

Agency 056

Office of Public Defense Recommendation Summary

Dollars in Thousands	Annual FTEs	General Fund State	Other Funds	Total Funds
2017-19 Original Appropriations	16.2	84,097	3,710	87,807
Maintenance Other Changes:				
1. Appellate Attorney Costs	0.0	1,393	0	1,393
2. Contractor Retention	0.0	3,628	0	3,628
3. Attorney General's Office	0.0	1,024	0	1,024
Maintenance -- Other Total	0.0	6,045	0	6,045
Maintenance Comp Changes:				
4. Move Pension Fund Shift to Agencies	0.0	(278)	278	0
5. Updated PEBB Rate	0.0	(10)	0	(10)
6. Paid Family Leave--Employer Premium	0.0	1	0	1
Maintenance -- Comp Total	0.0	(287)	278	(9)
Maintenance Central Services Changes:				
7. Workers' Compensation	0.0	0	(1)	(1)
Maintenance -- Central Svcs Total	0.0	0	(1)	(1)
Total Maintenance Changes	0.0	5,758	277	6,035
2017-19 Maintenance Level	16.2	89,855	3,987	93,842
Policy Central Services Changes:				
8. CTS Fee for Service Adjustment	0.0	0	4	4
Policy -- Central Svcs Total	0.0	0	4	4
Total Policy Changes	0.0	0	4	4
2017-19 Policy Level	16.2	89,855	3,991	93,846

POLICY CHANGES

1. Appellate Attorney Costs

Funding is provided to cover a sustained increase in the indigent appellate workload. The workload increase is due largely to intensified case complexity as measured by the length of the average trial transcript, and must be addressed under the Supreme Court Standards for Indigent Defense. Funds are provided to meet emergency contingent case costs in fiscal years 2018 and 2019. Funding is also provided for implementation of four additional attorney contracts in fiscal year 2019. (General Fund-State)

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2. Contractor Retention

Funding will address significant inequities in compensation for mandatory state-funded public defense services. Low defense compensation, which is not competitive with other government attorney jobs, is impeding the Office of Public Defense's ability to recruit and retain qualified contract attorneys to ensure constitutional and statutory rights to counsel for indigent persons. A contract rate adjustment is also necessary for civil commitment attorneys, who have not had a compensation increase for many years. (General Fund-State)

3. Attorney General's Office

Funding is provided to cover agency costs for legal services to defend an ongoing class-action lawsuit filed against the Office of Public Defense and the state of Washington. (General Fund-State)

4. Move Pension Fund Shift to Agencies

In the enacted 2017-19 budget, the legislature shifted a portion of General Fund pension costs to the Pension Funding Stabilization Account, and instructed the Office of Financial Management to allocate this change to agency budgets. This item implements that requirement. (General Fund-State; Pension Funding Stabilization Account-State)

5. Updated PEBB Rate

The funding rate for the Public Employees' Benefits Board (PEBB) insurance program is adjusted for fiscal year 2019 to reflect updated actuarial projections, administrative costs and payments to third-party administrators. The funding is sufficient for a new virtual diabetes prevention program and a change in the waiting period for dental crown replacements in the Uniform Dental Program (UDP) from seven to five years. The change would bring UDP into alignment with the current waiting period in the managed dental plans. This reduces the fiscal year 2019 funding rate from \$957 per month to \$906. (General Fund-State)

6. Paid Family Leave--Employer Premium

A paid family and medical leave program was created by Chapter 5, Laws of 2017, 3rd Special Session. Beginning January 1, 2019, the state, as an employer, will be responsible for payment of employer premiums for employees not covered by a collective bargaining agreement. This item provides funding for this obligation. (General Fund-State)

7. Workers' Compensation

Agency budgets are adjusted to reflect each agency's estimated charges from the Department of Labor and Industries for workers' compensation. (Judicial Stabilization Trust Account-State)

8. CTS Fee for Service Adjustment

Rates for wireless, virtual private network, and server infrastructure services are increased effective January 1, 2018 to align revenues with WaTech's cost of providing services. Monthly rates per device or service will increase for wireless to \$50, Centrex services to \$45 and virtual private network to \$285 per tunnel per month with a \$500 setup fee. (Judicial Stabilization Trust Account-State)