Lumpkin County, Georgia

Finance Department

Date: May 26, 2016

Agenda Item: Enotah Circuit Public Defender – Circuit Wide Contract

Item Description: Approval of the Indigent Defense Services Agreement

Facts & Historical Information: The Enotah Circuit Public Defender's Office has been in operation since 2005. The Enotah Circuit entered into an agreement with the State to help reduce the liability of counties in the defense of indigent persons with the implementation of this system with Lumpkin County agreeing to act as the financial administrator for the contract for a small administrative fee. This is an agreement that the Circuit signs annually with the Georgia Public Defender Standards Council. This agreement defines the statutory services, requirements and responsibilities of the State and the Circuit and has been presented to the Circuit members for consideration. The budget, as presented, does not utilize $35,000 of fund balance in the Public Defender's fund as that amount has decreased to such a level it will cash flow issues if the amount if decreased. The members of the Circuit did agree to fund a 3% pay increase for administrative county paid staff and a $5,000 increase for the three county paid attorney paid positions. Once the contract and supporting attachments are received from the State, they will be placed in the agenda book for review.

Potential Courses of Action:

A) Approve the contract as presented. This option will allow the contract to proceed to each circuit member county and will keep this service in place which saves each county money for the defense of indigent persons. The approval of this agreement also ensures that the circuit receives State assistance in the defense of indigent persons.

B) Disapprove the contract. This is the least favorable of the options as it places the county fully responsible for the defense of indigent persons with no assistance from the State. If the other circuit members do not agree to withdraw from the agreement, the County would still have to participate.

Budget Impact: Lumpkin County's portion is not included in the 2016 budget but has been included the proposed 2017 budget.

Enotah Judicial Circuit

ATTACHMENT A – Personnel Expenditures

Lumpkin County

July 1, 2016 – June 30, 2017

The County agrees to pay the Public Defender Office **$341,175.75 in** 12 monthly installments of **$28,431.31**. Installments are due to the Georgia Public Defender Council (GPDC) on the 15th of the preceding month beginning on June 15, 2016. Invoices will be sent to the following address:

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Installments will be paid directly to GPDC at the following address:

GPDC
Attn: Jason Ring
104 Marietta Street
Suite 400
Atlanta, GA 30303

The Public Defender Office agrees to use these funds for the purpose of paying the salary and benefits for county funded public defenders and assistants.

Enotah Judicial Circuit

ATTACHMENT A – Personnel Expenditures

Lumpkin County

July 1, 2016 – June 30, 2017

The County agrees to pay the Public Defender Office **$340,928.75 in** 12 monthly installments of **$28,410.73**. Installments are due to the Georgia Public Defender Council (GPDC) on the 15th of the preceding month beginning on June 15, 2016. Invoices will be sent to the following address:

_____

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Installments will be paid directly to GPDC at the following address:

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Attn: Jason Ring
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The Public Defender Office agrees to use these funds for the purpose of paying the salary and benefits for county funded public defenders and assistants.

Enotah Judicial Circuit Public Defender Office
July 1, 2016 - June 30, 2017
ATTACHMENT B

STATE FUNDED - Public Defender and Assistants							
Name	#	Salaries	FICA	Retirement	Health Insurance	Unemployment	Total
			7.65% of Salary	24.81% of Salary	33.214% of Salary	$31 per Position	
CPD (Brown)	1	$ 105,526.08	$ 8,072.75	$ 26,181.02	$ 35,049.43	$ 31.00	$ 174,860.28
APD (Deacon)	1	$ 59,963.55	$ 4,587.21	$ 14,876.96	$ 19,916.29	$ 31.00	$ 99,375.01
APD (Tiger)	1	$ 60,035.73	$ 4,592.73	$ 14,894.86	$ 19,940.27	$ 31.00	$ 99,494.60
TOTAL:	**2**	**$ 225,525.36**	**$ 17,252.69**	**$ 55,952.84**	**$ 74,905.99**	**$ 93.00**	**$ 373,729.88**

STATE FUNDED - Public Defender Administrative							
Name	#	Salaries	FICA	Retirement	Health Insurance	Unemployment	Total
			7.65% of Salary	24.81% of Salary	33.214% of Salary	$31 per Position	
Admin (Shedd)	1	$ 40,258.74	$ 3,079.79	$ 9,988.19	$ 13,371.54	$ 31.00	$ 66,729.26
Investigator (Dawson)	1	$ 52,143.87	$ 3,989.01	$ 12,936.89	$ 17,319.06	$ 31.00	$ 86,419.84
Investigator (Turner)	1	$ 41,200.08	$ 3,151.81	$ 10,221.74	$ 13,684.19	$ 31.00	$ 68,288.82
TOTAL:	**3**	**$ 133,602.69**	**$ 10,220.61**	**$ 33,146.83**	**$ 44,374.80**	**$ 93.00**	**$ 221,437.92**

COUNTY FUNDED - Public Defender and Assistants							
Name	#	Salaries	FICA	Retirement	Health Insurance	Unemployment	Total
			7.65% of Salary	24.81% of Salary	33.214% of Salary	$31 per Position	
APD (Baron)	1	$ 45,532.56	$ 3,483.24	$ 11,296.63	$ 15,123.18	$ 31.00	$ 75,466.61
APD (Hunter)	1	$ 45,532.56	$ 3,483.24	$ 11,296.63	$ 15,123.18	$ 31.00	$ 75,466.61
APD (Hamilton)	1	$ 45,532.56	$ 3,483.24	$ 11,296.63	$ 15,123.18	$ 31.00	$ 75,466.61
TOTAL:	**3**	**$ 136,597.68**	**$ 10,449.72**	**$ 33,889.88**	**$ 45,369.55**	**$ 93.00**	**$ 226,399.84**

COUNTY FUNDED - Public Defender Administrative							
Name	#	Salaries	FICA	Retirement	Health Insurance	Unemployment	Total
			7.65% of Salary	24.81% of Salary	33.214% of Salary	$31 per Position	
Admin (Ash)	1	$ 28,296.24	$ 2,164.66	$ 7,020.30	$ 9,398.31	$ 31.00	$ 46,910.51
Admin (Williams)	1	$ 27,472.32	$ 2,101.63	$ 6,815.88	$ 9,124.66	$ 31.00	$ 45,545.49
TOTAL:	**2**	**$ 55,768.56**	**$ 4,266.29**	**$ 13,836.18**	**$ 18,522.97**	**$ 62.00**	**$ 92,456.00**

Enotah Judicial Circuit Public Defender Office
July 1, 2016 - June 30, 2017
ATTACHMENT B

COUNTY FUNDED - Office Expenditures					
			Per Month		Annual
Copying Expense	*	$	50.00	$	600.00
Court Reporter Services	*	$	166.67	$	2,000.00
Minor Equipment	*	$	41.67	$	500.00
Office Supplies	*	$	500.00	$	6,000.00
Postage	*	$	133.33	$	1,600.00
Printing	*	$	83.33	$	1,000.00
Professional Organization Dues	*	$	125.00	$	1,500.00
Reference Books/Law Books	*	$	125.00	$	1,500.00
Repairs	*	$	166.67	$	2,000.00
Subscriptions	*	$	125.00	$	1,500.00
Telephone Expense	*	$	833.33	$	10,000.00
Training (Outside)	*	$	125.00	$	1,500.00
Transcripts	*	$	208.33	$	2,500.00
Travel (Outside)	*	$	41.67	$	500.00
TOTAL:	*	**$**	**2,725.00**	**$**	**32,700.00**

TOTAL CIRCUIT EXPENDITURES					
			State Funded		County Funded
Public Defender and Assistants	*	$	373,729.88	$	226,399.84
Public Defender Administrative	*	$	221,437.92	$	92,456.00
7% Administrative Fee	*	$	-	$	22,319.91
Office Expenditures	*	$	-	$	32,700.00
PERSONNEL CONTRACT TOTAL:	*	$	-	**$**	**341,175.75**
TOTAL:	*	**$**	**595,167.81**	**$**	**373,875.74**

COUNTY PER RATA SHARE (Personnel)					
			Annual		Monthly
Lumpkin	33.70%	$	114,976.23	$	9,581.35
Towns	11.80%	$	40,258.74	$	3,354.89
Union	24.00%	$	81,882.18	$	6,823.52
White	30.50%	$	104,058.60	$	8,671.55
TOTAL:	**100%**	**$**	**341,175.75**	**$**	**28,431.31**

ADMINISTRATION OF THE BUDGET (Lumpkin County):			
Lumpkin			**$18,693.79**
Towns	11.80%	17.80%	$3,327.10
Union	24.00%	36.20%	$6,766.98
White	30.50%	46.00%	$8,599.71
TOTAL:	**66.30%**	**100.00%**	**$18,693.79**

Enotah Judicial Circuit Public Defender Office
July 1, 2016 - June 30, 2017
ATTACHMENT B

COUNTY PER RATA SHARE				
County Funded % of Overall Circuit Population*				
With Additional Administration of Budget				Quarterly Amount
Lumpkin	33.70%	$ 125,996.13	$ 125,996.13	$ 31,499.03
Towns	11.80%	$ 44,117.34	$ 47,444.44	$ 11,861.11
Union	24.00%	$ 89,730.18	$ 96,497.16	$ 24,124.29
White	30.50%	$ 114,032.10	$ 122,631.81	$ 30,657.95
TOTAL:	**100%**	**$ 373,875.74**	**$ 392,569.53**	**$ 98,142.38**

***Each county in the circuit will provide appropriate office space and will furnish the office**

****Requested staff will cover Superior Court and Juvenile Deliquency cases**

*****Office can contract with circuit for service in Probate Court, Magistrate Court, and Juvenile Deprivation cases**