

FY 2024 Financial Assistance Application

Instructions

COUNTY-SPECIFIC FORMS

- **This is a sample report.** A report form with each County's previous awards and reported information will be emailed to each County on or before: March 31, 2023

COMPLETING THIS FORM

1. Complete the County-specific form emailed to your County
2. **Please fill out this form in Adobe Sign.**
3. **Once the County Clerk signs the application, submit it through Adobe Sign. No other format will be accepted.**
4. Once submitted you will receive an email with a complete Clerk-signed copy of the application for your records.
5. Submit the County Commissioners' signatures through the signature page and email them to info@pdc.idaho.gov.

FINANCIAL ASSISTANCE TYPES

If eligible, a county may use this application to apply for two types of PDC financial assistance:

- **Formula Financial Assistance** may be awarded to *supplement* the County's budget to comply with all [Public Defense Rules](#) (Rules).
- **Workload Compliance Assistance** may be awarded to supplement the County's budget for additional attorneys and supporting resources when needed to comply with the [Workload Rules](#) 61.01.02.060.05.

TABLE 1: COUNTY LOCAL SHARE CALCULATION

Please report the information the PDC needs to calculate future local share.

- Insert the amount the County spent on capital case(s) in FY 2022, which was paid for or reimbursed by the Capital Crimes Defense Fund. If the amount is zero, please enter \$0.

TABLE 2: FY 2024 FORMULA FINANCIAL ASSISTANCE REQUESTED BY EXPENSE ITEM

- Please report **Formula Financial Assistance** requested for indigent defense expenses that the County has determined is necessary to supplement the County's budget in order to achieve the County's plan to meet or improve on the Rules and/or cure previous deficiencies in the next County fiscal year (FY 2024). The County is encouraged to review the PDC Annual Review Report.
 - Indigent defense expenses are costs for services provided to those who are Constitutionally entitled to be represented by a defending attorney at public expense. Note: costs requested by the prosecutor or ordered by the court and **not requested by the defending attorney** are **not** indigent defense expenses and do not qualify for financial assistance.
 - **Do not include** any Workload Compliance Assistance expenses or requests here. See Table 4 for Workload Compliance Assistance requests.

Glossary of Terms for Table 2:

- **Staff/Employed Attorneys.** Amount requested for salaries and any benefits for attorneys that are employees of the County.
- **Contract or Court Appointed Primary Attorneys.** Amount requested for compensation and any benefits for primary attorneys that are not employees of the County.
- **Contract or Court Appointed Conflict Attorneys.** Amount requested for compensation and any benefits for conflict attorneys that are not employees of the County.
- **Staff.** Amount requested for compensation and any benefits for legal support staff.
- **Investigators.** Amount requested for compensation and any benefits for investigators that are employees of the County and/or contract investigators. Examples include forensic investigations, interviewing and assessing witnesses and getting their statements, and related work to independently investigate accusations against an indigent defendant.
- **Social Workers.** Amount requested for compensation and any benefits for social workers that are employees of the County and/or contract social workers.
- **Consultants.** Amount requested for individuals with specialized knowledge or skills who provide professional advice or services. Examples include case consultation and review, and other specialized advice.
- **Evaluations.** Amount requested for evaluations. This does **not** include evaluations requested or ordered by the prosecutor or the court. Examples include psychological evaluations and polygraph examinations, which the defending attorney needs for the client's defense.
- **Expert Witnesses.** Amount requested for expert witnesses. Examples include experts in the field of DNA, case consultation and review, trial testimony, and other specialized expertise.
- **Office.** Amount requested for indigent defense offices/workplace rent, furniture, supplies, soundproofing, and related workplace costs.
- **Technology.** Amount requested for purchasing and repairing computers and related equipment, computer software, and related technical support services. This also includes electronic legal research resources and subscriptions like Lexis/Nexis and Westlaw.
- **Training.** Costs and fees for online and in-person legal and practical education in indigent defense and associated travel costs for in-person training.
- **Transcripts.** Costs for preparing transcripts needed by an indigent defense provider.
- **Capital Crimes Defense Fund Premiums and Deductibles.** Premium and deductible costs and fees paid to participate in the capital crimes defense fund.
- **Other Expenses.** Any other specific expenses not covered in the other expense item categories, which are necessary for the County to meet or improve upon the Rules.

TABLE 3: REMAINING FORMULA FINANCIAL ASSISTANCE

If the County has remaining Formula Financial Assistance from FY 2017-2022 provide the following information:

- How much of the FY 2017-2022 Formula Financial Assistance is currently remaining as of the date of this application.
- Describe how the County spent any remaining FY 2017-2022 Formula Financial Assistance in FY 2023.
- Describe how and when the County plans to use unspent remaining FY 2017-2022 Formula Financial Assistance. E.g., long-term projects.

If the County expects remaining Formula Financial Assistance from FY 2023 provide the following information:

- How much of the FY 2023 Formula Financial Assistance is currently remaining as of the date of this application.
- How much of the FY 2023 Formula Financial Assistance is estimated to be remaining as of the end of County FY 2023.
- Describe how and when the County plans to use the unspent remaining of the FY 2023 Formula Financial Assistance and the County's plan for any unspent remaining amount.

TABLE 4: WORKLOAD COMPLIANCE ASSISTANCE INFORMATION

Financial assistance may also be awarded for specifically authorized expenses necessary for compliance with Workload Rules. Please report the **Workload Compliance Assistance** requested for expenses the County has determined are necessary to supplement the County's budget in order to achieve the County's plan to meet Workload Rules in the next County fiscal year (FY 2024).

- **The expense categories for Workload are the same as those in the Glossary for Table 2 above, with the following exception:**
 - **Salary** is the hourly or annual rate, as applicable, the County pays each employee or contractor, as applicable.
 - **Benefits** are the amounts the County pays for each employee or contractor, as applicable, for things like:
 - Mandatory employee taxes (ex: FICA, Social Security)
 - Workers compensation insurance
 - Unemployment insurance
 - Employer-provided retirement (ex: PERSI)
 - Employer-provided medical insurance coverage
 - Life insurance
- **Do not include** any Formula Financial Assistance expenses or requests here. Those expenses should be requested in Table 2 above.
- For each expense item requested, please provide a detailed explanation of how the County specifically expects to use the requested assistance.

TABLE 5: REMAINING WORKLOAD COMPLIANCE ASSISTANCE

- If the County reported remaining Workload Compliance Assistance from FY 2022 in its FY 2022 Expenditure Report, the PDC entered this amount in this table so that the County can confirm the amount and describe in detail the reason for the remaining FY 2022 Workload Compliance Assistance amount.
- If the County estimates any remaining Workload Compliance Assistance from FY 2023 please report the amount. Describe in detail the reason for the expected remaining FY 2023 Workload Compliance Assistance amount as of the date of this application.

TABLE 6. COMPLIANCE/PREFERENCE QUESTIONS

Please report the County's assertions regarding their compliance with Idaho Code §19-862A.

ATTESTATION AND SIGNATURES

The County Clerk and two or more County Commissioners will certify pursuant to Idaho Code §9-1406, that all the information the County provided in the application form and any supporting materials is true.

- **Make sure all information is correct and complete** before submitting the form. **The Clerk's signature must be submitted with the application via Adobe Sign.**
- **The Board of County Commissioner's signature page(s) may be separately scanned and emailed or mailed** to the PDC.

NEXT STEPS

- In accordance with Idaho Code §19-862A and IDAPA 61.01.04, the PDC will award financial assistance based on eligibility, availability of funds, and priority rating.
- The PDC will provide notice of its acceptance or rejection of this application within 60 days of receipt of the County's completed application.
- The PDC will disburse awarded amounts on or about October 1, 2023.

ADDITIONAL RESOURCES:

[Public Defense Rules IDAPA 61](#)

PDC Contacts:

- Jennifer Roark (208) 892-9487, Jennifer.Roark@pdc.idaho.gov (Regional Coordinator for Ada, Adams, Benewah, Boise, Bonner, Boundary, Canyon, Clearwater, Elmore, Gem, Idaho, Kootenai, Latah, Lewis, Nez Perce, Owyhee, Payette, Shoshone, Valley, and Washington counties)
- Jared H. Ricks (208) 520-6453, Jared.Ricks@pdc.idaho.gov (Regional Coordinator for Bannock, Bear Lake, Bingham, Blaine, Bonneville, Butte, Camas, Caribou, Cassia, Clark, Custer, Franklin, Fremont, Gooding, Jefferson, Jerome, Lemhi, Lincoln, Madison, Minidoka, Oneida, Power, Teton, and Twin Falls counties)
- Kathleen J. Elliott (208) 869-3125 or (208) 332-1736, Kathleen.Elliott@pdc.idaho.gov
- Tammy A. Zokan (208) 921-2245 or (208) 332-1738, Tammy.Zokan@pdc.idaho.gov

[Application starts on next page]

FY 2024 Indigent Defense Financial Assistance Compliance Proposal &
Application Pursuant to Idaho Code §19-862A
DUE DATE: May 15, 2023

County	[PDC insert]	Date Submitted	
Contact Person		Title	
Contact Phone		Contact E-mail	
Is the County part of an established joint office of defending attorney per Idaho Code 19-859(2)?			Yes <input type="checkbox"/> No <input type="checkbox"/>

County FY 2024 Local Share	[PDC insert]
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1. COUNTY LOCAL SHARE CALCULATION	
Total amount the County spent in County FY 2022 on public defense:	[PDC insert]
• Minus PDC Financial Assistance received by the County in FY 2022:	[PDC insert]
• Minus amounts expended by the County in FY 2022, which were reimbursed by the Idaho Capital Crimes Defense Fund:	\$0
FY 2022 value used in future local share calculations	[Calculated]

2. FY 2024 FORMULA FINANCIAL ASSISTANCE REQUESTED BY EXPENSE ITEM		
Expense Items	Requested Amount DO NOT INCLUDE WORKLOAD COMPLIANCE ASSISTANCE	Describe <u>specifically</u> how the County is going to use Formula Financial Assistance for each category requested.
Staff/Employed Attorneys (salary/benefits)	\$0/\$0	
Contract or Court Appointed Primary Attorneys (salary/benefits)	\$0/\$0	
Contract or Court Appointed Conflict Attorneys (salary/benefits)	\$0/\$0	
Support Staff (salary/benefits)	\$0/\$0	
Investigators (salary/benefits)	\$0/\$0	
Social Workers (salary/benefits)	\$0/\$0	
Consultants	\$0	
Evaluations	\$0	

Expert Witnesses	\$0	
Office	\$0	
Technology	\$0	
Training	\$0	
Transcripts	\$0	
Capital Crimes Defense Fund premiums and deductibles	\$0	
Other Expenses (specify)	\$0	
Other Expenses (specify)	\$0	
Other Expenses (specify)	\$0	
Total	[Calculated]	

3. REMAINING FORMULA FINANCIAL ASSISTANCE

Formula Financial Assistance	FY 2017- FY 2022 Formula Financial Assistance now remaining	If the County spent previously awarded Formula Financial Assistance during FY 2023, describe how the amount was spent.		If previously awarded Formula Financial Assistance remains, how/when will it be spent, specifically? (e.g., long-term projects)
FY 2017- FY 2022 remaining amounts reported by County: [PDC will insert]	\$0			
Formula Financial Assistance	FY 2023 Formula Financial Assistance now remaining	Amount estimated to be remaining at the end of County FY 2023	Include the following information. <ul style="list-style-type: none"> How specifically will the remaining amount be spent and when? County plan for the remaining amount. 	
FY 2023 Formula Financial Assistance Award: [PDC will insert]	\$0	\$0		

4. FY 2024 WORKLOAD COMPLIANCE ASSISTANCE

Does the County need Workload Compliance Assistance in FY2023 to supplement the County’s budget in order to meet the Workload Rules?

Yes No

Total number of attorneys to meet [IDAPA 61.01.01.010.07](#)

Primary ____ Conflict ____ [PDC insert]

Expense item and amounts needed for the County to supplement the County’s budget in order to achieve the County’s plan to meet Workload Rules in FY 2024, as applicable

Expense Item	Salary / Benefits	Describe <u>specifically</u> how the County is going to use Workload Compliance Assistance for each item:
Staff/Employed Attorneys (salary/benefits) Total		
	\$0/\$0	
	\$0/\$0	
	\$0/\$0	
Contract or Court Appointed Primary Attorneys (salary/benefits) Total		
	\$0/\$0	
	\$0/\$0	
	\$0/\$0	
Contract or Court Appointed Conflict Attorneys (salary/benefits) Total		
	\$0/\$0	
	\$0/\$0	
	\$0/\$0	

Continued 4. FY 2024 WORKLOAD COMPLIANCE ASSISTANCE		
Expense items and amounts needed to support Workload attorneys identified above		
Expense Item	Salary / Benefits	Describe <u>specifically</u> how the County is going to use Workload Compliance Assistance for each item:
Support Staff (salary/benefits) Total		
	\$0/\$0	
	\$0/\$0	
	\$0/\$0	
Expense Item	Cost	Describe <u>specifically</u> how the County is going to use Workload Compliance Assistance for each item:
Training		
	\$0	
	\$0	
Office Space/Other		
	\$0	
	\$0	
Technology		
	\$0	
	\$0	
Other Expenses (specify)		
	\$0	
	\$0	
	\$0	
Total	\$0	

5. REMAINING WORKLOAD COMPLIANCE ASSISTANCE

Remaining Workload Compliance Assistance	Amount of Workload Compliance Assistance remaining reported by County for FY 2022	Describe why the County reported remaining FY 2022 Workload Compliance Assistance
County FY 2022 as reported by the County in FY 2022 Expenditure Report	[PDC will insert]	
Remaining Workload Compliance Assistance	Amount of Workload Compliance Assistance estimated remaining by County for FY 2023	Describe why the County will have remaining FY 2023 Workload Compliance Assistance
County FY 2023 Workload Compliance Assistance (Total Allocation)		

SAMPLE DO NOT COMPLETE

6. COMPLIANCE/PREFERENCE QUESTIONS

Is the County in compliance with the Idaho Public Defense Rules?	Yes <input type="checkbox"/> No <input type="checkbox"/>
If No, please specifically describe the County’s compliance issues, and needs to fix them in the row below.	
If the County is in compliance with the Rules, does the County need financial assistance to supplement the County’s budget in order to continue in compliance with the Rules?	Yes <input type="checkbox"/> No <input type="checkbox"/>
If the County is not in compliance with the Rules, does the County need financial assistance to supplement the County’s budget in order to cure any deficiencies?	Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable <input type="checkbox"/>

Attestation and Signatures

State of Idaho

County of _____

On this _____ day of _____, 2023, I certify that all information provided in this form and any other information provided in support thereof is true and accurate.

(Printed Name of Clerk)

(Signature of Clerk)

[SEAL]

I certify (or declare) under penalty of perjury pursuant to the law of the state of Idaho that the foregoing is correct. This certification or declaration is made pursuant to IDAHO CODE § 9-1406.

District 1 Commissioner – Print Name	
Signature	Date

District 2 Commissioner – Print Name	
Signature	Date

District 3 Commissioner – Print Name	
Signature	Date

***The signature of at least a majority of Commissioners is required.**