

From: Public Defender Commission <pdcom@subscriptions.in.gov>
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To: Cullen, Andrew S
Subject: IMPORTANT BUDGET INFORMATION

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July 8, 2022

Special Bulletin



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This bulletin is intended to remind officials in counties participating in the Commission's reimbursement program to include two budget increase items during the upcoming annual county budgeting process. Please forward this email to all relevant county officials.

Commission staff is here to help. If you would like us to provide a fiscal analysis to estimate the increase that will be required in your county's public defense budget, please email us at information@pdcom.in.gov and we will reply to you promptly.

- [New Salaries for Chiefs/Chief Deputies for '23](#)
- [Hourly Rate for Attorneys Increasing in '23](#)

New Salaries for Chiefs/Chief Deputies for '23

The Chief Justice has set the new salaries for Judges and Prosecuting Attorneys. The Commission requires that these salaries are matched for Chief PDs and Chief Deputies.

The new salaries for judges and prosecutors are effective July 1. However, the Commission does not require the corresponding increase for Chiefs and Chief Deputies to be effective until January 1 of the following calendar year, to allow for the increases to be included in the county budgeting process.

<i>Position</i>	<i>2022</i>	<i>2023 (Effective January 1, 2023)</i>
Chief PD	\$159,950	\$165,276
Part Time Chief PD (.66)	\$105,568	\$109,082
Part Time Chief PD (.6)	\$95,970	\$99,166
Chief Deputy Public Defender	\$119,963	\$123,957
Part Time Chief Deputy (.66)	\$79,175	\$81,812
Part Time Chief Deputy (.6)	\$71,977	\$74,374

[Click here to read the letter from the Chief Justice.](#)

Hourly Rate for Attorneys Increasing in '23

Beginning January 1, 2023, the hourly rate for attorneys will rise to \$100/hour for non-capital cases and to \$136/hour for capital cases.

On June 15, 2022, the Commission heard a request from the Chief Public Defenders' Association (CPDA) to raise the non-capital hourly compensation rate required for counties and regions receiving Commission reimbursement.

Specifically, the CPDA requested the hourly rate be tied to the capital rate under Criminal Rule 24, at the rate of 85%. This would have set the rate to \$115/hour on January 1, 2023, concurrent with the capital rate increase to \$136/hour.

The CPDA indicated that there is a need to raise the hourly rate, because it has become a challenge to find attorneys willing to accept public defense work at the current hourly rate of \$90/hour. The Commission agrees with the CPDA that the following issues necessitate this rate increase:

1. the current shortage of attorneys in Indiana compared to the national average
2. the increase in privately retained attorney rates, and
3. the general economic climate

The Commission agreed that an increase was necessary but set the rate at 75% of the capital rate.

The Commission voted to approve the following change to **Standard H – Compensation of Assigned Counsel:**

Counsel shall be compensated for time actually expended at the hourly rate of not

less than 75% of the capital rate required under Criminal Rule 24, rounded up or down to the nearest \$10/hour. The effective date of any increases shall tier with the capital rate increases (January 1 of odd-numbered years).

	<i>For Use By</i>	<i>Effective until December 31, 2022</i>	<i>Effective January 1, 2023</i>
Non-Capital Case Hourly Rate	Commission Counties	\$90	\$100
Capital (Death Penalty) Case Hourly Rate	All Counties	\$129	\$136

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