
 Specify only for the following segments: (1) Industry; Name: (2) Professional Organizations; Name: (3) Public Demographics; Customer Template

Administration	Establishes and monitors programs and services for the delivery of legal representation to indigent defendants in State courts	Manages the Financial, Budgeting, Information Technology and Human Resources duties for the agency's division to include all reporting requirements by all the central service agencies, Executive and Legislature Branches of State Government.	Executive Branch/State Agencies
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.	The Division of Appellate Defense represents defendants in criminal appeals to the Court of Appeals and the South Carolina Supreme Court.	General Public
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.	The Division of Appellate Defense represents defendants in criminal appeals to the Court of Appeals and the South Carolina Supreme Court.	Judicial Branch
Office of Circuit Public Defenders	Provides a consistent and fair statewide public defender system with standards and accountability for the delivery of legal representation to indigent defendants in State courts	The Office of Circuit Public Defenders provide legal representation to indigent defendants charged with criminal offenses in the South Carolina Court system.	General Public
Office of Circuit Public Defenders	Provides a consistent and fair statewide public defender system with standards and accountability for the delivery of legal representation to indigent defendants in State courts	The Office of Circuit Public Defenders provide legal representation to indigent defendants charged with criminal offenses in the South Carolina Court system.	Judicial Branch
Death Penalty Trial Division	The Death Penalty Trial Division represents indigent defendants in death-penalty trials as well as consulting services and defense training to other lawyers representing clients in capital trials.	The Death Penalty Trial Division represents indigent defendants in death-penalty trials.	General Public
Death Penalty Trial Division	The Death Penalty Trial Division represents indigent defendants in death-penalty trials as well as consulting services and defense training to other lawyers representing clients in capital trials.	The Death Penalty Trial Division represents indigent defendants in death-penalty trials.	Judicial Branch

Agency Name: COMMISSION ON INDIGENT DEFENSE

Agency Code: E230 Section: 061

Name of Partner Entity Type of Partner Entity Description of Partnership Associated Goal(s) Partner Template

County Governments in South Carolina Local Government The county governments in South Carolina work in conjunction with SCCID in providing funding the Public Defender Offices in the 16 Judicial Circuits within their counties. 1, 2

SC Court of Appeals and SC Supreme Court State Government The Appellate Defense Division and Death Penalty Trial Division works with the SC Court of Appeals and the SC Supreme Court to provide fair and consistent legal adjudication. 1, 2

South Carolina Judicial Department State Government Integration of the Office of Public Defenders into the South Carolina Judicial Departments Case Management System to allow legal case information to be accessed by the Public Defenders. 1, 2

Municipal Governments in South Carolina Local Government The municipal governments in South Carolina work in conjunction with SCCID and the Public Defender Offices in the 16 Judicial Circuits within their counties. 1, 2

General Public of South Carolina Individual Those citizens of South Carolina that have been charged with a crime and their indigency status has been approved, so legal representation has been provided. 1, 2

Report and External Review Template

Agency Number	COMMISSION ON INDIGENT DEFENSE
Agency Code	063

Item	Is this a Report, Review, or both?	Report or Review Name	Name of Entity Requesting the Report or Conducting Review	Type of Entity	Reporting Frequency	Current Fiscal Year Submission Date or Review Periodic (MM/DD/YYYY)	Summary of Information Requested in the Report or Reviewed	Method to Access the Report or Information from the Review
1	External Review and Report	Employee Report	SC Human Affairs Commission	State	Annually	3/31/2018	Annual EEO Personnel Report	Paper copy, South Carolina Commission on Indigent Defense
2	External Review and Report	Employee Report Data Report	SC Human Affairs Commission	State	Annually	8/15/2018	Updates or Corrections to Agency Employees Information to be used in EEO Reporting Plan set forth employment goals for minorities and women whose representation in the workforce is less than would be expected by availability estimates of the qualified labor pool.	Paper copy, South Carolina Commission on Indigent Defense
3	External Review and Report	Affirmative Action Reports	SC Human Affairs Commission	State	Annually	8/18/2018	Every employer must file this report for each calendar quarter showing each employee who was in employment at any time during the quarter.	Paper copy, South Carolina Commission on Indigent Defense
4	External Review and Report	Wage and Contribution Report	SC Department of Employment and Workforce	State	Quarterly	March 31 June 30 September 30 December 31	To emphasize the use of minority, small businesses by state agencies in all aspects of procurement.	Paper copy, South Carolina Commission on Indigent Defense
5	External Review and Report	Minority Business Employment Utilization Plan	SC Department of Administration - OSMBCC	State	Annually	7/30/2018	To emphasize the use of minority, small businesses by state agencies in all aspects of procurement.	Paper copy, South Carolina Commission on Indigent Defense
6	External Review and Report	Minority Business Employment Utilization Quarterly Reports	SC Department of Administration - OSMBCC	State	Quarterly	April 30 July 30 October 29 January 29	GAAP requires the State agencies in the States in its financial statements the terms of non-receivable operating losses. In accordance with GAAP requires the analysis and recognition of receivables and deferred revenue in connection with grant award and contributions.	Paper copy, South Carolina Commission on Indigent Defense
7	External Review and Report	GAAP Operating Expenses Report (Part 4.3.09)	SC Comptroller General	State	Annually	8/2/2018	Accurate reporting in accordance with GAAP of litigation expenses for agencies.	Paper copy, South Carolina Commission on Indigent Defense
8	External Review and Report	GAAP Grants and Revenue Reports (Part 4.3.03)	SC Comptroller General	State	Annually	9/7/2018	Transactions, including but not limited to, revenues, expenditures/expenses, loans, transfers, leasing arrangements, and guarantees, and amounts receivable from or payable.	Paper copy, South Carolina Commission on Indigent Defense
9	External Review and Report	GAAP Accounts Payable Report (Package 3.11)	SC Comptroller General	State	Annually	9/7/2018	Ensure the accuracy of the information reported in SCES and to collect certain information related to capital assets which are not captured in the ASSET Module of the SCES General Ledger.	Paper copy, South Carolina Commission on Indigent Defense
10	External Review and Report	GAAP Utilization Reporting (Package 3.13)	SC Comptroller General	State	Annually	7/30/2018	The report is to update DCA on any changes or updates on the agency's IT plans or IT Security	Paper copy, South Carolina Commission on Indigent Defense
11	External Review and Report	GAAP Fund Balance and Net Position (Net Assets) Reporting (Package 3.20)	SC Comptroller General	State	Annually	8/24/2018	Mileage for all employees requesting reimbursement	Paper copy, South Carolina Commission on Indigent Defense
12	External Review and Report	GAAP Capital Assets (Package 3.08)	SC Comptroller General	State	Annually	9/14/2018	Survey is used help provide a better understanding of the progress made in the implementation of statewide security initiatives and policies.	Paper copy, South Carolina Commission on Indigent Defense
13	External Review and Report	GP Information Technology and Information Security Plans Report (Package 1.7.13.1)	SC Department of Administration	State	Annually	8/1/2018		Paper copy, South Carolina Commission on Indigent Defense
14	External Review and Report	Mileage Report	SC Department of Administration	State	Quarterly	March 31 June 30 September 30 December 31		Paper copy, South Carolina Commission on Indigent Defense
15	External Review only	Information Security and Privacy Survey	SC Department of Administration	State	Annually	8/3/2018		

Agency Name: **COMMISSION ON INDIGENT DEFENSE**
 Agency Code: **E210** Edition: **061**

Item	Is this a Report, Review, or Audit?	Report or Review Name	Name of Entity Requesting the Report or Conducting Review	Type of Entity	Reporting Frequency	Current Fiscal Year Submission Date or Review Timeline (MM/DD/YYYY)	Summary of Information Requested in the Report or Reviewed	Method to Access the Report or Information from the Review
16	External Review and Report	Accountability Report	SC Department of Administration - Executive Budget Office	State	Annually	9/14/2018	the Accountability Report is intended to report on an agency's performance for review by the Governor and the General Assembly. The Accountability Report provides for both a discussion of prior year expenditures and associates expenditures with prospective goals, strategies and objectives to move the agency forward in future years.	SC Department of Administration - Executive Budget Office website
17	External Review and Report	Schedule of Federal Financial Assistance - SFA	State Fiscal Accountability Authority - State Auditors Office	State	Annually	8/15/2018	Summary of all Federal Funds were received by SCCID for FY17-18	Paper copy, South Carolina Commission on Indigent Defense
18	External Review only	Legislative Oversight Committee	SC House of Representatives Legislative Oversight Committee	State	Other	3/15/18	Review of the Agency's enabling legislation, mission, operations and responsibilities	House Legislative Oversight Committee Website
19	External Review only	South Carolina State Auditors Office	State Fiscal Accountability Authority - State Auditors Office	State	Annually	7/16/18-8/24/18	Audit of the Agency for fiscal year 16-17	Paper copy of Audit report, South Carolina Commission on Indigent Defense

Fiscal Year 2019-20 Budget Request Executive Summary

Agency Code: E230
 Agency Name: Commission On Indigent Defense
 Section: 61

Priority	Request Type	Request Title	BUDGET REQUESTS				FUNDING				FTE'S					
			State	Federal	Earmarked	Restricted	Total	State	Federal	Earmarked	Restricted	Total	State	Federal	Earmarked	Restricted
1	B1 - Recurring	Case/load Equalization	2,976,297							2,976,297	0					0.00
2										0						0.00
3										0						0.00
4										0						0.00
5										0						0.00
6										0						0.00
7										0						0.00
8										0						0.00
9										0						0.00
10										0						0.00
11										0						0.00
12										0						0.00
13										0						0.00
14										0						0.00
15										0						0.00
16										0						0.00
17										0						0.00
18										0						0.00
19										0						0.00
20										0						0.00
21										0						0.00
22										0						0.00
23										0						0.00
24										0						0.00
25										0						0.00
26										0						0.00
27										0						0.00
28										0						0.00
29										0						0.00
30										0						0.00
TOTAL BUDGET REQUESTS			2,976,297	0	0	0	0	0	0	2,976,297	0	0	0	0	0	0.00



Agency Information

- The Commission on Indigent Defense is asking for \$2,976,297 in new recurring appropriations for Caseload Equalization to manage the caseload per attorney in each circuit and in an attempt to establish funding parity with the Circuit Solicitor Offices.
- This request is based upon an upward trend in the number of warrants handled by the Public Defender Offices from 108,247 warrants in (FY15-16) to 122,349 warrants in (FY17-18), marking a 13.02% increase. The average number of warrants per Public Defender has risen to approximately 439.

AGENCY NAME:	South Carolina Commission on Indigent Defense		
AGENCY CODE:	E230	SECTION:	61



**Fiscal Year 2019-20
Agency Budget Plan**

FORM A - BUDGET PLAN SUMMARY

**OPERATING
REQUESTS
(FORM B1)**

For FY 2019-20, my agency is (mark "X"):	
<input checked="" type="checkbox"/>	Requesting General Fund Appropriations.
<input type="checkbox"/>	Requesting Federal/Other Authorization.
<input type="checkbox"/>	Not requesting any changes.

**NON-RECURRING
REQUESTS
(FORM B2)**

For FY 2019-20, my agency is (mark "X"):	
<input type="checkbox"/>	Requesting Non-Recurring Appropriations.
<input type="checkbox"/>	Requesting Non-Recurring Federal/Other Authorization.
<input checked="" type="checkbox"/>	Not requesting any changes.

**CAPITAL
REQUESTS
(FORM C)**

For FY 2019-20, my agency is (mark "X"):	
<input type="checkbox"/>	Requesting funding for Capital Projects.
<input checked="" type="checkbox"/>	Not requesting any changes.

**PROVISOS
(FORM D)**

For FY 2019-20, my agency is (mark "X"):	
<input type="checkbox"/>	Requesting a new proviso and/or substantive changes to existing provisos.
<input type="checkbox"/>	Only requesting technical proviso changes (such as date references).
<input checked="" type="checkbox"/>	Not requesting any proviso changes.

Please identify your agency's preferred contacts for this year's budget process.

	<u>Name</u>	<u>Phone</u>	<u>Email</u>
PRIMARY CONTACT:	Rodney Grizzle	734-1168	rgrizzle@sccid.sc.gov
SECONDARY CONTACT:	Donna Bridges	734-1341	DBridges@sccid.sc.gov

I have reviewed and approved the enclosed FY 2019-20 Agency Budget Plan, which is complete and accurate to the extent of my knowledge.

SIGN/DATE:	<i>Agency Director</i>	<i>Board or Commission Chair</i>
TYPE/PRINT NAME:	J. Hugh Ryan, III	Harry A. Dest

This form must be signed by the agency head – not a delegate.

AGENCY NAME:	South Carolina Commission on Indigent Defense		
AGENCY CODE:	E230	SECTION:	61

FORM B1 – RECURRING OPERATING REQUEST

AGENCY PRIORITY	1
------------------------	---

Provide the Agency Priority Ranking from the Executive Summary.

TITLE	Caseload Equalization
--------------	-----------------------

Provide a brief, descriptive title for this request.

AMOUNT	General: 2,976,297 Federal: Other: Total: 2,976,297
---------------	--

What is the net change in requested appropriations for FY 2019-20? This amount should correspond to the total for all funding sources on the Executive Summary.

NEW POSITIONS	N/A
----------------------	-----

Please provide the total number of new positions needed for this request.

FACTORS ASSOCIATED WITH THE REQUEST	Mark "X" for all that apply:	
	<input type="checkbox"/>	Change in cost of providing current services to existing program audience
	<input checked="" type="checkbox"/>	Change in case load/enrollment under existing program guidelines
	<input type="checkbox"/>	Non-mandated change in eligibility/enrollment for existing program
	<input type="checkbox"/>	Non-mandated program changes in service levels or areas
	<input type="checkbox"/>	Proposed establishment of a new program or initiative
	<input type="checkbox"/>	Loss of federal or other external financial support for existing program
	<input type="checkbox"/>	Exhaustion of fund balances previously used to support program
	<input type="checkbox"/>	IT Technology/Security related
	<input type="checkbox"/>	Consulted DTO during development
<input type="checkbox"/>	Related to a Non-Recurring request – If so, Priority #	

STATEWIDE ENTERPRISE STRATEGIC OBJECTIVES	Mark "X" for primary applicable Statewide Enterprise Strategic Objective:	
	<input type="checkbox"/>	Education, Training, and Human Development
	<input type="checkbox"/>	Healthy and Safe Families
	<input type="checkbox"/>	Maintaining Safety, Integrity, and Security
	<input type="checkbox"/>	Public Infrastructure and Economic Development
	<input checked="" type="checkbox"/>	Government and Citizens

AGENCY NAME:	South Carolina Commission on Indigent Defense		
AGENCY CODE:	E230	SECTION:	61

ACCOUNTABILITY OF FUNDS	<p>This budget request would benefit the agency's primary goal of ensuring the effective legal representation of South Carolina citizens eligible for Indigent Defense Services and support the efficient functioning of the entire criminal justice system by allowing the Circuit Public Defender Offices to obtain additional attorneys to address the ever-increasing caseloads. Since FY2015-16 the Circuit Public Defender Offices have seen a 13.02% increase in warrants handled by their offices.</p> <p>FY15-16 108,247 (warrants) FY16-17 116,500 (warrants) FY17-18 122,349 (warrants)</p>
--------------------------------	--

What specific strategy, as outlined in the FY 2018-19 Strategic Planning and Performance Measurement template of agency's accountability report, does this funding request support? How would this request advance that strategy? How would the use of these funds be evaluated?

RECIPIENTS OF FUNDS	<p>The funds requested would be disbursed to the 16 Circuit Public Defender Offices throughout the State. The current process of distribution of funds is on a per capita basis using the most current Census figures. The current census is from 2010.</p>
----------------------------	---

What individuals or entities would receive these funds (contractors, vendors, grantees, individual beneficiaries, etc.)? How would these funds be allocated – using an existing formula, through a competitive process, based upon predetermined eligibility criteria?

JUSTIFICATION OF REQUEST	<p>In order to maintain some semblance of parity with the Circuit Solicitors Offices and their request for Caseload Equalization funding, SCCID is requesting \$2,976,297 in new recurring funds for the Circuit Public Defender Offices. As noted the number of warrants handled by the Public Defender Offices has increased from 108,247 (FY15-16) to 122,349 (FY17-18) marking a 13.02% increase. The average number of warrants per Public Defender has risen to approximately 439.</p>
---------------------------------	--

Please thoroughly explain the request to include the justification for funds, potential offsets, matching funds, and method of calculation. Please include any explanation of impact if funds are not received. If new positions have been requested, explain why existing vacancies are not sufficient.

AGENCY NAME:	South Carolina Commission on Indigent Defense		
AGENCY CODE:	E230	SECTION:	61

**FORM E – AGENCY COST SAVINGS AND GENERAL FUND REDUCTION
CONTINGENCY PLAN**

TITLE	Agency Cost Savings and General Fund Reduction Contingency Plan
--------------	---

AMOUNT	(\$907,689) <i>What is the General Fund 3% reduction amount (minimum based on the FY 2018-19 recurring appropriations)? This amount should correspond to the reduction spreadsheet prepared by EBO.</i>
---------------	--

ASSOCIATED FTE REDUCTIONS	None for State Authorized FTE's <i>How many FTEs would be reduced in association with this General Fund reduction?</i>
----------------------------------	---

PROGRAM/ACTIVITY IMPACT	<ul style="list-style-type: none"> I. Administration <ul style="list-style-type: none"> Rule 608 Appointment II. Office of Circuit Public Defender <ul style="list-style-type: none"> Defense of Indigents/Per Capita DUI Defense of Indigents Criminal Domestic Violence
--------------------------------	---

What programs or activities are supported by the General Funds identified?

AGENCY NAME:	South Carolina Commission on Indigent Defense		
AGENCY CODE:	E230	SECTION:	61

SUMMARY	<p>If the 3% General fund reduction were to be implemented, SCCID would take the cuts from our budget lines as follows:</p> <table> <tr> <td>Rule 608 Appointment</td> <td>(293,202)</td> </tr> <tr> <td>Defense of Indigent per capita</td> <td>(384,487)</td> </tr> <tr> <td>DUI Defense of Indigent</td> <td>(100,000)</td> </tr> <tr> <td>Criminal Domestic Violence</td> <td><u>(130,000)</u></td> </tr> <tr> <td> SCCID 3% Reduction</td> <td> (907,689)</td> </tr> </table> <p>This reduction would see the decrease in this agency's ability to fund the much-needed legal representation for the indigent citizens of South Carolina in the court system of our state. The reduction of these funds means that the county Public Defender Offices will not be able to fund attorney positions to handle the new cases that are brought to court everyday thus increasing the caseload of the already strained public defenders that are working in the 16 judicial circuits now. The reduction on staff could cause the judicial docket to slow down even further thus creating additional problems for other agencies of the state. The reduction of funds for the Rule 608 Appointment would mean that SCCID would not be able to pay the private contract attorneys for handling the cases of the indigent citizens of South Carolina and would increase the backlog of cases for the Public Defenders in the 16 judicial circuits.</p>	Rule 608 Appointment	(293,202)	Defense of Indigent per capita	(384,487)	DUI Defense of Indigent	(100,000)	Criminal Domestic Violence	<u>(130,000)</u>	 SCCID 3% Reduction	 (907,689)
	Rule 608 Appointment	(293,202)									
Defense of Indigent per capita	(384,487)										
DUI Defense of Indigent	(100,000)										
Criminal Domestic Violence	<u>(130,000)</u>										
 SCCID 3% Reduction	 (907,689)										

Please provide a detailed summary of service delivery impact caused by a reduction in General Fund Appropriations and provide the method of calculation for anticipated reductions. Agencies should prioritize reduction in expenditures that have the least significant impact on service delivery.

AGENCY COST SAVINGS PLANS	<p>SCCID continues to look for ways to be more efficient with less resources. In FY17-18, SCCID was able to reduce expenses by approximately \$95,000. In FY18-19 the agency will continue to monitor expenses and look for ways to reduce expenditures without cutting services to the citizens of South Carolina.</p>
----------------------------------	---

What measures does the agency plan to implement to reduce its costs and operating expenses by more than \$50,000? Provide a summary of the measures taken and the estimated amount of savings. How does the agency plan to repurpose the savings?

E230 South Carolina Commission on Indigent Defense

Law Enforcement and Criminal Justice Subcommittee Proviso Request Summary

Proviso # in FY 19-20 Act	Proviso Title	Short Summary	Agency Recommended Action (keep, change, delete, add)
61.1	Defense of Indigents Formula	This provision outlines how the funds for the Defense of Indigents Per Capita, Death Penalty Trial Fund and Conflict Funds are to be apportioned.	Keep
61.2	State Employee Compensation Prohibited	Prohibits the use of any funds to compensate any State employee appointed by the court as an examiner, guardians ad litem or attorney.	Keep
61.3	Appellate Conflict Fund	This provision outlines the purpose of the Appellate Conflict Fund and how those funds are apportioned.	Keep
61.4	SC Appellate Court Rule 608 Appointments	This provision outlines the purpose of the SC Appellate Court Rule 608 Appointments and how those funds are apportioned, to include the types of cases which are eligible for reimbursement.	Keep
61.5	Carry Forward	This provision allows SCCID to carry forward any unencumbered balances from both the Appellate Conflict and SC Appellate Court Rule 608 Funds from the prior fiscal year.	Keep
61.6	Public Defender Fee	This provision establishes a \$500 fee for any one who is represented by a public defender or is appointed counsel and is placed on Probation.	Keep
61.7	Defense of Indigents Civil Action Application Fee	This provision establishes a \$40 Civil application fee for any one who is represented by a public defender or is appointed counsel for specific identified civil court actions.	Keep
61.8	Exemption for Pass Through Funding	This provision exempts the pass-thru funds from SCCID to the Legal Services Corporation as part of the the agency's base budget for any budget reductions.	Keep
61.9	Reporting Requirement	This provision establishes the reporting requirements of the Circuit Public Defender Offices.	Keep
61.10	Donation Carry Forward	This provisions allows SCCID to accept and carryforward any donations for the publication of the "South Carolina Juvenile Collateral Consequences Checklist"	Keep
61.11	Capital Case Contract Attorneys	This provision allows funds appropriated for the Death Penalty Trial Fund to be used by SCCID for the purpose of retaining, on a contractual basis, an attorney for capital proceedings as defined in this proviso.	Keep
61.12	Optional Courts and Indigent Representation	This provision requires municipalities to provide adequate funding for the representation of the indigents in their municipal courts system.	Keep

**SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE
FY 2017-18 CARRY FORWARD INFORMATION**

Agency Code	Agency Name (or Acronym)	Fund Number	Fund Title	FY 2017-18 Year End Cash Carry-Forward Balance	Cash Carry-Forward Balance as of 1/10/2019	Carry-Forward Authority	Explanation of Carry forward balance
E230	COMMISSION ON INDIGENT DEFENSE	10010000	608 APPOINTMENTS	\$1,610,081	\$0	Proviso 61.4 and 61.5 FY17-18 Appropriations Act	Funds from this revenue source are used only for the payment of court ordered attorney's fees for the 608 Appointments.
E230	COMMISSION ON INDIGENT DEFENSE	10010000	10% CARRY FORWARD	\$34,335	\$24,370	Proviso 117.23 FY18-19 State Appropriations Act	Funds from the 10% carry-forward funds are being used for the purchase of new computers and printers for the agency. Based upon the recommendation of the Department of Administration's Division of Technology the agency is replacing the computers and printers for the SCCID Office. These computers and printers were 7 years old and had reached the end of their useful life. The remaining balance will be used for the data conversion to the statewide Defender Data Base.
E230	COMMISSION ON INDIGENT DEFENSE	30350000	OPERATING REVENUE	\$362,723	\$269,433	Code Sections 17-22-350 (B)6 & 17-22-350 (C) 6	Funds from this revenue source are used for the Training and Professional Development program and Other Operating Expenses for the Division of Appellate Defense within SCCID.
E230	COMMISSION ON INDIGENT DEFENSE	36340000	CAPITAL RESERVE FUND	\$57,502	\$0	H.3701 Capital Reserve Fund	Capital Reserve Funds are being use to cover expenditures for the Information technology expenditure of the Agency. CRF funds should be totally expended by end of FY 17-18.
E230	COMMISSION ON INDIGENT DEFENSE	43100000	DEFENSE OF INDIGENTS-CIVIL ACTION	\$65,245	\$65,245	Proviso 61.7 FY17-18 Appropriations Act	Funds from this revenue source are used for the Training and Professional Development program of SCCID.
E230	COMMISSION ON INDIGENT DEFENSE	43130000	INDIGENT DEF	\$3,642,532	\$2,321,827	Proviso 61.1 FY17-18 Appropriations Act	Revenue for programs funded from this source, including death penalty trial fund, criminal conflict fund, and the defense of indigents per capita. At the start of Rule 608 contract program, the Commission attempted to maintain a carry-forward amount to cover any shortfall in appropriated funding, while costs of this program was established with year to year data. Due to continuing decrease in revenue collections (Agency has seen a \$2.9 million or (23%) decrease in fee and fine revenue since 2010). Agency felt it prudent to carry-forward funds should revenue continue to decrease. The agency will use carry-forward to cover increase in costs associated with state retirement contributions associated with positions funded by Other Funds. The agency has also seen a 50% increase in the expenses associated with the Juvenile Life without Parole cases (Byar's Cases) over the previous year.

TOTAL \$5,772,418 \$2,680,875

1001 These funds were appropriated for the Rule 608 Appointment in the FY17-18 Appropriations Act H.3720 Section 61

1001 Proviso 117.23 of the FY18-19 Appropriations Act allows agencies to carry forward up to 10% of original appropriations reduced by special carryforwards.

3035 These funds are generated by the Magistrate and Municipal Traffic Education Application Fee, SCCID gets 10.97% and 11.02% of the amount collected by the State Treasurers office

3634 These funds from Capital Reserve Allocation H.3701 Capital Reserve Fund

4310 These funds are generated by the Civil Application Fee (\$40)

4313 This Fund is comprised of Revenue from the Probation Fee (\$500) Proviso 61.1; Legal Aid Revenue (\$500) Pass Thru Proviso 61.8; Court Fine Assessments (Sec 14-2-218, Sect.14-1-206(C)(6), 14-1-207(C)(5) & 14-1-208(C)(5)); General Session/Family Court, Magistrate Court and Municipal Court Assessments (Sect. 14-1-206(C)(4), Sect. 14-1-207(C)(6), Sect. 14-1-208(C)(6), Criminal Application Fee (\$40) (17-3-30(B)) Proviso 61.1;

**SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE
FTE INFORMATION**

Agency Code	Authorized Total FTE	Authorized State FTE	Authorized Federal FTE	Authorized Other FTE	Actual Total FTE	Actual State FTE	Actual Federal FTE	Actual Other FTE	Filled Total FTE	Filled State FTE	Filled Federal FTE	Filled Other FTE	Vacant Total FTE	Vacant State FTE	Vacant Federal FTE	Vacant Other FTE
E230	70.500	46.500	0.000	24.000	70.500	46.500	0.000	24.000	68.500	46.500	0.000	22.000	2.000	0.000	0.000	2.000



South Carolina Commission on Indigent Defense

Agency Overview

Hugh Ryan
Executive Director
SC Commission on Indigent Defense
1330 Lady Street, Suite 401
Columbia, South Carolina 29201
(803) 734-1343



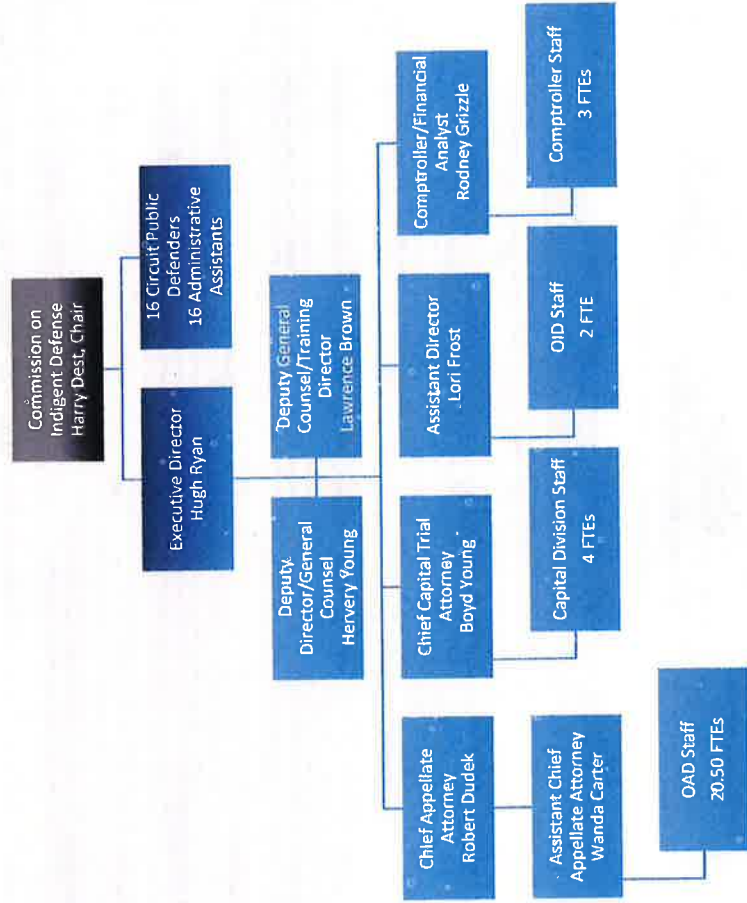
Who Are We?

SC Commission on Indigent Defense is the state agency created to administer and evaluate the services and programs for the delivery of indigent defense representation in the State.

- Commission is comprised of 13 members
- 3 Divisions under the Commission
 - Office of Indigent Defense
 - 16 Circuit Public Defenders
 - Appellate Defense
 - Capital Litigation



SCCID Organizational Chart





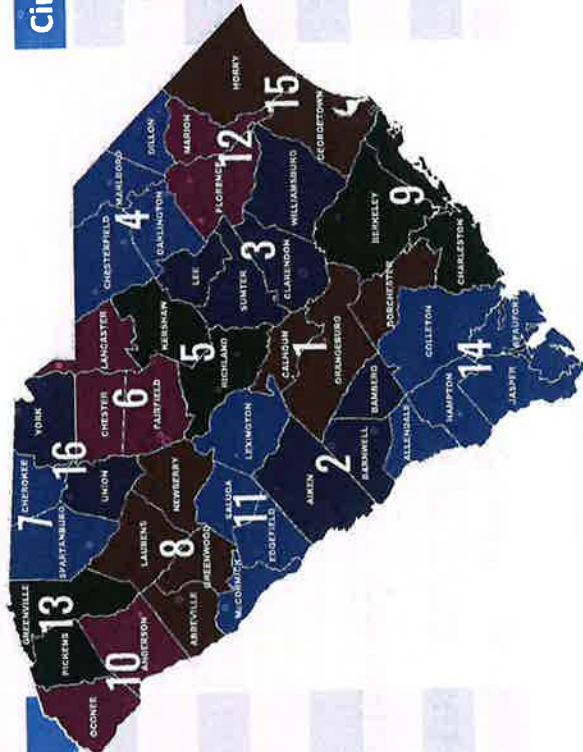
SCCID Commission Members

Current Member	Position	City
G. Murrell Smith Jr.	Chair of House Judiciary Committee	Sumter
Gerald Malloy	Chair of Senate Judiciary Committee	Hartsville
Harry A. Dest	Judicial Region 1, Public Defender	Fort Mill
Michael H. Lifsey	Judicial Region 2, Public Defender	Chester
Jack D. Howle Jr.	Judicial Region 3, Public Defender	Sumter
D. Ashley Pennington	Judicial Region 4, Public Defender	Charleston
Yvonne R. Murray-Boyles	Practices Criminal Defense Law	Columbia
William N. Epps Jr.	Practices Criminal Defense Law	Anderson
Ashlin B. Potterfield	Practices Family Law	Columbia
Walker H. Wilcox	Practices Neither Family Nor Defense Law	Florence
John S. Nichols	Practices Neither Family Nor Defense Law	Columbia
Edward B. Cottingham	Retired Circuit Court Judge	West Columbia
Daniel F. Pieper	Retired Family or Appellate Judge	North Charleston



Circuit Public Defenders

Circuit	Public Defender
1	Mark Leindecker
2	De Grant Gibbons
3	Jack D. Howle Jr.
4	Matt Rivers
5	Fielding Pringle
6	Mike Lifsey
7	Clay T. Allen
8	Janna A. Nelson



Circuit	Public Defender
9	D. Ashley Pennington
10	Jennifer L. Johnson
11	Robert M. Madsen
12	Scott Floyd
13	Christopher D. Scalzo
14	Stephanie Smart-Gittings
15	Orrie E. West
16	Harry A. Dest

39 Non-Profit Organizations Prior to 2007

Statewide System Established 2007



What Do We Do?

SCCID establishes and monitors programs and services for legal representation to indigent persons in the courts of the state.

- Rule 608 Contract Attorneys
- Training
- Appellate Defense
- Public Defenders
- Capital Trial Litigation
- Oversees Voucher Payments
- Sets and Enforces Standards and Policies



Rule 608 Contract Program

Approved by General Assembly in 2012-2013 – Implemented July 2013

Purpose

To provide eligible and qualified attorneys the opportunity to handle court appointments Pursuant to Rule 608 at a contractual flat fee.

SC Bar maintains regular 608 list to be used in case no contract attorney is available and for death penalty cases.

Contract Types	Flat Fee Paid	FY 17-18	FY 18-19
Family Court	\$900	280	364
Post Conviction Relief (PCR)	\$900	157	178
Sexually Violent Predator (SVP)	\$900		
Criminal Conflicts	\$1,000		
		Total Applications	364
		Total Contract Attorneys	178



Training and Publications

SCCID continues to expand and improve training for public defenders and contract attorneys. Additionally, SCCID prepares and distributes certain publications and CLE written materials.

Training

- Public Defense 101, 102 and 103
- Juvenile Defense Workshops I and II
- PCR Training
- 608 Contract Attorney Orientation

Publications and Materials

- Public Defense 101 Reference Manual
- Error Preservation in Trial Quick Reference Guide
- Fully Revised and Updated Agency and Procedure Manual



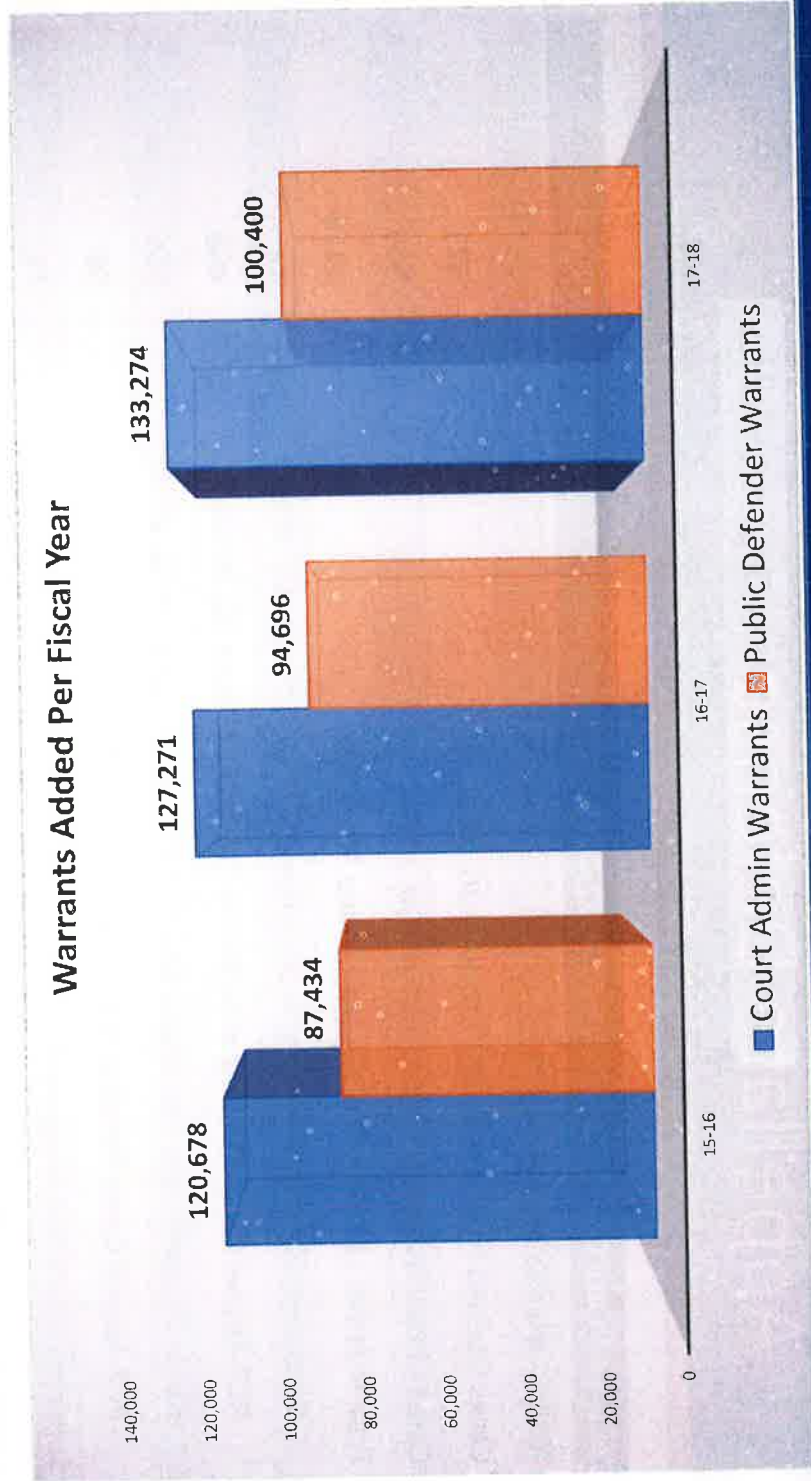
Appellate Defense

Year-End Case Count Summary – FY 2017-2018

	Cases
Active Cases as of June 30, 2017	1014
Cases Opened from July 1, 2017 to June 30, 2018	621
Cases Closed from July 1, 2017 to June 30, 2018	509
Total Number of Cases Pending (As of June 30, 2018)	1126
-Direct Appeal Cases Pending in Supreme Court (As of June 30, 2018)	44
-PCR Appeal Cases Pending in Supreme Court (As of June 30, 2018)	468
-Direct Appeal Cases Pending in Court of Appeals (As of June 30, 2018)	556
-PCR Appeal Cases Pending in Court of Appeals (As of June 30, 2018)	58
Supreme Court Oral Arguments	19
Court of Appeals Oral Arguments	20
Certiorari Petitions Granted (PCR)	19
Certiorari Petitions Granted (COA)	20

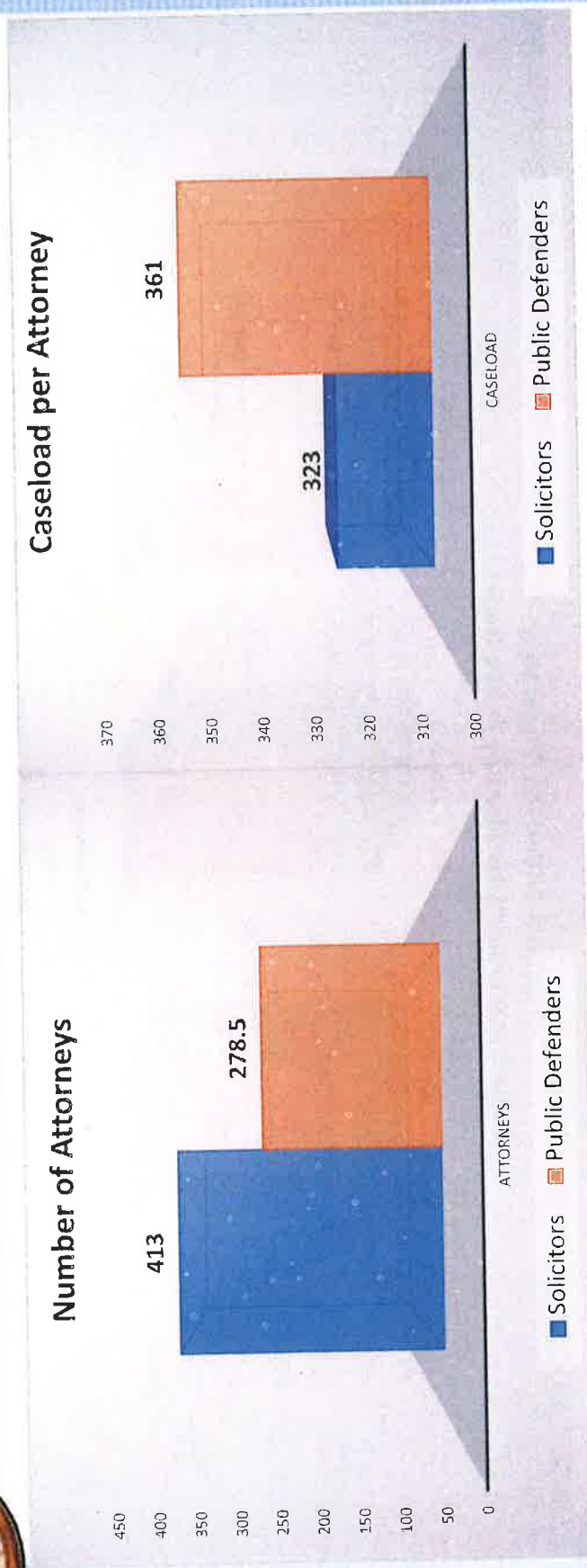


Court Admin General Sessions Warrants Public Defender General Sessions Warrants





Public Defender and Solicitor General Sessions Workload Comparison

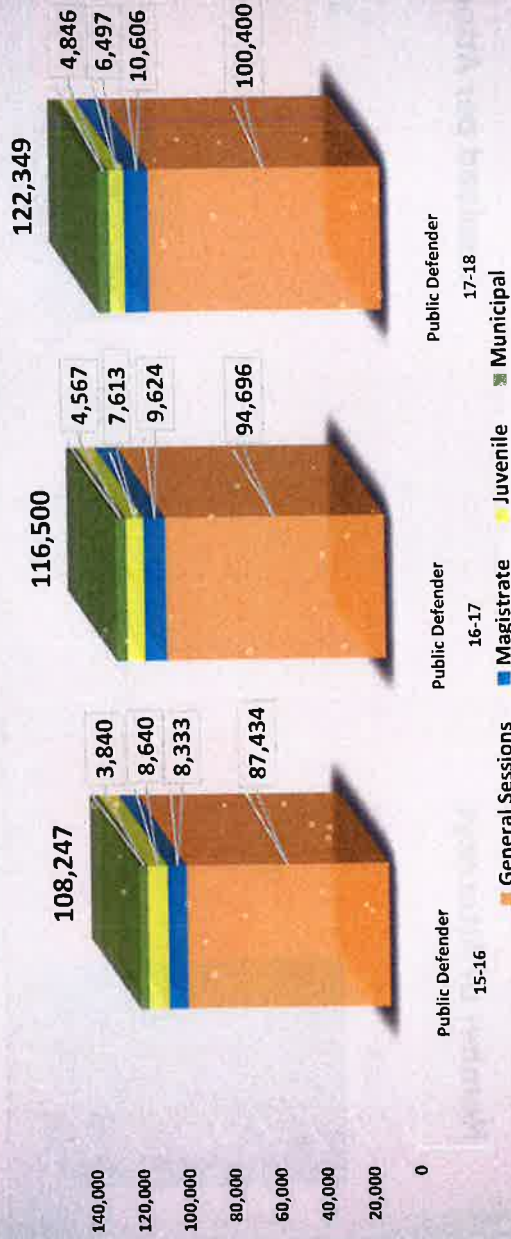


- 278.5 Public Defenders Opened 100,400 GS Warrants.
- 413 Solicitors Opened 133,274 GS Warrants.
- 413/278.5 Figures Include Circuit Solicitors and Circuit Public Defenders.
- Public Defenders Handled Approximately 361 GS Warrants.
- Solicitors Handled Approximately 323 GS Warrants Each.



Public Defender Warrants All Courts

Warrants Added Per Fiscal Year
Including All Courts Handled by Public Defenders



- Circuit Public Defender Case Load For FY 15-16 Was 428 Warrants Per Attorney
- Circuit Public Defender Case Load For FY 16-17 Was 422 Warrants Per Attorney
- Circuit Public Defender Case Load For FY 17-18 Was 439 Warrants Per Attorney



How Are We Funded?

- **State Funding**
- **County Funding**
- **Municipal Funding**



SCCID Fiscal Year 18-19 Budget

I. Administration	Total Funds	Positions	General Funds	Positions
Executive Director	\$ 135,700	1.00	\$ 135,700	1.00
Classified Positions	\$ 567,918	9.50	\$ 400,950	5.50
Other Personal Services	\$ 1,234		\$ 1,234	
Other Operating Expenses	\$ 300,000			
Death Penalty Trial Funds	\$ 2,406,600			
Conflict Fund	\$ 2,500,000			
Legal Aid Funding	\$ 1,700,000			
Court Fine Assessment	\$ 665,060			
Rule 608 Appointment	\$ 9,115,374		\$ 9,115,374	
Professional Training and Development	\$ 286,414			
Information Technology Services	\$ 127,192		\$ 127,192	
Total I. Administration	\$ 17,805,294	10.50	\$ 9,780,450	6.50



SCCID Fiscal Year 18-19 Budget

Continued...

II. Division of Appellate Defense	Total Funds	Positions	General Funds	Positions
Classified Positions	\$ 1,263,694	23.00	\$ 732,411	8.00
Other Operating Expenses	\$ 352,600			
Total II. Division of Appellate Defense	\$ 1,616,294	23.00	\$ 732,411	8.00
III. Office of the Circuit Public Defender	Total Funds	Positions	General Funds	Positions
Circuit Public Defender	\$ 2,261,671	16.00	\$ 2,261,671	16.00
Unclassified Positions	\$ 427,552	16.00	\$ 427,552	16.00
Other Operating Expenses	\$ 192,000		\$ 192,000	
Defense of Indigents/Per Capita	\$ 16,474,101		\$ 12,301,049	
DUI Defense of Indigents	\$ 976,593		\$ 976,593	
Criminal Domestic Violence	\$ 1,377,185		\$ 1,377,185	
Total III. Office of the Circuit Public Defender	\$ 21,709,102	32.00	\$ 17,536,050	32.00



SCCID Fiscal Year 18-19 Budget Continued...

IV. Death Penalty Trial Division	Total Funds	Positions	General Funds	Positions
Unclassified Positions	\$ 356,400	5.00		
Other Operating Expenses	\$ 115,200			
Total IV. Death Penalty Trial Division	\$ 471,600	5.00		
V. Employee Benefits	Total Funds	Positions	General Funds	Positions
Employee Contributions	\$ 2,536,490		\$ 2,168,195	
Total V. Employee Benefits	\$ 2,536,490		\$ 2,168,195	
Grand Total	Total Funds	Positions	General Funds	Positions
Total Commission on Indigent Defense	\$ 44,138,978	70.50	\$ 30,217,106	46.50



SCCID Fiscal Year 16-17 Revenue

16-17 Revenue for Indigent Defense

16-17 Revenue for Solicitor's Offices

County	State	Total	Circuit	County	Other	State	Total
\$ 1,294,996.00	\$ 1,005,243.36	\$ 2,353,289.36	1 st	\$ 1,517,338.00	\$ 1,047,619.00	\$ 321,490.00	\$ 2,981,348.00
\$ 855,724.00	\$ 817,868.71	\$ 1,742,792.71	2 nd	\$ 1,798,394.00	\$ 303,867.00	\$ 1,396,009.00	\$ 3,501,370.00
\$ 371,853.00	\$ 807,014.94	\$ 1,206,367.94	3 rd	\$ 483,479.00	\$ 107,505.00	\$ 1,796,840.94	\$ 2,387,824.94
\$ 474,889.50	\$ 726,095.30	\$ 1,201,984.80	4 th	\$ 463,378.00	\$	\$ 1,791,246.00	\$ 2,254,624.00
\$ 1,767,650.00	\$ 1,836,542.42	\$ 3,729,192.42	5 th	\$ 4,828,211.06	\$ 1,108,884.95	\$ 2,495,428.34	\$ 9,327,476.35
\$ 449,865.00	\$ 550,500.50	\$ 1,016,265.50	6 th	\$ 526,965.00	\$ 132,159.70	\$ 1,150,695.60	\$ 2,097,957.59
\$ 1,138,035.00	\$ 1,397,979.38	\$ 2,542,014.38	7 th	\$ 235,000.00	\$	\$ 2,290,316.24	\$ 2,585,316.24
\$ 302,482.00	\$ 819,580.94	\$ 1,128,562.94	8 th	\$ 782,505.00	\$ 340,751.15	\$ 1,689,518.50	\$ 3,054,652.65



SCCID Fiscal Year 16-17 Revenue Continued...

16-17 Revenue for Indigent Defense

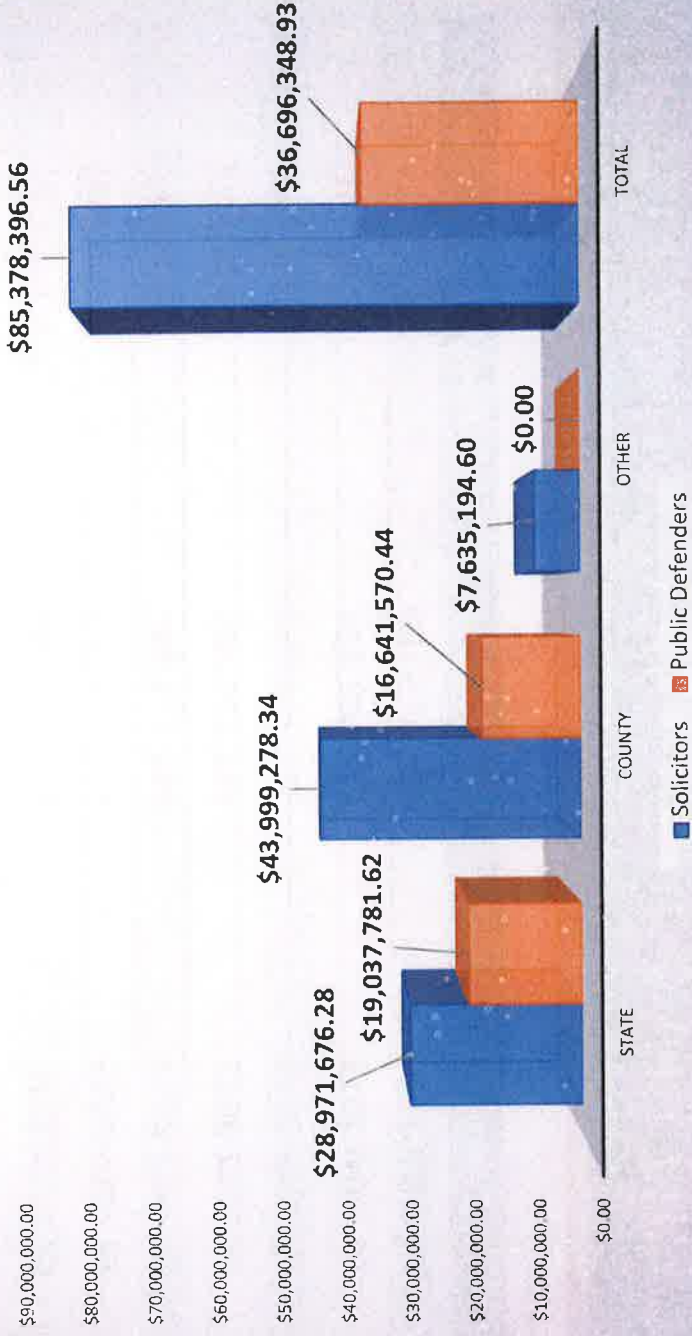
16-17 Revenue for Solicitor's Offices

County	State	Total	Circuit	County	Other	State	Total
\$ 3,605,608.96	\$ 2,173,437.30	\$ 6,296,064.76	9 th	\$ 7,263,831.82	\$ 897,344.36	\$ 2,744,753.91	\$ 11,580,292.73
\$ 538,755.00	\$ 1,075,906.04	\$ 1,670,136.41	10 th	\$ 2,389,583.00	\$ 410,887.00	\$ 1,565,473.00	\$ 4,365,943.00
\$ 609,532.00	\$ 1,314,981.18	\$ 1,924,913.18	11 th	\$ 2,975,110.98	\$ 605,758.24	\$ 2,088,010.52	\$ 5,700,792.74
\$ 512,568.00	\$ 699,493.89	\$ 1,235,661.89	12 th	\$ 1,151,619.00		\$ 1,320,344.00	\$ 2,922,752.00
\$ 916,630.00	\$ 2,347,941.37	\$ 3,304,571.37	13 th	\$ 7,786,805.00	\$ 1,392,953.69	\$ 3,450,873.75	\$ 12,746,383.44
\$ 1,120,793.00	\$ 1,059,491.62	\$ 2,180,284.62	14 th	\$ 1,780,764.50	\$ 383,257.66	\$ 1,711,344.21	\$ 4,215,873.10
\$ 1,218,314.00	\$ 1,355,996.66	\$ 2,574,310.66	15 th	\$ 5,179,760.98	\$ 53,738.85	\$ 1,390,049.27	\$ 8,470,643.78
\$ 1,463,874.98	\$ 1,049,708.00	\$ 2,589,935.98	16 th	\$ 4,836,533.00	\$ 539,330.00	\$ 1,769,283.00	\$ 7,185,146.00
\$ 16,641,570.44	\$ 19,037,781.62	\$ 36,696,348.93	State	\$ 43,999,278.34	\$ 7,635,194.60	\$ 28,971,676.28	\$ 85,378,396.56



SCCID Fiscal Year 16-17 Revenue Chart

16-17 REVENUE





SCCID Revenue Collection By Fiscal Year

Fiscal Year	Total Revenue	Difference from Prior Year
FY 2009-2010	\$12,876,482	
FY 2010-2011	\$12,582,831	(\$293,651)
FY 2011-2012	\$11,738,052	(\$844,799)
FY 2012-2013	\$11,278,881	(\$459,170)
FY 2013-2014	\$11,171,989	(\$106,893)
FY 2014-2015	\$10,995,145	(\$176,844)
FY 2015-2016	\$10,605,194	(\$389,950)
FY 2016-2017	\$10,329,706	(\$275,488)
FY 2017-2018	\$9,897,956	(\$431,750)
Total Revenue Reduction:		(\$2,978,526)



PROVISO 61.12 FY 19-20

Part 1B section 61 E23-COMMISSION ON INDIGENT DEFENSE 2018-2019 Appropriation Act

SECTION 61 - E23-COMMISSION ON INDIGENT DEFENSE

61.12. (INDEF: Optional Courts and Indigent Representation) If a municipality has or elects to have an optional municipal court system, it must provide adequate funds for representation of indigents. No public defender shall be appointed in any such court unless the municipality and the office of the circuit public defender have reached an agreement for indigent representation and no funds allocated to the commission shall be used to provide compensation for appointed counsel in municipal courts.

