

FINANCE ADVISORY COMMITTEE

AGENDA

April 7, 2011

Room 1E, Legislative Office Building - 1:00 P.M.

1. Minutes of the March 3, 2011 meeting.

2. New transactions as follows:

2011-14	Office of the State Comptroller	\$ 400,000.00
2011-15	Department of Administrative Services	\$ 709,683.00
2011-16	Division of Criminal Justice	\$ 53,000.00
2011-17	Department of Labor	\$ 380,000.00
2011-18	Department of Agriculture	\$ 104,500.00
2011-19	Department of Children and Families	\$7,900,000.00
2011-20	Public Defender Services Commission	\$ 370,000.00
2011-21	Commission on Child Protection	\$ 150,486.00

PAGE	OF
DOCUMENT NUMBER	
41175	

ALLOTMENT adjustment
 APPROPRIATION adjustment
 APPROPRIATION adjustment, requiring Finance Advisory Committee action

COMPT. USE ONLY		EFFECTIVE DATE		FAC NUMBER	AGENCY ACRONYM	REQUEST NUMBER
				2011-14		11-07
AGENCY NO.	AGENCY NAME					
OSC15000	OFFICE OF THE STATE COMPTROLLER					

F.Y.	FUND	AGENCY	SID	BUD REF	REDUCE *	INCREASE **	ACCOUNT TITLE/PROJECT NUMBER
2011	11000	OSC15000	10010	2011	\$400,000.00		Personal Services
2011	11000	OSC15000	10020	2011		\$400,000.00	Other Expenses

REASON FOR ADJUSTMENT

Transfer necessary to meet contractual obligations of the agency in the 4th quarter. Surplus funds in Personal Services due to delays in agency hiring.

Bond Commission Date:

STATUTORY AUTHORITY (for adjustments in appropriations)	REQUESTING OFFICIAL (Signature)	(Title)	DATE SIGNED
4-87	<i>Kevin Lender</i>	COMPTROLLER	3/29/11

UNALLOTTED / AVAILABLE BALANCE	APPROVED (Secretary, Office of Policy and Management)	DATE
	<i>Maureen O'Keefe</i>	3/30/11
REVIEWED BY (Analyst)	DATE	APPROVED (Governor)
<i>Barbara Rie</i>	3/29/11	
RECOMMENDED (Undersecretary, Bud. & Fin. Mgmt.)	DATE	
<i>[Signature]</i>	3/31/11	

* USE ONLY UNALLOTTED, ALLOTMENT, RESOURCES OF FUND
** USE ONLY UNALLOTTED, ALLOTMENT, RESOURCES OF FUND

PAGE _____ OF _____
DOCUMENT NUMBER
DAS 0011

ALLOTMENT adjustment APPROPRIATION adjustment APPROPRIATION adjustment, requiring Finance Advisory Committee action

COMPT. USE ONLY		EFFECTIVE DATE		FAC NUMBER	AGENCY ACRONYM	REQUEST NUMBER
				2011-15		11-47
AGENCY NO.	AGENCY NAME					
DAS23000	Department of Administrative Services					

F.Y.	FUND	AGENCY	SID	BUD REF	REDUCE *	INCREASE *	ACCOUNT TITLE/PROJECT NUMBER
					<u>4th Quarter Allotment</u>	<u>Allotment</u>	
2011	11000	DAS23000	10010	2011	\$709,683.00		Personal Services
2011	11000	DAS23000	12218	2011		\$709,683.00	Worker's Compensation Administrator

REASON FOR ADJUSTMENT

Requesting transfer of funds to cover third party administrator costs.

Bond Commission Date:

STATUTORY AUTHORITY (for adjustments in appropriations) 4a-87	REQUESTING OFFICIAL (Signature) <i>Jean Michael (CMK)</i>	(Title) Dir. Of Fiscal & Admin. Svcs.	DATE SIGNED 3/30/2011
UNALLOTTED / AVAILABLE BALANCE	APPROVED (Secretary, Office of Policy and Management) <i>Maureen E. Ayala</i>		DATE 3/30/11
REVIEWED BY (Analyst) <i>Linda Ecklund</i>	DATE 3/30/11	APPROVED (Governor)	DATE
RECOMMENDED (Undersecretary, Bud. & Fin. Mgmt.) <i>J. Johnson</i>	DATE 3/31/11		

* USE ONLY UNALLOTTED, ALLOTMENT, RESOURCES OF FUND

ALLOTMENT OR APPROPRIATION
ADJUSTMENT REQUEST
B-107 REV 3/96

TO: STATE OF CONNECTICUT
BUDGET AND FINANCIAL MANAGEMENT
OFFICE OF POLICY AND MANAGEMENT

ALLOTMENT adjustment
 APPROPRIATION adjustment
 APPROPRIATION adjustment, requiring Finance Advisory Committee action

COMPT. USE ONLY	PAGE	OF
DOC. TYPE	DOCUMENT NUMBER	
	0 011158	

COMPT. USE ONLY	EFFECTIVE DATE	FAC NUMBER	REQUEST NUMBER
		2011-16	
AGENCY NO.	AGENCY NAME		
DCJ30000	DIVISION OF CRIMINAL JUSTICE		

F.Y.	FUND	AGENCY	SID	REDUCE*	INCREASE**	ACCOUNT TITLE/PROJECT NUMBER
				<u>ALLOTTED</u>	<u>ALLOTTED</u>	
2011	11000	DCJ30000	12117	53,000		Medicaid Fraud Control Unit
2011	11000	DCJ30000	12110		53,000	Expert Witnesses

REASON FOR ADJUSTMENT

To transfer funds to meet expenditures in Expert Witness account which are expected to exceed appropriation level.

Bond Commission Date: _____

STATUTORY AUTHORITY (For adjustments in appropriations)	REQUESTING OFFICIAL (Signature) <i>Catherine Denton</i>	(Title) Dir. of Fin. Svcs.	DATE SIGNED 3/24/11
ACTION			
UNALLOTTED/UNENCUMBERED BALANCE \$		APPROVED (Secretary, Office of Policy and Management) <i>Mark E. Ayaker</i>	DATE 3/30/11
REVIEWED BY (Analyst) <i>[Signature]</i>	DATE 3/29/11	APPROVED (Governor) <i>[Signature]</i>	DATE
RECOMMENDED (Undersecretary, Bud. & Fin. Mgmt.) <i>[Signature]</i>	DATE 3/31/11		

* USE ONLY UNALLOTTED, UNENCUMBERED, RESOURCES OF FUND
** USE ONLY UNALLOTTED, ALLOTMENT, RESOURCES OF FUND



KEVIN T. KANE
CHIEF STATE'S ATTORNEY

State of Connecticut
DIVISION OF CRIMINAL JUSTICE

OFFICE OF
THE CHIEF STATE'S ATTORNEY

300 CORPORATE PLACE
ROCKY HILL, CONNECTICUT 06067
TELEPHONE (860) 258-5800

March 21, 2011

Mr. Benjamin Barnes, Secretary
Office of Policy and Management
450 Capitol Avenue, MS #55SEC
Hartford, Connecticut 06106

Dear Secretary Barnes:

To meet anticipated expenses in this fiscal year, which will exceed current appropriations, the Division of Criminal Justice is requesting a transfer of \$53,000 between general fund accounts which will require FAC approval. Attached is a description of and justification for this request.

I would appreciate it if you would include this request on the agenda for the FAC April 7 meeting and advise me of same. If there are any questions associated with this request, please feel free to contact me.

Thank you.

Sincerely,

KEVIN T. KANE
CHIEF STATE'S ATTORNEY

Enclosure

c: John J. Rusotto, Deputy Chief State's Attorney
Leonard C. Boyle, Deputy Chief State's Attorney
John Jaramillo, OPM Budget Analyst
Catherine Trentini, Director of Financial Services

JUSTIFICATION FOR FAC TRANSFER
DIVISION OF CRIMINAL JUSTICE

TRANSFER FROM:
\$53,000 MEDICAID FRAUD CONTROL (12117)

TRANSFER TO:
\$53,000 EXPERT WITNESSES (12110)

DESCRIPTION OF AND JUSTIFICATION FOR TRANSFER REQUEST:

The Division of Criminal Justice is requesting a transfer of \$53,000 from its Medicaid Fraud Control Unit fourth quarter allotment to its Expert Witnesses account to cover expenses whose costs will exceed the current available General Fund Expert Witnesses appropriation. Recent experience has shown that the Expert Witness account has been impacted substantially by habeas cases which, so far this fiscal year, account for 26% of all expert witness expenditures, primarily for expert services to argue the claim of racial disparity in the imposition of the death penalty. High profile violent crime cases including murders, home invasions, and sexual assaults have accounted for 41% of all other expert witness expenditures to date. The Division has been experiencing strain in this account for the last several years as the need for experts to counter private bar and public defense arguments has grown, and as professional fees and travel costs have increased. We are also seeing an increase in the need for cell phone technology experts to explain or corroborate information developed in investigations.

These are not "discretionary" expenses and, although every effort is made to negotiate the best prices for these professional services, they are vital to the State's efforts to prosecute crime. The ability to engage subject matter experts to review pertinent case details, prepare reports, and testify at trial is critical to a successful prosecution and should not be compromised by a lack of adequate resources.

We are requesting that the \$53,000 projected savings in the Medicaid Fraud Control Unit Other Current Expense (OCE) account be transferred to the Expert Witnesses account. The projected savings in the Medicaid Fraud Control Unit account is primarily a result of the refill of a position at a much lower salary level than the previous incumbent was earning, salary savings resulting from furloughs, and lower than anticipated expenses in non-salary accounts.

We would appreciate consideration of this request at the April, 2011 meeting of the Finance Advisory Committee.

FN:11FAC1

PAGE _____ OF _____
DOCUMENT NUMBER
DOL00044

ALLOTMENT adjustment APPROPRIATION adjustment APPROPRIATION adjustment, requiring Finance Advisory Committee action

COMPT. USE ONLY		EFFECTIVE DATE		FAC NUMBER	AGENCY ACRONYM	REQUEST NUMBER
				2011-17	DOL40000	11-13
AGENCY NO.	AGENCY NAME					
DOL40000	Department of Labor					

F.Y.	FUND	AGENCY	SID	BUD REF	REDUCE *	INCREASE **	ACCOUNT TITLE/PROJECT NUMBER
					<u>Unencumbered Balance</u>	<u>4th Quarter Allotment</u>	
2011	11000	DOL40000	10010	2011	\$170,000.00		Personal Services
2011	11000	DOL40000	12327	2011	\$180,000.00		STRIDE
2011	11000	DOL40000	12357	2011	\$30,000.00		Career Resource Network
2011	11000	DOL40000	10020	2011		\$270,000.00	Other Expenses
2011	11000	DOL40000	12212	2011		\$50,000.00	Jobs' First Employment Services
2011	11000	DOL40000	12328	2011		\$60,000.00	Apprenticeship Program

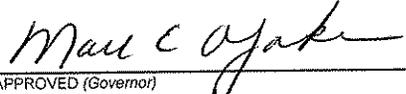
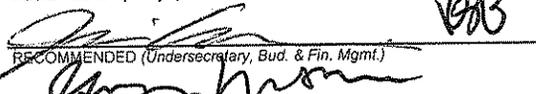
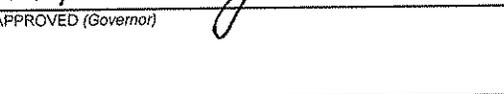
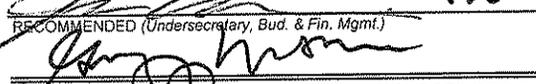
REASON FOR ADJUSTMENT

To transfer available funds from SID 10010-Personal Services (PS), SID 12327-STRIDE, and SID 12357-Career Resource Network to SID 10020-Other Expenses, SID 12212-Jobs' First Employment Services, and SID 12328-Apprenticeship Program.

Bond Commission Date:

STATUTORY AUTHORITY (for adjustments in appropriations) C.G.S. Sec. 4-87	REQUESTING OFFICIAL (Signature) 	(Title) Commissioner	DATE SIGNED 3/17/2011
--	--	--------------------------------	---------------------------------

ACTION

UNALLOTTED / AVAILABLE BALANCE		APPROVED (Secretary, Office of Policy and Management) 	DATE 3/30/11
REVIEWED BY (Analyst) 	DATE 3/31/11	APPROVED (Governor) 	DATE
RECOMMENDED (Undersecretary, Bud. & Fin. Mgmt.) 	DATE 3/31/11		

* USE ONLY UNALLOTTED, ALLOTMENT, RESOURCES OF FUND
** USE ONLY UNALLOTTED, ALLOTMENT, RESOURCES OF FUND



Memorandum

TO: Benjamin Barnes, Secretary
Office of Policy and Management

FROM: Glenn Marshall, Commissioner

DATE: March 18, 2011

RE: Financial Advisory Committee – Proposed Agenda

Enclosed is a proposed item for approval at the April 7, 2011 Financial Advisory Committee meeting. Also enclosed is the corresponding B-107 Allotment or Appropriation Adjustment Request form.

Any questions concerning this request may be addressed through e-mail to Robert J. Merola, Chief Fiscal Officer, at robert.merola@ct.gov or Carl Schuh, Assistant Chief Fiscal Officer, at carl.schuh@ct.gov or by phone at (860) 263-6048.

Glenn Marshall
Commissioner

Enclosures

cc: Dennis Murphy, Deputy Commissioner
Robert J. Merola, Chief Fiscal Officer
Carl Schuh, Assistant Chief Fiscal Officer
Paul Potamianos, Section Director, OPM
Jessica Cabanillas, Budget Specialist, OPM

**PROPOSED ITEM FOR APPROVAL
BY THE FINANCE ADVISORY COMMITTEE**

Requested Amounts

The Department of Labor requests approval for a budgetary transfer of \$380,000 from various lapsing appropriations to other FY 2011 DOL appropriations, as follows:

<u>Reduce:</u>	<u>Fund</u>	<u>SID</u>	<u>Amount</u>
Personal Services	11000	10010	(\$170,000)
STRIDE	11000	12327	(180,000)
Career Resource Network	11000	12357	<u>(30,000)</u>
			(\$380,000)
<u>Increase:</u>			
Other Expenses	11000	10020	\$270,000
Jobs First Employment Services	11000	12212	50,000
Apprenticeship Program	11000	12328	<u>60,000</u>
			\$380,000
Net Increase (Reduction)			\$ -0-

Request Justification

SID 10010 – Personal Services

\$170,000 is available for transfer due to cost savings realized when additional turnover occurred and the resulting vacant positions were not immediately refilled.

SID 12327 – STRIDE

\$180,000 in one-time savings is available for transfer because funding for the STRIDE program was increased substantially this fiscal year and it took a number of months to ramp up and properly implement the program expansion. STRIDE funding increased by \$500,000 from \$270,000 in FY 2010 to \$770,000 in FY 2011. The program operator, Quinebaug Valley Community College, was providing supportive employment services for incarcerated men and women (both pre and post release) at two correctional facilities. They are also now operating out of five correctional institutions instead of just two. The program was expanded in late November when QVCC hired two additional career specialists to work in the new locations, two additional job developers to work with participants outside of the facilities after they are released, and two part-time staff to provide administrative support and marketing. This is a one-time savings for this program since it is now fully operational at the expanded level.

SID 12357 - Career Resource Network

\$30,000 is available for transfer due to cost savings realized when one-time non-state appropriated funds became available and were used for this year's printing of the CT Career Paths publication. This is a one-time savings to the program.

SID 10020 – Other Expenses (OE)

\$270,000 is requested for transfer to fund the statutorily required payments to members of the Board of Labor Relations and the Board of Mediation and Arbitration (Account 51540 – Board Member Fees). The DOL OE budget was reduced by over \$325,000 in FY 2010 and FY 2011 from the prior biennium. The rationale for the OE reduction was that a legislative rollback to pre-FY 2006 compensation levels to the board members would also be made. This rollback of Board Member Fees never occurred and the mandated payments to the board members continue to be made in accordance with fee schedule mandated by CGS 31-98. In order to remedy the funding shortfall, a \$325,000 FAC transfer from PS to OE was approved in FY 2010. For FY 2011, DOL is requesting a smaller transfer of \$270,000 for FY 2011 due to other offsetting managed OE cost savings realized during this fiscal year.

SID 12212 – Jobs First Employment Services (JFES)

\$50,000 is requested for transfer to ensure that sufficient funding is available to meet the Special Benefits needs of JFES program participants through the end of the fiscal year. JFES Special Benefits provide funds to cover the cost for transportation (and minimal “baby-sitting”) for participants of JFES to attend 30 hours per week of required activities. There has been a significant increase in the JFES caseload in FY 2011 and an increase in the percentage of the caseload participating in activities eligible for Special Benefit issuances. This FAC transfer request of \$50,000 will cover anticipated expenditures for this fiscal year and most importantly, will ensure that JFES program participation does not fall off as a result of the lack of transportation or childcare.

SID 12328 – Apprenticeship Program

\$60,000 is requested for transfer to provide the balance of funding necessary for the 7 budgeted and filled GF Apprenticeship positions approved in the budget. The appropriation in the current biennium does not fully fund the 7 positions that are budgeted and as funding has been capped at \$500,000 per fiscal year, there is insufficient funding available to cover a full year of expenses. In FY 2010, funding in the non-appropriated SID 35267 – Apprenticeship Registration Fees was used to offset the shortfall in SID 12328 – Apprenticeship Program. Due to a decline in the number of currently active apprentices, DOL’s 50% share of SID 35267 apprenticeship registration revenues, at the current fee structure, is projected to be insufficient to offset the deficiency in this appropriated account.

PAGE _____ OF _____
DOCUMENT NUMBER
DAG 0007

ALLOTMENT adjustment APPROPRIATION adjustment APPROPRIATION adjustment, requiring Finance Advisory Committee action

COMPT. USE ONLY		EFFECTIVE DATE		FAC NUMBER	AGENCY ACRONYM	REQUEST NUMBER
				2011-18		11-45
AGENCY NO.	AGENCY NAME					
DAG42500	Department of Agriculture					

F.Y.	FUND	AGENCY	SID	BUD REF	REDUCE *	INCREASE *	ACCOUNT TITLE/PROJECT NUMBER
					<u>Allotted Balance</u>	<u>Allotments</u>	
2011	11000	DAG42500	16002	2011	\$104,500.00		WIC Program for Fresh Produce for Seniors
2011	11000	DAG42500	10020	2011		\$104,500.00	Other Expenses

REASON FOR ADJUSTMENT

Transfer money from the WIC Program for Fresh Produce for Seniors to the Other Expenses Account to cover the shortage.

Bond Commission Date:

STATUTORY AUTHORITY (for adjustments in appropriations) Ch.50, 4-87	REQUESTING OFFICIAL (Signature) <i>[Signature]</i>	(Title) Commissioner	DATE SIGNED 3/17/11
ACTION			
UNALLOTTED / AVAILABLE BALANCE		APPROVED (Secretary, Office of Policy and Management) <i>[Signature]</i>	DATE 3/30/11
REVIEWED BY (Analyst) <i>[Signature]</i>	DATE 3/22/11	APPROVED (Governor) <i>[Signature]</i>	DATE
RECOMMENDED (Undersecretary, Bud. & Fin. Mgmt.) <i>[Signature]</i>	DATE 3/31/11		

* USE ONLY UNALLOTTED, ALLOTMENT, RESOURCES OF FUND

ALLOTMENT adjustment APPROPRIATION adjustment APPROPRIATION adjustment, requiring Finance Advisory Committee action

DOCUMENT NUMBER
DCF03

COMPT. USE ONLY		EFFECTIVE DATE		FAC NUMBER	AGENCY ACRONYM	REQUEST NUMBER
				2011-19	DCF	2011-8
AGENCY NO.	AGENCY NAME					
DCF91000	Department Of Children And Families					

F.Y.	FUND	AGENCY	SID	BUD REF	REDUCE *	INCREASE **	ACCOUNT TITLE/PROJECT NUMBER
					Unencumbered Balance	Allotment	
2011	11000	DCF91000	10010	2011	\$4,400,000.00		Personal Services
2011	11000	DCF91000	16135	2011	\$3,500,000.00		Board & Care for Children - Foster Care
2011	11000	DCF91000	10020	2011		\$3,500,000.00	Other Expense
2011	11000	DCF91000	12235	2011		\$900,000.00	Workers Compensation
2011	11000	DCF91000	16138	2011		\$3,500,000.00	Board & Care for Children - Residential

REASON FOR ADJUSTMENT

The Department of Children and Families requests approval to transfer \$4,400,000 in funds anticipated to lapse in Personal Services to cover an anticipated deficits in Workers Compensation account in the amount of \$900,000 and \$3,500,000 in the Other Expenses account. The Department also requests transferring \$3,500,000 in lapsing funds from Board and Care Foster Care account to the Board and Care Residential Account that has a projected deficit of \$3,500,000.

Bond Commission Date:

STATUTORY AUTHORITY (for adjustments in appropriations)	REQUESTING OFFICIAL (Signature)	(Title)	DATE SIGNED
4-87 (a) CGS	<i>Andy J. Panfili</i>	Chief Financial Officer	3/17/11
UNALLOTTED / AVAILABLE BALANCE	APPROVED (Secretary, Office of Policy and Management)		DATE
	<i>Mark E. Ojaka</i>		3/30/11
REVIEWED BY (Analyst)	DATE	APPROVED (Governor)	DATE
<i>L. C. Broden</i>	3/18/2011		
RECOMMENDED (Undersecretary, Bud. & Fin. Mgmt.)	DATE		
<i>[Signature]</i>	3/31/2011		

* USE ONLY UNALLOTTED, ALLOTMENT, RESOURCES OF FUND
** USE ONLY UNALLOTTED, ALLOTMENT, RESOURCES OF FUND

Department of Children and Families FAC April 7, 2011

FAC 2011-12 Department of Children and Families					
Account	Original Appropriation	Prior Policy Actions	Proposed FAC Transfer		Available Funding Post-FAC Action
			FROM (Decrease)	TO (Increase)	
Personal Services	274,459,779	(2,201,724)	(4,400,000)		267,858,055
Other Expenses	40,946,929	(8,164,181)		3,500,000	36,282,748
Workers' Compensation Claims	8,627,393			900,000	9,527,393
Board and Care Foster Care	117,006,882		(3,500,000)		120,506,882
Board and Care Residential	180,737,447			3,500,000	184,237,447
TOTAL			(7,900,000)	7,900,000	

Funding is available for transfer from these accounts due to the following:

Personal Services - DCF has had lower than anticipated expenditures as a result of unexpected agency vacancies.

Foster Care Board and Care - DCF requests approval to transfer funds \$3,500,000, anticipated to lapse in the Board and Care Foster Care account. The Board and Care Foster Care account's lapse is a result of fewer children being removed from their homes and needing foster care placement.

Funding is needed in these accounts due to the following:

Other Expenses - DCF has many large fixed, essential building related expenses accounting for approximately half of the Other Expenses budget. The Department maintains its purchasing ban on all non-essential purchases. Large reductions were made in this account in SFY10 that have been sustained in SFY11. This transfer of funds will restore the Department's budget to approximately the same spending level as the previous fiscal year.

Workers Compensation - DCF experienced higher claims in Workers Compensation than had been expected, although spending levels for SFY11 are projected to remain at approximately the same level as was expended in SFY10.

Board and Care Residential - The need for increased funding in the Board and Care Residential account is due to the increased need for residential care due to the incoming Raise the Age population. DCF has seen a gradual increase in Juvenile Justice placements

during this past fiscal year. The Department is estimating that the average daily population in private residential placement will increase by 32 in SFY11 over the end of year of SFY10. Overall spending in this account was expected to decline to a greater degree in SFY11. Overall DCF does project spending \$1,401,307 less in SFY11 than was expended in SFY10.

Holdback and Lapses:

The transfers in this FAC do not affect the holdback of \$2,201,724 in the Personal Services account or the holdback of \$8,164,181 in the Other Expenses account.

ALLOTMENT OR APPROPRIATION
ADJUSTMENT REQUEST
B-107 REV 3/96

TO: STATE OF CONNECTICUT
BUDGET AND FINANCIAL MANAGEMENT
OFFICE OF POLICY AND MANAGEMENT

ALLOTMENT adjustment
 APPROPRIATION adjustment
 APPROPRIATION adjustment, requiring Advisory Committee action

COMPT. USE ONLY	PAGE	OF
DOC. TYPE	DOCUMENT NUMBER	
	036612	

COMPT. USE ONLY	EFFECTIVE DATE	FAC NUMBER	REQUEST NUMBER
		2011-20	11-4

AGENCY NO.	AGENCY NAME
PDS98500	PUBLIC DEFENDER SERVICES COMMISSION

F.Y.	FUND	AGENCY	SID	REDUCE*	INCREASE **	ACCOUNT TITLE/PROJECT NUMBER
				ALLOTTED BALANCE	ALLOTTED BALANCE	
2011	11000	PDS98500	10010	(370,000)		PERSONAL SERVICES
2011	11000	PDS98500	10020		70,000	OTHER EXPENSES
2011	11000	PDS98500	12090		300,000	EXPERT WITNESSES

REASON FOR ADJUSTMENT

The transfer from Personal Services is necessary to provide funding in Other Expenses for the payment of necessary bills to cover increased telecommunication expenses, increased costs in the upgrading of systems software, increased storage costs of legal documents, increased costs for temporary services and a carryover of \$11,350 in unpaid invoices from FY2010.

The transfer from Personal Services is necessary to provide funding in Expert Witnesses account for payment of expert witnesses in pending capital cases and experts required in an increasingly high number of capital cases and serious felony cases.

Funds to be transferred from Personal Services are available due to client reimbursement receipts received in FY2011 and to savings realized from leaves of absences and the delay in filling positions.

(Please see attachment for further explanation)

Bond Commission Date: _____

STATUTORY AUTHORITY (for adjustments in appropriations)	REQUESTING OFFICIAL (Signature)	(Title)	DATE SIGNED
	<i>Suzanne O. Stealey</i>	Chief Public Defender	3/24/11

UNALLOTTED / UNENCUMBERED BALANCE	ACTION	APPROVED (Secretary, Office of Policy and Management)	DATE
		<i>Mark C. Ajaka</i>	8/30/11
REVIEWED BY (Analyst)	DATE	APPROVED (Governor)	DATE
<i>[Signature]</i>	3/24/11		
RECOMMENDED (Undersecretary, Bud. & Fin. Mgmt)	DATE		
<i>[Signature]</i>	3/31/11		

* USE ONLY UNALLOTTED, UNENCUMBERED, RESOURCES OF FUND

** USE ONLY UNALLOTTED, ALLOTMENT, RESOURCES OF FUND

AGENCY NO. PDS98500 PUBLIC DEFENDER SERVICES COMMISSION

Request Number: 11-4

REASON FOR ADJUSTMENT:

OTHER EXPENSES

We currently are holding over \$125,000 in outstanding invoices that are over 45 days in arrears in this account. The transfer from Personal Services is necessary to provide funding in Other Expenses for the payment of necessary bills to cover increased telecommunication expenses, increased costs in the upgrading of systems software, increased storage costs of legal documents, increased costs for temporary services and a carryover of \$11,350 in unpaid invoices from FY 2010.

Storage expenses are statutorily driven because of the need to retain client files for extended periods of time, the more files each year that need to be retained increase the cost. Long distance charges are calls made regarding client cases, investigation and other Agency business. These statements are reviewed by Financial and by our Manager of Administrative Services.

Temporary services are utilized only when necessary to make sure the business of the Agency requires such services – all temporary services are only authorized by the Chief Public Defender. These temporary services are utilized for long term leaves of absence due to illness, maternity, military and other extended leaves of permanent employees, or to reduce individual attorney caseloads to comply with Commission Guidelines. We have tried to reduce Other Expenses to comply with Governor's request to go "paperless" as much as possible, and to reduce individual office requests for office supplies to only essential items and have recently renegotiated our telecommunication contract at a lower rate.

EXPERT WITNESSES

We currently are holding over \$350,000 in outstanding invoices that are over 45 days in arrears. Transfer from Personal Services to the Expert Witnesses account is necessary to provide funding for the payment of these bills. The projected increases in our Expert Witnesses expenditures of \$2.5M for this year in comparison to last FY2010 of \$2M is a \$500,000 increase in FY2011. This is attributed to increased costs for high profile capital cases currently on trial or going to trial. Death penalty cases are one of the primary driving causes for these increased costs. The other reasons driving this line item are experts for the penalty phase in capital death penalty cases FY2010. To date \$786,000 has been spent in three capital cases this year. Each year the number of cases that we handle increase in the adult court which also drives up the expert witness account.

If the expert is necessary to the defense of the case, then it is the usual practice to authorize it. Expert authorizations and expenses are all reviewed by the Deputy Chief Public Defender and/or the Public Defender Commission – all requests must be accompanied by a written detailed

explanation from the public defender or the Special Public Defender as to why the services are necessary, the hourly rate for such services and the estimated amount. We of course may ask the attorney to go back to the expert to reduce the rate or the estimated amount in order to try to keep cost down. We would expect some reduction in the Expert expenditures if the Death Penalty is abolished prospectively.

ALLOTMENT adjustment APPROPRIATION adjustment APPROPRIATION adjustment, requiring Finance Advisory Committee action

COMPT. USE ONLY	PAGE 1 0 2
DOC. TYPE	DOCUMENT NUMBER
	CPC-3

COMPT. USE ONLY	EFFECTIVE DATE	FAC NUMBER	REQUEST NUMBER
		2011-21	11-003
AGENCY NO.	AGENCY NAME		
CPC98920	Commission on Child Protection		

F.Y.	FUND	AGENCY	SID	REDUCE *	INCREASE **	ACCOUNT TITLE/PROJECT NUMBER
				<u>4th Quarter Allotment</u>	<u>4th Quarter Allotment</u>	
2011	11000	CPC98920	10010	\$150,486.00		Personal Services
2011	11000	CPC98920	12417		\$150,486.00	Contracted Attorneys

REASON FOR ADJUSTMENT

The above transfer is critical to assist the Commission in meeting it's statutory obligation to compensate the 176 Attorneys within the 45 day period of work performed. This request is to transfer the Personal Services appropriation to the contracted attorney account fund. This will only assist with the payments; we will still have a major cash flow issue without any additional funds to transfer. The account will run out of cash mid-April.

Bond Commission Date:

STATUTORY AUTHORITY (for adjustments in appropriations)	REQUESTING OFFICIAL (Signature) <i>Conaly Donnell</i>	(Title) Chief Child Protection Attorney	DATE SIGNED 3/22/2011
---	--	---	---------------------------------

UNALLOTTED / UNENCUMBERED BALANCE		APPROVED (Secretary, Office of Policy and Management) <i>Mae E. Ojaka</i>	DATE 3/30/11
REVIEWED BY (Analyst) <i>John J. ...</i>	DATE 3/23/11	APPROVED (Governor)	DATE
RECOMMENDED (Undersecretary, Bud. & Fin. Mgmt.) <i>John J. ...</i>	DATE 3/31/11		

* USE ONLY UNALLOTTED, UNENCUMBERED, RESOURCES OF FUND
** USE ONLY UNALLOTTED, ALLOTMENT, RESOURCES OF FUND