

### Supplemental Package Requests

Department 2610000 - CONTRACT ATTORNEYS  
 Package B - CONTRACT ATTORNEY FUNDING  
 Program CONTRACT ATTORNEYS  
 One Time Cost  Priority 2  
 Continuing Cost

**Type of Request**

New Program  Expanded Program  Growth Related  New Mandate   
 Revenue Enhancement  Capital  Other (explain in description)

	FY2005/06 Recommended	FY2006/07 Annualized	FY2007/08 Annualized	FY2008/09 Annualized	FY2009/10 Annualized
Personal Services	0	0	0	0	0
Supplies & Services	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Capital	0	0	0	0	0
<b>Total Expenditures</b>	<b>1,000,000</b>	<b>1,000,000</b>	<b>1,000,000</b>	<b>1,000,000</b>	<b>1,000,000</b>
Total Revenues	0	0	0	0	0
Fund Balance Support	0	0	0	0	0
<b>General Fund Support</b>	<b>1,000,000</b>	<b>1,000,000</b>	<b>1,000,000</b>	<b>1,000,000</b>	<b>1,000,000</b>

**Description**

In FY 2002-2003, the contract attorney budget was \$7,413,838 and actual expenditure was \$9,586,927, a shortfall of \$2,173,089.

In FY 2003-2004, the contract attorney budget was increased to \$8,200,983 and actual expenditure was \$9,616,808, a shortfall of \$1,415,825.

In FY 2004-2005, the contract attorney budget was decreased to \$7,820,809 (\$318,174 was diverted from the contract attorney budget to the Budget Stabilization Fund for use by the Legal Defender to set up a pilot program for dependency representation at Juvenile Court, and \$62,000 for a new position in the Office of Court Appointed Counsel). The projected actual expenditure is \$9,940,970, anticipating a projected shortfall of \$2,120,161.

**Personal Services**

None requested.

**Supplies & Services**

Based on the aforementioned, and considering the 18% increase in felony filings in the first half of FY 2004-2005, a total of \$600,369 in supplemental funding is requested for felony contract attorneys in FY 2005-2006.

Considering the 8% increase in dependency petitions filed in calendar year 2004, the recent statutory authorization for trial by jury in termination of parental rights cases and the fact that the Legal Defender did not implement a dependency pilot program in Juvenile Court, a total of \$1,519,792 in supplemental funding is requested for juvenile contract attorneys in FY 2005-2006.

The total amount requested is \$2,120,161.

**Capital Request**

None requested.

**Revenues**

None.

**Impact if not Funded**

The representation is unconditionally mandated. Funding of contract attorney expenditures has not kept pace with the types and quantity of the cases handled. If additional funding is not approved, or if contract attorney appointments do not decrease, expenditures will exceed appropriations before the end of the fiscal year.

**Source of Mandate**

Sixth Amendment, U.S. Constitution  
 Article 2, Section 24, Arizona Constitution  
 Rule 6, Arizona Rules of Criminal Procedure

**Goals & Objectives**

No goals or objectives have been developed for the numerous independent contractors in this department. Goals and objectives are appropriate for the County positions who administer these expenses. This program is currently administered by the Office of Court Appointed Counsel.

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<b>Performance Measure</b>	<b>FY2004/05 Estimated</b>	<b>FY2005/06 Planned</b>	<b>FY2006/07 Planned</b>
None	n/a	n/a	n/a

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**Supplemental Package Recommended With Changes.**