STATE OF WISCONSIN

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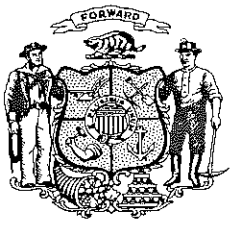

ASSEMBLY CHAIR
MARK POCAN

309 East, State Capitol
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JOINT COMMITTEE ON FINANCE

MEMORANDUM

To: Members
Joint Committee on Finance

From: Senator Mark Miller
Representative Mark Pocan

Date: August 11, 2010

Re: State Public Defender Quarterly Report

Attached is the fourth quarter report from the State Public Defender on the 2009-2010 private bar appropriation, received on August 11, 2010. Pursuant to s. 977.085, Stats., the Public Defender Board must provide quarterly reports to the Department of Administration and the Joint Committee on Finance.

This information is being provided for your information only. No action by the Committee is required.

Attachments

MM:MP:jm

Wisconsin State Public Defender

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Protecting Justice for all Since 1977

Nicholas L. Chiarkas
State Public Defender

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BY: St. Finance

August 11, 2010

Daniel J. Schooff, Secretary
Department of Administration
101 E. Wilson Street, 10th Floor
Madison, Wisconsin 53702

Senator Mark Miller, Co-Chair
Joint Committee on Finance
State Capitol, Room 409 South
Madison, Wisconsin 53702

Representative Mark Pocan, Co-Chair
Joint Committee on Finance
State Capitol, Room 309 East
Madison, Wisconsin 53702

Dear Secretary Schooff, Senator Miller and Representative Pocan:

Pursuant to § 977.085, Stats, the Office of the State Public Defender (SPD) is submitting its fourth quarter report on the 2009-2010 private bar appropriation [§ 20.550(1)(d)].

Between July 1, 2009 and June 30, 2010, the SPD appointed counsel in 130,709 cases, including 53,579 that were assigned to private bar attorneys on a rotational or contract basis.

The 2009-2011 The biennial shortfall is currently projected to range between $9.2 million and $9.5 million, which would result in the appropriation likely being depleted in February 2011 if supplemental funding is not provided. The Department of Administration's approval of our transferring remaining FY10 staff salary and fringe benefit balances of $882,145 did provide approximately two additional weeks of funding. We will continue to work with staff in the State Budget Office to identify additional ways to address the remaining shortfall to avoid ceasing payments to private bar attorneys from February to July.

State Public Defender collections are received in five categories: SPD initiated, DOA contract collections, juvenile recoupment by counties, commitment recoupment by counties and court ordered payments. Following is a summary of the collections received, by category, during fiscal year 2009-2010. In that period, the agency referred 70,857 client

accounts valued at $22,686,087 to the DOA-contracted collection agency. In return, the SPD received a total of $243,082 (collected from clients) from the collection agency during the same period.

Collections – July 1, 2009 through June 3, 2010:

SPD Initiative:	$ 862,147
Court-Ordered Attorney Fees:	$ 50,777
Juvenile Recoupment:	$ 418,778
Commitment Recoupment	$ 25,166
DOA Contract Collections:	$ 243,082
Total:	$1,599,950

If we can provide any additional information, please let us know.

Sincerely,

/S/

NICHOLAS L. CHIARKAS
State Public Defender