



OFFICE OF THE DISTRICT DEFENDER
15th JUDICIAL DISTRICT
Parishes of Acadia - Lafayette - Vermilion
600 Jefferson, Suite 902
P.O. Box 3622 Lafayette, La. 70502

G. PAUL MARX

District Defender

337-232-9345

gpaul@15jdid.net

October 28, 2014

James T. Dixon
500 Laurel Street, Suite 300
Baton Rouge, La. 70801

Re: Notice Regarding Restriction of Services
Local Response - Shortfall Near \$190,000, February 1st, 2015

Dear Jay,

Following an extensive review of the first quarter of the fiscal year, I met with our CPA who provides a monthly income and expense report and we must concur that revenues are not meeting projections, so that consideration must be given to emergency steps. Based on a projection from actual income and expenses during the first three months of the current fiscal year, with consideration of additional spending on investigation and insurance, the shortfall occurs in February 2014 and by the end of the fiscal year amounts to the rounded up figure of \$190,000. We cannot operate past December without the second half of DAF.

Alternatives to R.O.S.

1. Outreach to Stakeholders

We have already kept other parties in the Criminal Justice System advised on our circumstances. Additional outreach will include full details on the status and consequences of continued declining local revenue. There may be some room for the courts to secure user fees by taking a more active role in reviewing financial conditions of clients at the time cases are closed.

In addition there are court cost funds carrying a surplus of nearly five million dollars (\$5,000,000) which the District Judges could tap for assistance to the PDO. The City Parish funds the District Attorneys office, including salaries and overhead, and a much smaller contribution by City Parish Government could resolve the current fiscal year for us. We will be making that outreach before November 10th.

Dixon
R.O.S.
October 28, 2014

page 2

We have already started a review of court costs assessment and collection. We do not see the impact of the increased costs and will need some assistance in getting cooperation from some of the courts in confirming proper collections.

2. Client Contributions

We have an increasing collection of client reimbursements, including the \$40 (forty dollar) application fee and client fee payments. This effort began at the time of the 2012 shortfall and has met with some success in reducing our shortfall.

We hope to implement the Income Tax Refund collection under state law before the end of this calendar year and anticipate the funds resulting from that effort might help us close the gap.

3. Grant Funded Positions

Three new attorneys are funded by a Gideon's Promise Partnership Grant for September 2014 through September 2015, which covers nearly \$175,000 worth of salary and enables us to maintain reasonable caseloads in most divisions.

We also have an application in with the Capital Coordinator of LPDB for a grant to fund one Capital Attorney and a Mitigation Specialist at approximately \$150,000 annually. This grant, for positions I have already filled, would get us through FY 2015 and I must add, at a huge savings to LPDB, as we have four active mitigation cases now, plus one with an outside, hourly mitigationist.

4. Attrition to Full Time

We have already left some \$250,000 in budgeted positions unfilled, and could recognize additional savings by leaving vacant some positions that contract lawyers are leaving. The full time side of the office has sufficient personnel for these positions, with a budget figure around \$50,000 for the remainder of the year.

Certainly your assistance will be required in both informing the public and also reaching some Restriction of Service Protocol that protects the clients facing the most serious consequences.

Thank you for your assistance in this critical matter.



G Paul Marx
District Defender