

**Commission on Legal Counsel for Indigents**  
**Budget No. 188**  
**Senate Bill Nos. 2022 and 2226**

	<b>FTE Positions</b>	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
<b>2025-27 legislative appropriations</b>	<b>43.00</b>	<b>\$25,568,310</b>	<b>\$2,049,216</b>	<b>\$27,617,526</b>
2025-27 base budget	41.00	20,999,305	2,023,067	23,022,372
Legislative increase (decrease) to base budget	2.00	\$4,569,005	\$26,149	\$4,595,154

**ONGOING AND ONE-TIME GENERAL FUND APPROPRIATIONS**

	<b>Ongoing General Fund Appropriation</b>	<b>One-Time General Fund Appropriation</b>	<b>Total General Fund Appropriation</b>
<b>2025-27 legislative appropriations</b>	<b>\$25,568,310</b>	<b>\$0</b>	<b>\$25,568,310</b>
2023-25 legislative appropriations	20,999,305	0	20,999,305
2025-27 legislative increase (decrease) to 2023-25 appropriations	\$4,569,005	\$0	\$4,569,005
Percentage increase (decrease) to 2023-25 appropriations	21.8%	N/A	21.8%

**SUMMARY OF LEGISLATIVE CHANGES TO THE BASE BUDGET AND MAJOR FUNDING ITEMS**  
**Changes to Base Budget**

	<b>FTE Positions</b>	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
The legislative action:				
Added funding to provide employee salary increases of 3 percent on July 1, 2025, and 3 percent on July 1, 2026		\$377,323	\$10,765	\$388,088
Added funding for employee health insurance premiums to reflect a revised premium estimate of \$1,893 per month		252,222	6,005	258,227
Added funding to replace the 2023-25 biennium new and vacant FTE funding pool, including \$137,781 for new positions and \$260,728 for vacant positions		391,375	7,134	398,509
Added FTE investigator positions	2.00	362,120		362,120
Transferred \$362,120 for 2 new FTE positions from the commission on legal counsel for indigents line item to the new and vacant FTE pool line item and reduced the amount to \$325,908 resulting in the savings as shown		(36,212)		(36,212)
Transferred \$326,928 for estimated savings from vacant FTE positions from the commission on legal counsel for indigents		(95,438)	(2,641)	(98,079)

line item to the new and vacant FTE pool line item and reduced the amount to \$228,849, resulting in savings as shown

Added funding to implement a new compensation strategy and to increase the contract rate paid to attorneys	2,500,000			2,500,000
Added funding for information technology rate increases	43,971	4,886		48,857
Added funding to replace special funds not anticipated to be collected as a result of the removal of the indigent defense application fee in House Bill No. 1417	310,000			310,000
Added funding to provide legal counsel services for incarcerated individuals at initial appearances (Senate Bill No. 2226)	463,644			463,644
Total	<u>2.00</u>	<u>\$4,569,005</u>	<u>\$26,149</u>	<u>\$4,595,154</u>

### FTE Changes

The Legislative Assembly approved 43 FTE positions for the Commission on Legal Counsel for Indigents for the 2025-27 biennium, an increase of 2 FTE positions from the 2023-25 biennium. The Legislative Assembly added 2 FTE investigator positions.

### Other Sections in Senate Bill No. 2022

**New and vacant FTE pool** - Section 2 provides language regarding the use of funding in the new and vacant FTE pool line item.

**Employee classification** - Section 3 adds a new subsection to North Dakota Century Code Section 54-44.3-20 to exempt attorneys employed by the Commission on Legal Counsel for Indigents from the employee classification system.

**Legislative Management study** - Section 4 provides for a Legislative Management study of the potential impact of establishing the Public Defenders Office as an administrative agency under the authority of the Commission on Legal Counsel for Indigents.

### Related Legislation

**House Bill No. 1417 - Indigent defense application fee** - This bill eliminates fees for the reimbursement of indigent defense costs and expenses and provides for a Legislative Management study of court fines and fees.

**Senate Bill No. 2226 - Incarcerated individuals initial appearances** - This bill appropriates \$463,644 from the general fund to the Commission on Legal Counsel for Indigents to provide legal counsel services for incarcerated individuals at initial appearances.