

**C80B00**  
**Office of the Public Defender**

***Operating Budget Data***

(\$ in Thousands)

	<u>FY 09</u> <u>Actual</u>	<u>FY 10</u> <u>Working</u>	<u>FY 11</u> <u>Allowance</u>	<u>FY 10-11</u> <u>Change</u>	<u>% Change</u> <u>Prior Year</u>
General Fund	\$90,073	\$85,085	\$87,018	\$1,933	2.3%
Contingent & Back of Bill Reductions	0	0	-2,214	-2,214	
<b>Adjusted General Fund</b>	<b>\$90,073</b>	<b>\$85,085</b>	<b>\$84,804</b>	<b>-\$281</b>	<b>-0.3%</b>
Special Fund	89	182	80	-102	-56.3%
<b>Adjusted Special Fund</b>	<b>\$89</b>	<b>\$182</b>	<b>\$80</b>	<b>-\$102</b>	<b>-56.3%</b>
Reimbursable Fund	942	944	960	16	1.7%
Contingent & Back of Bill Reductions	0	0	-2	-2	
<b>Adjusted Reimbursable Fund</b>	<b>\$942</b>	<b>\$944</b>	<b>\$958</b>	<b>\$14</b>	<b>1.5%</b>
<b>Adjusted Grand Total</b>	<b>\$91,104</b>	<b>\$86,211</b>	<b>\$85,841</b>	<b>-\$370</b>	<b>-0.4%</b>

Note: For purposes of illustration, the Department of Legislative Services has estimated the distribution of selected across-the-board reductions. The actual allocations are to be developed by the Administration.

- When adjusted for across-the-board reductions, the Office of the Public Defender (OPD) fiscal 2011 allowance decreases \$370,000, or 0.4%, below the fiscal 2010 working appropriation.
- Across-the-board reductions taken in the budget include a \$1.9 million decrease for fiscal 2011 furlough savings, \$260,047 for health insurance, and \$6,936 for the Injured Workers' Insurance Fund.
- These reductions offset significant increases in employee retirement (\$1.0 million) and health insurance (\$562,000).

Note: Numbers may not sum to total due to rounding.

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## ***Personnel Data***

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	<b><u>FY 09 Actual</u></b>	<b><u>FY 10 Working</u></b>	<b><u>FY 11 Allowance</u></b>	<b><u>FY 10-11 Change</u></b>
Regular Positions	990.00	928.00	913.00	-15.00
Contractual FTEs	<u>21.50</u>	<u>29.50</u>	<u>13.50</u>	<u>-16.00</u>
<b>Total Personnel</b>	<b>1,011.50</b>	<b>957.50</b>	<b>926.50</b>	<b>-31.00</b>

### ***Vacancy Data: Regular Positions***

Turnover and Necessary Vacancies, Excluding New Positions	32.69	3.58%
Positions and Percentage Vacant as of 12/31/09	54.00	5.82%

- The budget includes a reduction of 15.0 regular positions and 16.0 contractual full-time equivalents. When accounting for 15.0 positions abolished by the Board of Public Works in July and November 2009, OPD has lost a total of 30.0 regular positions since the beginning of fiscal 2010.
- As of December 31, 2009, the agency's vacancy rate was 5.82%.
- The agency's budgeted turnover rate of 3.58% requires an average of 32.69 vacant positions throughout fiscal 2011 to achieve the savings required.

## ***Analysis in Brief***

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### **Major Trends**

***The Percentage of Attorneys Meeting Maryland Caseload Standards Remains Low:*** In 2010, the percentage of circuit court, District Court, and juvenile attorneys meeting caseload standards is projected to be 17%, 17%, and 42%, respectively.

***Mixed Projections in the Average Caseloads Per Attorney for Attorneys Assigned to the Collateral Review and Mental Health Divisions:*** OPD projects that neither the Collateral Review nor the Mental Health divisions will be in compliance with caseload standards by calendar 2010. The Appellate Division, however, is expected to meet the standard.

## **Issues**

***Office of Legislative Audits Audit Reveals Inadequate Budgeting and Personnel Practices:*** During the 2008 session, the budget committees requested the Office of Legislative Audits (OLA) to conduct a follow-up performance audit to assess the effectiveness of OPD’s budgetary and financial management practices and procedures. The report was released in November of 2009 and included 12 findings with regard to OPD’s financial operations, budgeting issues, excess expenditures, financial management and oversight, and case management. **The Department of Legislative Services recommends that the budget committees adopt narrative requiring OPD to establish policies and procedures for implementing the recommendations set forth in the OLA performance audit and provide a report to the committees on its progress.**

***Personnel Reductions May Have Direct Impact on Core Functions:*** OPD lost 104 positions since 2007. During this period, the total number of cases handled by OPD has increased nearly every year, while OPD continues to struggle to meet its caseload standards. **The agency should comment on its ability to serve indigent defendants given the workforce reduction.**

## **Recommended Actions**

1. Adopt committee narrative to request a status report on the progress of the implementation of the Office of Legislative Audits recommendations.

*C80B00 – Office of the Public Defender*

**C80B00**  
**Office of the Public Defender**

***Operating Budget Analysis***

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**Program Description**

The Office of the Public Defender (OPD) provides counsel and related services to indigent persons. Representation is provided in criminal trials, appeals, juvenile cases, post-conviction proceedings, parole and probation revocations, and involuntary commitments to mental institutions. Four divisions support the office: (1) general administration; (2) district operations; (3) appellate and inmate services; and (4) involuntary institutionalization. The capital defense division was brought under the umbrella of district operations in July 2009.

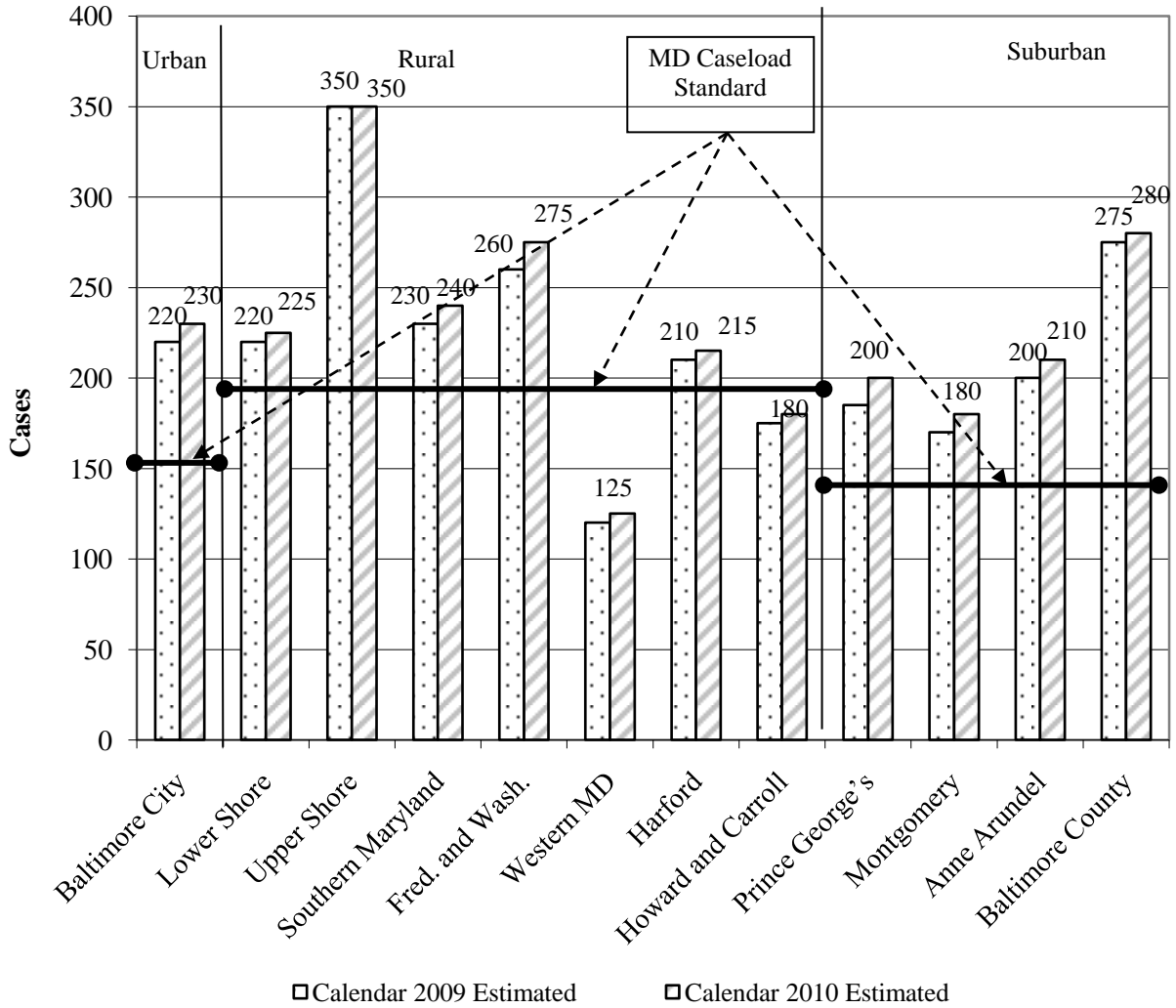
**Performance Analysis: Managing for Results**

During the 2006 legislative session, the General Assembly endorsed the implementation of Maryland-specific attorney caseload standards. Under the Maryland standards, the maximum number of cases that Maryland public defenders may handle each year without jeopardizing effective assistance of counsel varies based upon the geographic location and types of cases handled. Fiscal 2010 represents the third year that OPD has utilized these standards as part of its Managing for Results data.

**Exhibit 1** illustrates the average annual caseload per circuit court attorney by region. The average caseload standard per attorney is 156, 191, and 140 for urban, rural, and suburban circuit court offices, respectively. OPD projects that only 17% of its district offices will satisfy the compliance rate set by the case weighting study by the conclusion of calendar 2010. Most notably, only Allegany, Carroll, Garrett, and Howard counties are projected to satisfy the circuit court caseload standard by 2010.

**Exhibit 2** illustrates the average annual caseload per District Court attorney by region. The average caseload standard per attorney is 728, 630, and 705 for urban, rural, and suburban circuit court offices, respectively. OPD projects that 17% of its district offices, including Baltimore City, will satisfy the compliance rate set by the case weighting study at the conclusion of calendar 2010. Of the remaining jurisdictions, only Allegany and Garrett counties are projected to satisfy the caseload standard by 2010.

**Exhibit 1  
Average Circuit Court Caseload Per Attorney by Region**

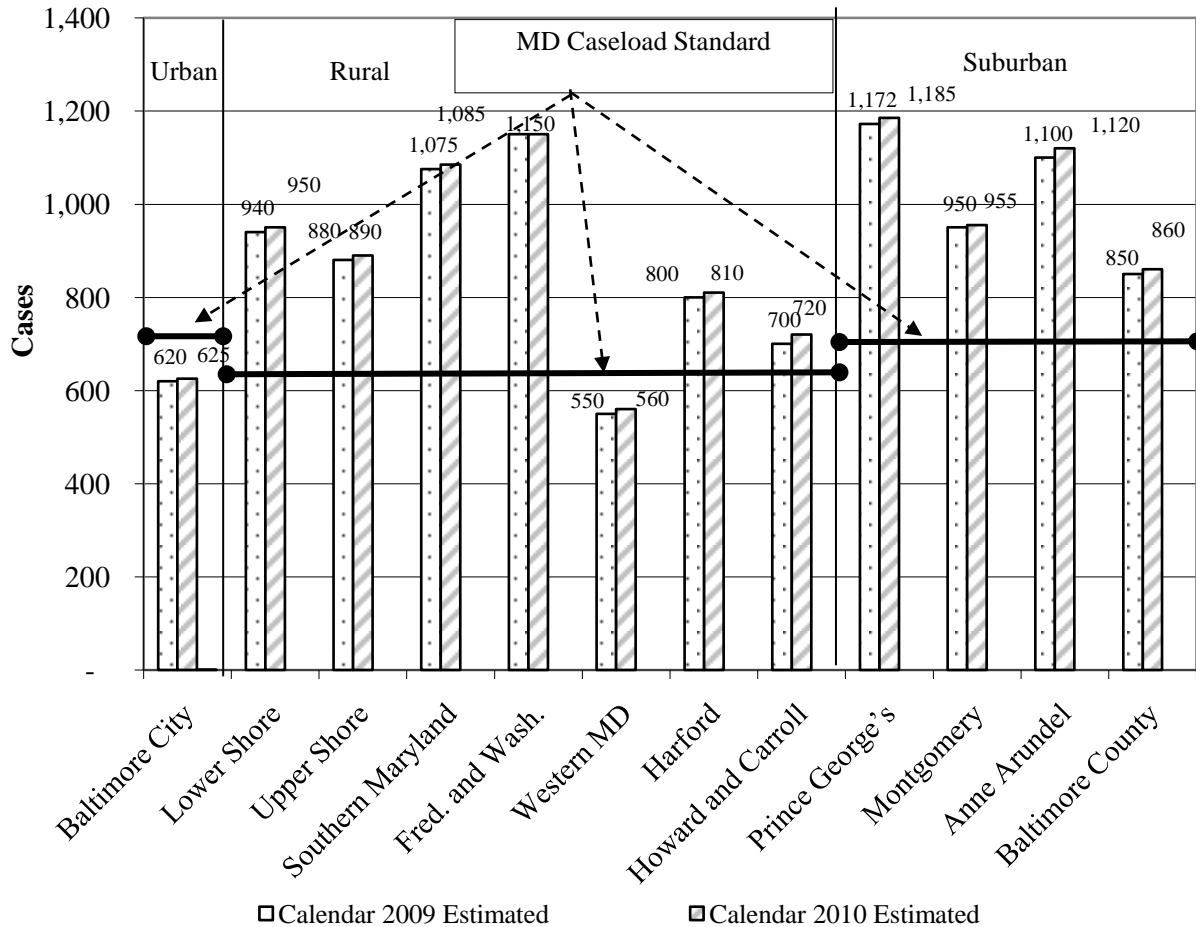


Maryland Caseload Standards: Urban Counties – 156 cases; Rural Counties – 191 cases; Suburban Counties – 140 cases.

Note: Lower Shore constitutes Dorchester, Somerset, Wicomico, and Worcester counties; Upper Shore constitutes Caroline, Cecil, Kent, Queen Anne’s, and Talbot counties; Southern Maryland constitutes Calvert, Charles, and St. Mary’s counties; and Western Maryland constitutes Allegany and Garrett counties.

Source: Office of the Public Defender

**Exhibit 2**  
**Average District Court Caseload Per Attorney by Region**



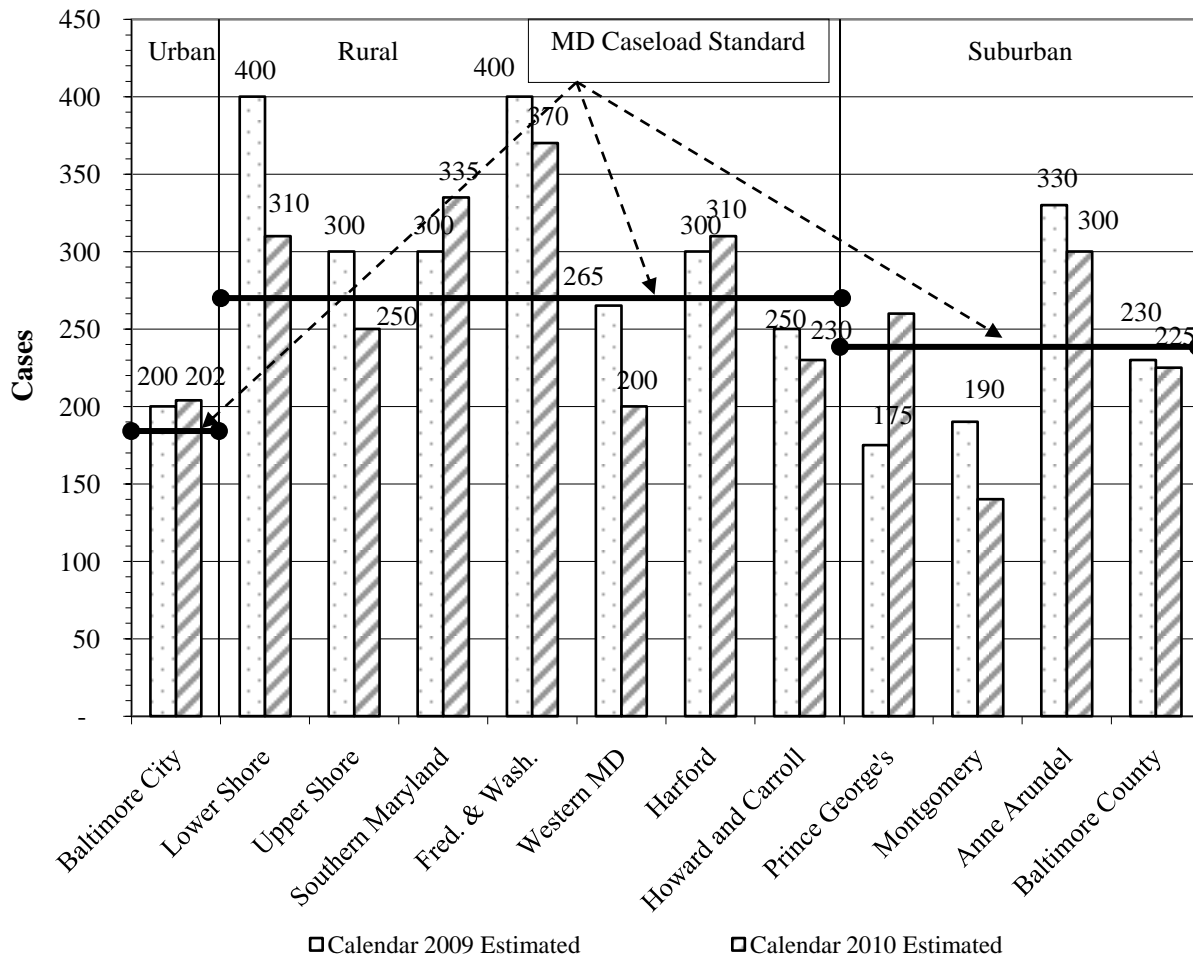
Maryland Caseload Standards: Urban Counties – 728 cases; Rural Counties – 630 cases; Suburban Counties – 705 cases.

Note: Lower Shore constitutes Dorchester, Somerset, Wicomico, and Worcester counties; Upper Shore constitutes Caroline, Cecil, Kent, Queen Anne's, and Talbot counties; Southern Maryland constitutes Calvert, Charles, and St. Mary's counties; and Western Maryland constitutes Allegany and Garrett counties.

Source: Office of the Public Defender

**Exhibit 3** illustrates the average annual caseload per juvenile court attorney by region. The average caseload standard per attorney is 182, 271, and 238 for urban, rural, and suburban circuit court offices, respectively. OPD projects that 42% of its district offices will satisfy the compliance rate set by the case weighting study by the conclusion of calendar 2010.

**Exhibit 3**  
**Average Juvenile Caseload Per Attorney by Region**



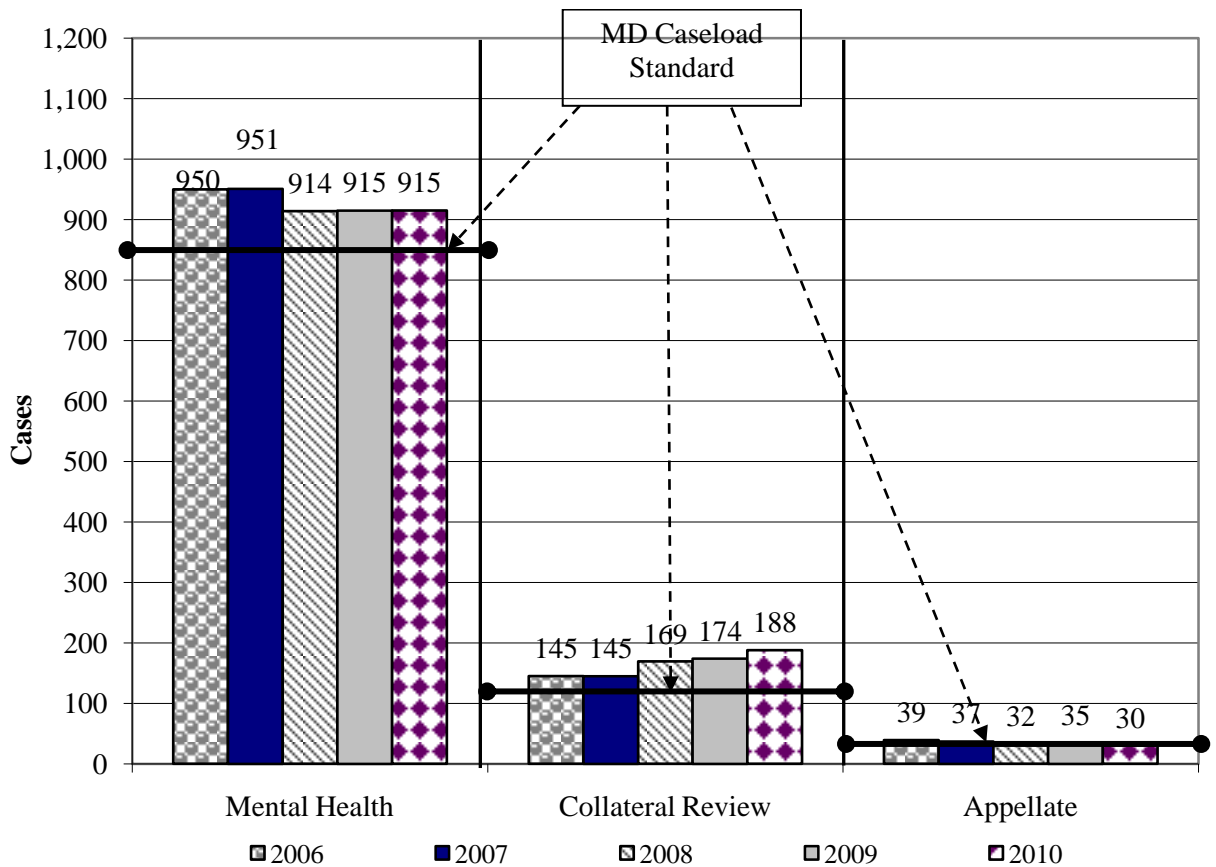
Maryland Caseload Standards: Urban Counties – 182 cases; Rural Counties – 271 cases; Suburban Counties – 238 cases.

Note: Lower Shore constitutes Dorchester, Somerset, Wicomico, and Worcester counties; Upper Shore constitutes Caroline, Cecil, Kent, Queen Anne’s, and Talbot counties; Southern Maryland constitutes Calvert, Charles, and St. Mary’s counties; and Western Maryland constitutes Allegany and Garrett counties.

Source: Office of the Public Defender

In addition to district operations, which are generally comprised of trial level work within the circuit and District Court, OPD maintains several statewide divisions. **Exhibit 4** illustrates the average annual caseload standard per attorney for OPD’s Mental Health, Collateral Review, and Appellate divisions. The average caseload standard per attorney is 843, 111, and 30, for the Mental Health, Collateral Review, and Appellate divisions, respectively. OPD projects that neither the Collateral Review nor the Mental Health divisions will be in compliance with caseload standards by calendar 2010. The Appellate Division, however, is expected to meet the standard due to the availability of attorneys. The number of Mental Health, Collateral Review, and Appellate cases is expected to remain level in 2010.

**Exhibit 4**  
**Average Caseload Per Attorney for the Mental Health, Collateral Review,**  
**And Appellate Divisions**  
**Calendar 2006-2010**



Source: Office of the Public Defender

## **Fiscal 2010 Actions**

### **Impact of Cost Containment**

In July, August, and November 2009, the Governor proposed and the Board of Public Works (BPW) adopted reductions to the fiscal 2010 appropriation. \$3.2 million in cost containment actions specific to the OPD include:

- \$2,080,165 for the statewide furlough;
- \$683,976 to abolish 14.5 positions and eliminate temporary staff in Administrative Services Unit;
- \$205,510 in across-the-board items such as rent, electricity, travel, and reverting prior year encumbrances; and
- \$200,000 in savings resulting from the reorganization of the capital defense division into district operations.

The above actions all applied to general funds.

## **Proposed Budget**

As shown in **Exhibit 5**, the OPD budget decreases \$370,000, or 0.4%, in fiscal 2011. This is primarily due to several factors including \$948,000 to abolish 15 regular position; \$401,000 to reflect the impact of 2010 cost containment actions on the 2011 allowance; \$404,000 to abolish 16 contractual full-time equivalents; and \$393,000 in reductions for panel attorneys and expert witnesses. Notable increases in the OPD's budget are for personnel-related items including \$1 million for the employee retirement plan, \$562,000 for health insurance, and \$380,000 for contracting private investigative services.

### **Impact of Cost Containment**

The fiscal 2011 budget reflects several across-the-board actions to be allocated by the Administration. This includes a combination of employee furloughs and government shut-down days similar to the plan adopted in fiscal 2010; a reduction in overtime based on accident leave management; streamlining of State operations; hiring freeze and attrition savings; a change in the injured workers' settlement policy and administrative costs; and a savings in health insurance to reflect a balance in that account. For purposes of illustration, the Department of Legislative Services has estimated the distribution of selected actions relating to employee furloughs, health insurance, and the Injured Workers' Insurance Fund cost savings.

**Exhibit 6**  
**Proposed Budget**  
**Office of the Public Defender**  
**(\$ in Thousands)**

<b>How Much It Grows:</b>	<b>General Fund</b>	<b>Special Fund</b>	<b>Reimb. Fund</b>	<b>Total</b>
2010 Working Appropriation	\$85,085	\$182	\$944	\$86,211
2011 Allowance	<u>87,018</u>	<u>80</u>	<u>960</u>	<u>88,057</u>
Amount Change	\$1,933	-\$102	\$16	\$1,846
Percent Change	2.3%	-56.3%	1.7%	2.1%
Contingent Reductions	-\$2,214	\$0	-\$2	-\$2,216
Adjusted Change	-\$281	-\$102	\$14	-\$370
Adjusted Percent Change	-0.3%	-56.3%	1.5%	-0.4%
<b>Where It Goes:</b>				
<b>Personnel Expenses</b>				
Employee retirement plan .....				\$1,008
Abolition of 15 regular positions .....				-948
Employee and retiree health insurance.....				562
Fiscal 2011 impact of fiscal 2010 cost containment .....				-401
Other salary and fringe benefit adjustments.....				214
Unemployment compensation.....				103
Turnover.....				-98
Workers' compensation.....				-76
<b>Other Changes</b>				
Private investigative services .....				380
Abolition of 16 contractual full-time equivalents .....				-404
Expert witnesses.....				-259
Panel attorney.....				-134
Communication expenditures.....				-128
Capital lease equipment .....				-94
Office supplies .....				-89
Other changes.....				-6
<b>Total</b>				<b>-\$370</b>

Note: Numbers may not sum due to rounding.

## *Issues*

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### **1. Office of Legislative Audits Audit Reveals Inadequate Budgeting and Personnel Practices**

OPD has long been unable to meet its annual appropriation. In every fiscal year since 1995, with the exception of fiscal 2004, the agency has received deficiency appropriations, supplemental budgets, or has carried forward unfunded expenditures. Most recently, OPD received deficiency appropriations in the amount of \$2.7 million and \$3.5 million in fiscal 2008 and 2009, respectively.

In November 2001, the Office of Legislative Audits (OLA) issued a performance audit assessing OPD's budgetary and financial management practices. That report documented OPD's history of budget deficits and included 8 findings and recommendations needed to improve the agency's operations in the areas of case management, caseload standards, and budgeting. During the 2008 session, the budget committees requested OLA to conduct a follow-up performance audit to assess the effectiveness of OPD's budgetary and financial management practices and procedures. The report was released in November 2009 and included 12 findings with regard to OPD's financial operations, budgeting issues, excess expenditures, financial management and oversight, and case management. Given the current economic climate and scarcity of State general funds, some of OLA's findings may not be addressed in the near term. For instance, while OLA found that OPD's annual budget requests sometimes included unrealistic amounts, it is uncertain to what extent the budget may be fully funded based on an accurate projection of needs. Therefore, this discussion focuses on 3 of OLA's findings that may be effectively addressed in the near-term:

- **OPD headquarters did not provide its operating units with access to the State's Financial Management Information System or provide them with periodic budget and expenditure reports.** OLA's review of financial management and oversight found that OPD processes only required division chiefs and district offices to report expenditures when invoices were received, and they were not required to generate purchase orders when services were originally contracted. As a result, funds were not encumbered and expenditures were understated. This problem has been exacerbated by the fact that division chiefs and district offices did not have any targets to which they could compare actual expenditures and thus evaluate performance.
- **Despite the addition of numerous attorney positions, attorney caseloads exceeded the Maryland attorney caseload standards, and OPD did not adequately reallocate positions to minimize caseload disparities.** OPD's Managing for Results have generally disclosed that most districts have been unable to meet caseload standards due to a combination of inadequate staffing and heavy caseloads. The OLA audit further revealed large disparities in attorney needs among districts and case types. While some districts had more attorneys than necessary to meet caseload standards, others required more attorneys. OLA found that while OPD did reallocate vacant positions, resources could still be distributed more equitably.

- **OPD had not implemented a process to determine if certain caseload standards should be updated.** Maryland-specific caseload standards were endorsed by the General Assembly in 2006 and have since been used for caseload management and to evaluate personnel needs within OPD. However, the standards have not been reevaluated since that time. OLA's audit found that OPD's internal policies did not include a process to do so in spite of significant changes such as the introduction of problem-solving courts.

**The Department of Legislative Services recommends that the budget committees adopt narrative requiring OPD to establish policies and procedures for implementing the recommendations set forth in the OLA performance audit and provide a report to the committees on its progress.**

## **2. Personnel Reductions May Have Direct Impact on Core Functions**

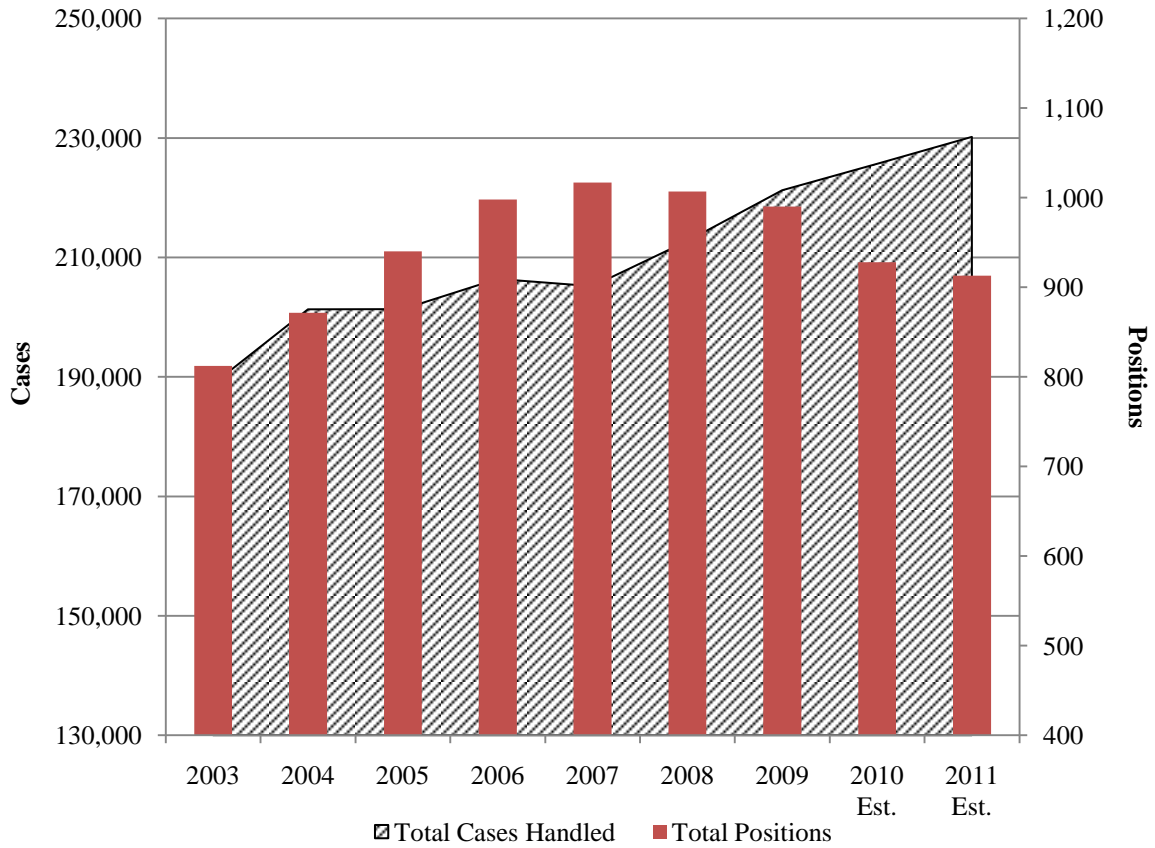
OPD is charged by the United States and Maryland constitutions with providing legal representation to indigent defendants. To meet its obligations, the agency employs over 500 attorneys, more than half its workforce. In addition, OPD retains social workers, investigators, intake specialists and other non-attorney support and administrative personnel who assist the public defenders.

The Maryland-specific caseload standards endorsed by the General Assembly in 2006 were intended to evaluate personnel needs and monitor attorney caseloads. Every year from 2003 through 2007, when the standards were implemented, new positions were added as shown in **Exhibit 7**. A total of 205.0 positions were created during that five-year period, of which 125.0 were attorneys. This greatly enhanced OPD's ability to serve its clients and manage the number of caseloads each attorney handled per year. However, 104.0 positions have been abolished since 2007, including 15.0 reflected in the 2011 allowance. Of those 104.0 positions, 27.5 represent attorneys, while the remaining 76.5 positions represent non-attorney personnel who provide support that may reduce the amount of time attorneys spend on each case. Moreover, OPD has expressed its intention to abolish its entire complement of 30.0 investigator positions between fiscal 2011 and 2013, or 10.0 positions per year, for cost containment purposes. The fiscal 2011 allowance includes the first wave of 10.0 investigator positions.

During this period, the total number of cases handled by OPD has increased nearly every year except 2007, growing 3.7% each year on average. As discussed under Managing for Results, OPD continues to struggle to meet its caseload standard in nearly every category and jurisdiction, and these factors exacerbate that trend. The expectation that 10 more investigators positions will be abolished in fiscal 2012 and another 10 in fiscal 2013 will further strain the OPD's ability to manage attorney caseloads as well as the timeliness with which cases are handled.

**The agency should comment on its ability to serve indigent defendants given the workforce reduction.**

**Exhibit 7**  
**Office of the Public Defender – Total Positions and Total Cases Handled**  
**Fiscal 2003-2011**



Note: According to the Office of the Public Defender, fiscal 2009 figures are preliminary and are being edited.

Source: Department of Legislative Services; Office of the Public Defender

## ***Recommended Actions***

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1. Adopt the following narrative:

**Progress on Implementation of the Office of Legislative Audits Recommendations:** During the 2008 session, the budget committees requested the Office of Legislative Audits (OLA) to conduct a follow-up performance audit to assess the effectiveness of the budgetary and financial management practices of the Office of the Public Defender (OPD). OLA released its findings in November 2009. The committees request that the Office of the Public Defender establish policies and procedures to implement the recommendations set forth in the OLA audit and provide a report to the committees on its progress. These actions will improve OPD’s overall financial and case management.

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
Established policies and procedures implementing the recommendations of OLA	OPD	November 1, 2010

## *Current and Prior Year Budgets*

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### Current and Prior Year Budgets Office of the Public Defender (\$ in Thousands)

	<u>General Fund</u>	<u>Special Fund</u>	<u>Federal Fund</u>	<u>Reimb. Fund</u>	<u>Total</u>
<b>Fiscal 2009</b>					
Legislative Appropriation	\$90,105	\$137	\$0	\$942	\$91,184
Deficiency Appropriation	3,500	0	0	0	3,500
Budget Amendments	1,580	19	0	0	1,599
Cost Containment	-4,618	-1	0	0	-4,619
Reversions and Cancellations	-494	-66	0	0	-560
<b>Actual Expenditures</b>	<b>\$90,073</b>	<b>\$89</b>	<b>\$0</b>	<b>\$942</b>	<b>\$91,104</b>
<b>Fiscal 2010</b>					
Legislative Appropriation	\$88,255	\$182	\$0	\$944	\$89,381
Cost Containment	-3,170	0	0	0	-3,170
Budget Amendments	0	0	0	0	0
<b>Working Appropriation</b>	<b>\$85,085</b>	<b>\$182</b>	<b>\$0</b>	<b>\$944</b>	<b>\$86,211</b>

Note: Numbers may not sum to total due to rounding.

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## **Fiscal 2009**

OPD completed fiscal 2009 \$80,000 below its legislative appropriation. Despite \$4.6 million in various cost containment actions enacted by BPW, OPD nonetheless required a \$3.5 million deficiency appropriation to address the agency's budgetary shortfall.

**General Funds:** Actual fiscal 2009 general fund expenditures were \$32,000 below the legislative appropriation. Budget amendments increased the appropriation for a \$1.3 million cost-of-living adjustment (COLA), \$312,199 in annual salary reviews, and \$50,000 in anticipated telecommunications expenditures. BPW reduced the budget by \$4.6 million for several cost containment initiatives. However, ongoing budgetary shortfalls necessitated a \$3.5 million deficiency appropriation. At closeout, OPD reverted \$494,000 of the \$3.5 million deficiency appropriation because the shortfall was slightly over estimated.

**Special Funds:** Actual fiscal 2009 special fund expenditures were \$48,000 less than the legislative appropriation. The appropriation increased for a \$2,302 COLA and \$16,692 in grants from the Community Justice Initiative Project and Mediation and Conflict Resolution Program. \$848 was reduced by BPW for health insurance, and OPD cancelled \$66,000 in unspent funds.

## **Fiscal 2010**

In fiscal 2010, the working appropriation for OPD is \$3.2 million lower than the legislative appropriation. This is due to cost containment initiatives which eliminated general funds for the following purposes: \$2,080,165 for the statewide furlough; \$683,976 to abolish 14.5 positions and eliminate temporary staff in the Administrative Services Unit; \$205,510 in across-the-board reductions for rent, electricity, travel, and reverting prior year encumbrances; and \$200,000 in savings resulting from the closing of the capital defense division.

**Object/Fund Difference Report  
Office of the Public Defender**

<u>Object/Fund</u>	<u>FY09 Actual</u>	<u>FY10 Working Appropriation</u>	<u>FY11 Allowance</u>	<u>FY10 - FY11 Amount Change</u>	<u>Percent Change</u>
<b>Positions</b>					
01 Regular	990.00	928.00	913.00	-15.00	-1.6%
02 Contractual	21.50	29.50	13.50	-16.00	-54.2%
<b>Total Positions</b>	<b>1011.50</b>	<b>957.50</b>	<b>926.50</b>	<b>-31.00</b>	<b>-3.2%</b>
<b>Objects</b>					
01 Salaries and Wages	\$ 75,534,218	\$ 74,344,262	\$ 76,961,280	\$ 2,617,018	3.5%
02 Technical and Spec. Fees	7,331,947	5,807,326	5,053,255	-754,071	-13.0%
03 Communication	799,113	1,050,086	922,483	-127,603	-12.2%
04 Travel	325,603	300,904	277,911	-22,993	-7.6%
06 Fuel and Utilities	139,764	161,012	127,609	-33,403	-20.7%
07 Motor Vehicles	106,498	114,821	50,920	-63,901	-55.7%
08 Contractual Services	3,492,664	1,635,313	2,157,489	522,176	31.9%
09 Supplies and Materials	447,653	508,063	417,763	-90,300	-17.8%
10 Equipment – Replacement	95,912	93,570	0	-93,570	-100.0%
11 Equipment – Additional	161,120	86,293	0	-86,293	-100.0%
13 Fixed Charges	2,669,756	2,109,092	2,088,254	-20,838	-1.0%
<b>Total Objects</b>	<b>\$ 91,104,248</b>	<b>\$ 86,210,742</b>	<b>\$ 88,056,964</b>	<b>\$ 1,846,222</b>	<b>2.1%</b>
<b>Funds</b>					
01 General Fund	\$ 90,073,483	\$ 85,085,010	\$ 87,017,811	\$ 1,932,801	2.3%
03 Special Fund	89,163	182,050	79,591	-102,459	-56.3%
09 Reimbursable Fund	941,602	943,682	959,562	15,880	1.7%
<b>Total Funds</b>	<b>\$ 91,104,248</b>	<b>\$ 86,210,742</b>	<b>\$ 88,056,964</b>	<b>\$ 1,846,222</b>	<b>2.1%</b>

Note: The fiscal 2010 appropriation does not include deficiencies.

**Fiscal Summary  
Office of the Public Defender**

<u>Program/Unit</u>	<u>FY09 Actual</u>	<u>FY10 Wrk Approp</u>	<u>FY11 Allowance</u>	<u>Change</u>	<u>FY10 - FY11 % Change</u>
01 General Administration	\$ 7,202,547	\$ 5,904,178	\$ 6,140,882	\$ 236,704	4.0%
02 District Operations	74,858,408	73,168,326	74,741,636	1,573,310	2.2%
03 Appellate and Inmate Services	6,645,053	5,887,111	5,754,275	-132,836	-2.3%
04 Involuntary Institutionalization Services	1,343,253	1,251,127	1,420,171	169,044	13.5%
05 Capital Defense Division	1,054,987	0	0	0	0%
<b>Total Expenditures</b>	<b>\$ 91,104,248</b>	<b>\$ 86,210,742</b>	<b>\$ 88,056,964</b>	<b>\$ 1,846,222</b>	<b>2.1%</b>
General Fund	\$ 90,073,483	\$ 85,085,010	\$ 87,017,811	\$ 1,932,801	2.3%
Special Fund	89,163	182,050	79,591	-102,459	-56.3%
<b>Total Appropriations</b>	<b>\$ 90,162,646</b>	<b>\$ 85,267,060</b>	<b>\$ 87,097,402</b>	<b>\$ 1,830,342</b>	<b>2.1%</b>
Reimbursable Fund	\$ 941,602	\$ 943,682	\$ 959,562	\$ 15,880	1.7%
<b>Total Funds</b>	<b>\$ 91,104,248</b>	<b>\$ 86,210,742</b>	<b>\$ 88,056,964</b>	<b>\$ 1,846,222</b>	<b>2.1%</b>

Note: The fiscal 2010 appropriation does not include deficiencies.