

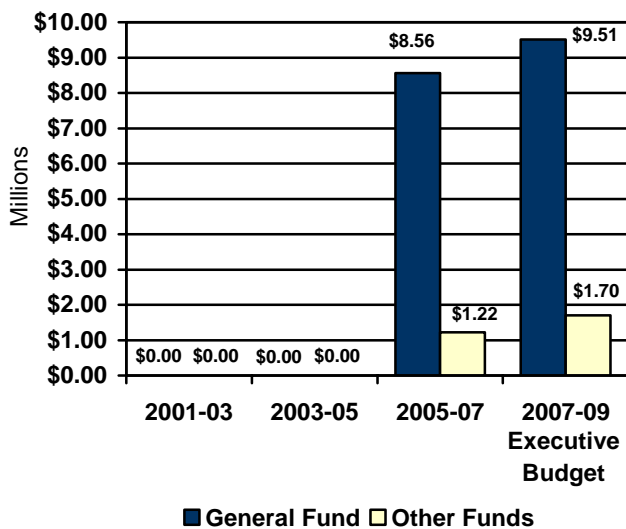
**Department 188 - Commission on Legal Counsel for Indigents
 House Bill No. 1023**

	FTE Positions	General Fund	Other Funds	Total
2007-09 Executive Budget	29.00	\$9,512,811	\$1,700,705	\$11,213,516
2005-07 Legislative Appropriations	6.00 ¹	8,560,569	1,220,000	9,780,569 ²
Increase (Decrease)	23.00	\$952,242	\$480,705	\$1,432,947

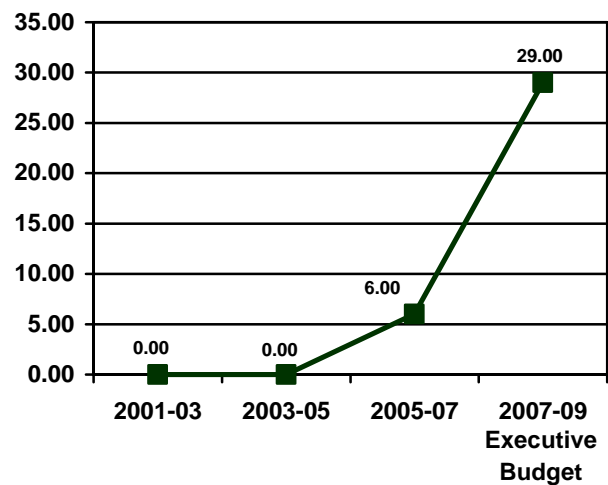
¹A total of six FTE positions were anticipated for the creation of the Commission on Legal Counsel for Indigents. Pursuant to North Dakota Century Code Section 54-61-02, 13 FTE positions were added for the establishment of public defender offices in Minot, Williston, Dickinson, and Grand Forks.

²The 2005-07 appropriation amounts include \$9,530,493, of which \$8,310,493 is from the general fund and \$1,220,000 is indigent defense administration funds, transferred from the judicial branch and \$250,076 of general fund carryover authority.

Agency Funding



FTE Positions



First House Action

The House did not change the executive budget recommendation for the Commission on Legal Counsel for Indigents.

Executive Budget Highlights

	General Fund	Other Funds	Total
1. Adds 13 FTE positions for the establishment of public defender offices in Minot, Williston, Dickinson, and Grand Forks per approval by the Commission	\$1,767,637		\$1,767,637
2. Decreases funding for operating costs for professional services due to establishment of public defender offices	(\$1,396,459)		(\$1,396,459)
3. Increases funding for various operating costs, including office rental (\$103,389), travel (\$51,958), and professional supplies (\$41,324), due to establishment of public defender offices	(\$116,263)	\$480,705	\$364,442
4. Adds funding for a phased-in addition of public defender offices in Bismarck and Fargo, including 10 FTE positions	\$1,000,000		\$1,000,000

Continuing Appropriations

Indigent defense administration fund - NDCC Sections 29-07-01.1 and 29-26-22 - Funding is from a \$25 nonrefundable fee for court-appointed defense services and from a \$100 court administration fee in all criminal cases except infractions. The first \$750,000 collected from the \$100 court administration fee is used for indigent defense services, the next \$460,000 is used for court facilities, and anything above this amount is split evenly between the two funds.

Major Related Legislation

Creation of the Commission on Legal Counsel for Indigents - The 2005 Legislative Assembly approved Senate Bill No. 2027 providing for the establishment of the Commission on Legal Counsel for Indigents for the purpose of providing indigent defense services and provided for the transition of indigent defense services from the Supreme Court to the commission by December 31, 2005.