

**TESTIMONY**  
on HB 2469

STATE BOARD OF INDIGENTS' DEFENSE SERVICES  
BEFORE THE  
CORRECTIONS AND JUVENIL JUSTICE COMMITTEE

February 8, 2012

Madam Chair Colloton and members of the Committee:

Thank you for the opportunity to testify as a proponent of H.B. 2469. This is legislation that the State Board of Indigents' Defense Services requested to allow the BIDS application fee of \$100.00 to be assessed in probation violation and diversion revocation cases. The fee cannot be assessed currently without this statutory language based on a decision of the Kansas Court of Appeals.

These types of cases represent almost 20% of the BIDS caseload. We estimate that \$100,000 may be received annually through this legislation and we ask for an amendment to specify that these fees be used to support a salary adjustment for public defenders, who are unclassified and who did not receive the market pay adjustment that all other attorneys in the Executive Branch received back in FY 2008. There are 64 public defenders with up to 14 years experience earning less than entry level classified attorneys. Entry level pay for public defenders is \$10,000 less than entry level pay for classified attorneys.

We request the ability to apply these funds to defender salaries, similarly to the action of the judiciary in establishing fees to be applied to staff salaries.

Thank you for your kind consideration of this proposed legislation.

Respectfully submitted,



Patricia A. Scalia  
Executive Director

House Corrections and Juvenile Justice  
Committee  
2012 Session  
Date 2-8-12  
Attachment # 1-1