

**DEPARTMENT 475: DISTRICT ATTORNEYS
INSTRUCTIONS FOR 2019-21 BIENNIAL BUDGET REQUEST
FOR COST-TO-CONTINUE AND
REDUCTION OF CURRENT POSITION AUTHORIZATION**

If you wish to maintain the current number of State-funded positions in your office, please complete the following one-page form requesting a cost-to-continue current positions budget. If you wish to reduce the number of State-funded positions in your office, please complete the following one-page form(s) for requesting a reduction of current position authorization. Please sign and date the form(s) and send a copy of your request to the appropriate county official(s).

Under these options, your office will be afforded the standard budget adjustments that all agencies are provided related to salary and fringe benefit adjustments.

DEADLINE: September 1, 2018

Return to: State Prosecutors Office by email (preferred) , fax or mail

P.O. Box 7869

Madison, WI 53707-7869

Kasey.deiss@wisconsin.gov

Fax: (608) 264-9500

FORM FOR REQUESTING A COST-TO-CONTINUE CURRENT POSITIONS BUDGET

Prosecutorial Unit (County) Dane

1. A cost-to-continue budget is requested for the 2019-21 biennium for this prosecutorial unit. This means that presently authorized positions will continue to be available and Department of Administration staff will make standard funding adjustments.
2. A copy of this request has been sent to the County Board Chairperson/County Executive/Administrative Coordinator as appropriate for this county.

Signed _____ Date _____

FORM FOR REQUESTING A REDUCTION IN CURRENT POSITIONS BUDGET

Prosecutorial Unit (County) _____

1. A REDUCED budget is requested for the 2019-21 biennium for this prosecutorial unit. This means that the presently authorized State-funded positions, minus the position authority being given up, will continue to be available and Department of Administration staff will make standard funding adjustments.
2. The number of full time equivalent prosecutorial positions being reduced shall be _____.
3. The elimination of these positions, if approved by the Governor and Legislature, will take effect upon the enactment of the budget bill once all required notice obligations were met.
4. A copy of this request has been sent to the County Board Chairperson/County Executive/Administrative Coordinator as appropriate for this county.

Signed _____ Date _____

**DEPARTMENT 475: DISTRICT ATTORNEYS
INSTRUCTIONS FOR 2019-21 BIENNIAL BUDGET REQUEST
FOR INCREASE IN CURRENT POSITIONS**

If you wish to **increase** the number and/or the full-time equivalent (FTE) level of your positions, more information is requested. Detailed questions are asked during the budget process; consequently, the more complete the information you provide at the start, the better the information that will be immediately available to the State Budget Office and the Legislative Fiscal Bureau to answer questions when critical decisions are being made.

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CRITICAL STATUTORY DEADLINE NOTICE

All State agencies, including the Department of District Attorneys, must submit their biennial budget requests to the Governor and Legislature no later than September 15th of even numbered years. Therefore, the State Prosecutors Office has only 9 workdays to combine the 71 individual District Attorney budgets into the required single submission that must be sent to the Governor and Legislature. As a result, the September 1, 2018, statutory deadline for submitting your 2019-21 budget request to the State Prosecutors Office must be strictly observed. Any district attorney's budget request for more staff that is not received by the State Prosecutors Office by SATURDAY, SEPTEMBER 1, 2018, will not be considered and the office will be included in the combined District Attorney budget submission as a cost-to-continue budget request, that is, as a request to continue that district attorney office's 2017-19 prosecutorial staffing level through the 2019-21 biennium. Thank you for your cooperation.

Cover Sheet: Form for Use in Requesting Additional Positions

To request any additional positions, please return the signed cover sheet for additional positions with appropriate attachments identified as P-1 through P-6. In some cases, multiples of a "P" sheet may be appropriate, depending upon your request.

**DEPARTMENT 475: DISTRICT ATTORNEYS
2019-21 BIENNIAL BUDGET REQUEST
FORMS FOR USE IN REQUESTING ADDITIONAL POSITIONS**

Prosecutorial Unit (County) Dane

For the 2019-21 biennial budget for this prosecutorial unit, an increase in the number of FTE positions is requested. The increase represents 12 position(s) on a FTE position basis.

Details supporting this request are provided on the completed attachments. Additionally, standard funding adjustments made by Department of Administration staff are expected. These adjustments will be provided to all prosecutorial units in line with the state compensation plan.

CHECKLIST OF ATTACHMENTS

- ☒ Current organizational chart for the office (P-1)
- ☒ Proposed organizational chart with request (P-2)
- ☒ Summary list of requested positions by fund source (P-3)
- ☒ Justification for requested positions (P-4)
- ☒ Milwaukee Clerks Funding Request – completed by Milwaukee only (P-5)
- ☒ County impact statement for request (P-6)
- ☒ Letters of support (if available)

Submitted by Alexandra Fischer, Paralegal
Dane County DA's Office

Phone Number 608-261-9757

Date 8-31-18

Attachments

cc: Dane County Executive Joe Parisi

ATTACHMENTS

P-1 Current Organizational Chart

Please furnish an organizational chart that represents your office on September 1, 2018. Identify State positions by current incumbent's name or position number. If the position is funded by a special grant, please identify the grant. You may also show county-funded positions such as paralegal, investigators, clerical, etc. If your prosecutors are organized into subdivisions, please indicate this clearly on the organizational chart. Label the chart P-1 and include your county's name.

P-2 Proposed Organizational Chart

Please furnish a second organizational chart, using the same approach as in the P-1, which shows how the requested new position(s) would be incorporated into your office structure. Clearly identify all new or modified positions. Label the chart P-2 and include your county's name.

P-3 Summary List of Requested New Positions by Fund Source

Please list the new and increased positions requested.

P-4 Justification for Requesting Additional Prosecutorial Position(s)

For each part-time or full-time position increase identified on the P-3, fill out a separate P-4 sheet. You may photocopy the sample copy or provide your own format as long as the key information is provided. This includes the name of your county, the type of funding, your justification, and a priority ranking among the requested positions if more than one is requested.

P-5 Milwaukee Clerks Funding Request

Used only by the Milwaukee DA Office to request an increase in the funding for clerical staff under s.978.13 (b), (c) and (d), Wis. Stats., for FY19 and FY20.

P-6 County Impact Statement

As the operation of District Attorneys' Offices is a joint state and county financial responsibility, we ask that you inform your appropriate county officials of your state budget request and the possible impact upon your annual county budget request. The sheet provides a format to do this, and again we ask that you attest to this with your signature.

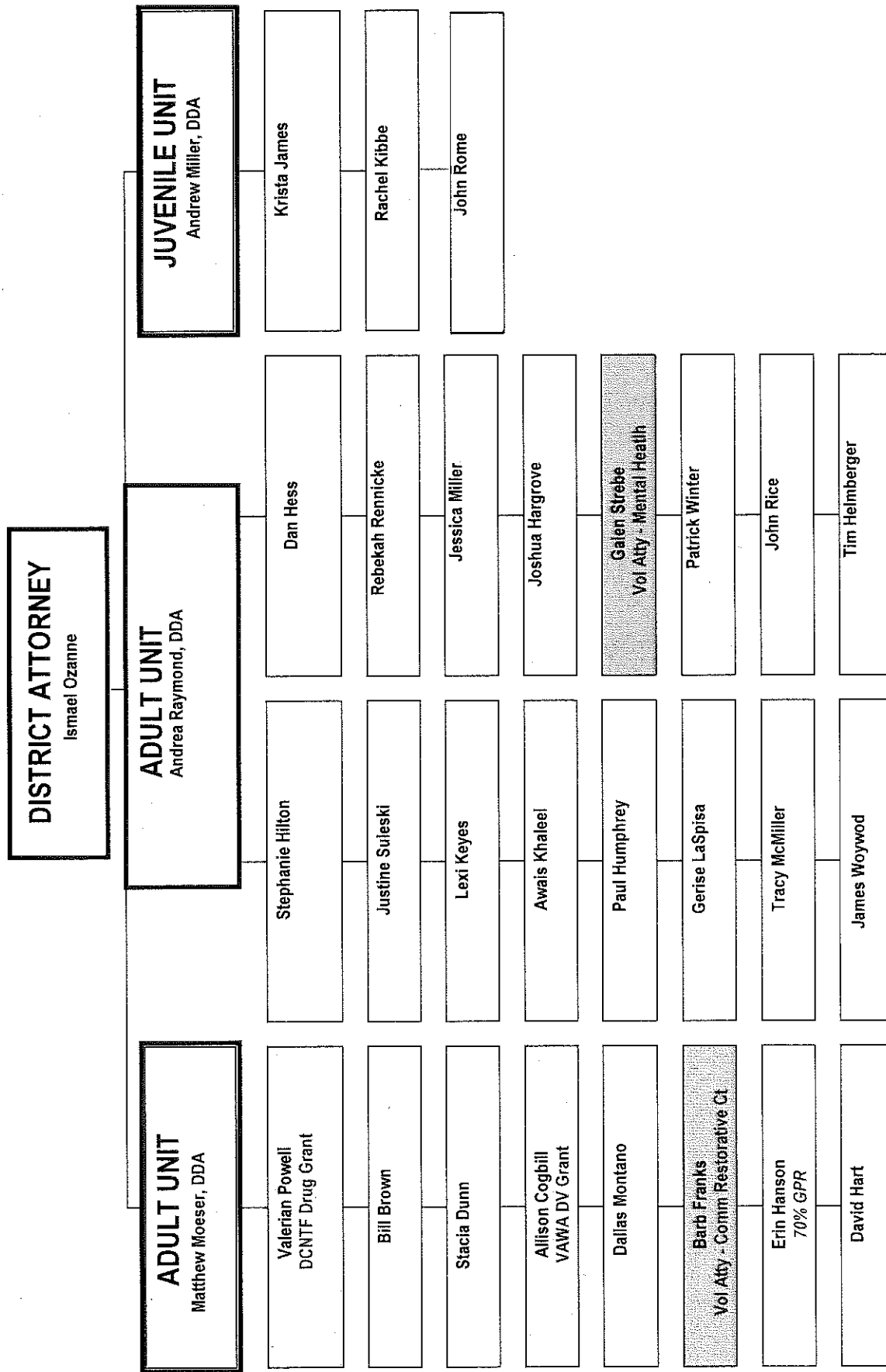
Evidence of County and Other Support for District Attorney Request

If possible, please include any letters of support from a representative(s) of your county and any others with knowledge of your office's needs. If letters become available after September 1, 2018, please submit them to the State Prosecutors Office at that time. All letters will be sent to the Governor and Legislature.

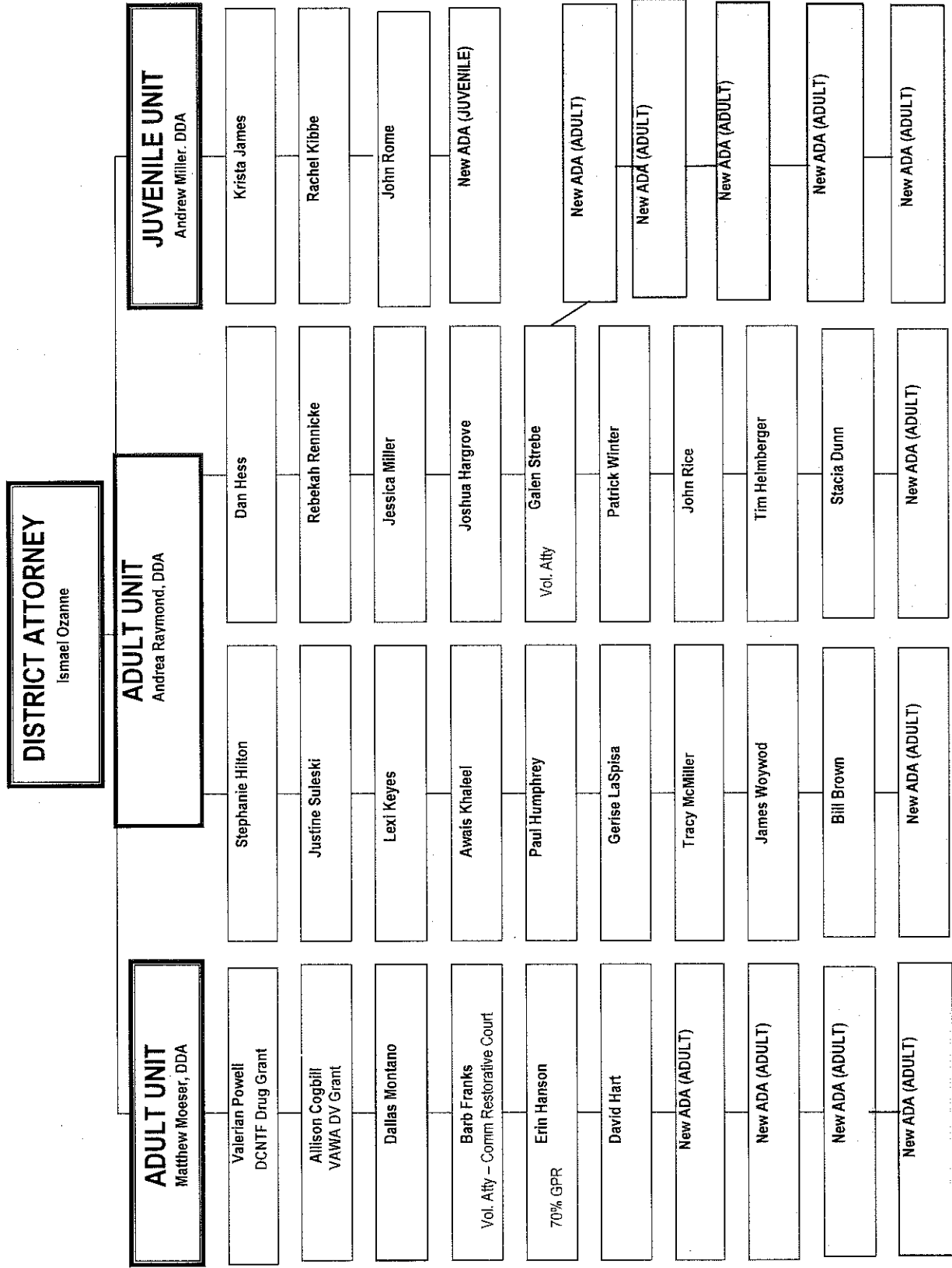
QUESTIONS

For technical assistance, please contact me at (608) 267-2700 or Kasey.deiss@wisconsin.gov

2018 Organization Chart – Dane Co DA's Office – Attorneys



Proposed 2019 Organization Chart – Attorneys Only
Dane County District Attorney's Office



P-3 Summary List of Increased Positions
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Prosecutorial Unit (County): Dane

All DA Offices: Identify the new full time equivalent (FTE) positions requested. If the position requested is new and will be filled by a new hire then the current FTE position is 0.00 and the new FTE position is whatever you are requesting, e.g., 0.50 for a half-time position, 1.00 for a full-time position. New positions will be budgeted assuming the new hire is paid at the minimum hourly rate.

If you are requesting a partial position, which you would use to increase an existing position, then show the current position's FTE position authority, the amount of additional position authority you are requesting and the name of the ADA who would likely have his/her position increased. This will allow us to identify the appropriate funding needed to support your request.

Classification (i.e. ADA, DDA, DA)	Current FTE	New or additional FTE	Name of current holder, if increasing an existing position
1.ADA	0.00	1.00	None- new position request
2.ADA	0.00	1.00	None- new position request
3.ADA	0.00	1.00	None- new position request
4.ADA	0.00	1.00	None- new position request
5.ADA	0.00	1.00	None- new position request
6.ADA	0.00	1.00	None- new position request
7.ADA	0.00	1.00	None- new position request
8.ADA	0.00	1.00	None- new position request
9.ADA	0.00	1.00	None- new position request
10.ADA	0.00	1.00	None- new position request
11.ADA	0.00	1.00	None- new position request
12.ADA	0.00	1.00	None- new position request

P-4 Justification for Increased Prosecutorial Position(s)

Provide a separate P-4 for each position listed in the P-3.

Prosecutorial Unit (County): Dane

Classification of Position (i.e. ADA, DDA or DA): ADA

Full-Time Equivalent (FTE) Request: 12

Type of Funding (GPR or other): GPR

Position number listed on P-3 for this funding: 1-12

Requested starting date for this new or increased position (10/1/19 or later): 1-1-19

Please provide a justification for the request, use additional sheets if needed. The justification statement below relates to all 12 of the ADA positions we are requesting.

Priority ranking (if more than one position is requested) All of them are a priority.

Justification Statement For Requesting 12 New ADAs

We are requesting 12 new ADAs. Our paid regular positions include 1 DA, 3 Deputy DAs, 22 full-time ADAs, and 1 part-time ADA (Erin Hanson 70%). We have 2 ADAs on grants, which limit the scope of work these ADAs can handle. We also have 2 Pro Bono Public Service Special Prosecutors that volunteer their time to work on our Community Restorative Court and as a Mental Health Liaison. For the last few years, we have operated below funded staffing levels due to retirements, maternity and paternity leave, FMLA, and sabbatical. All of which create an inability for us to hire for a vacancy, which the office must cover. Our attorney staff as a whole is entitled to take 725 days of vacation/personal time each year. There are on average 252 work days each year. That means before death, illness, accident, child care and life in general occurs, 2-3 attorneys are on leave at any given time. All of the above directly impacts the office's ability to staff the courts.

The Dane County District Attorney's office is committed to addressing issues of public safety within our criminal justice system. Faced with increased volume of complex violent crime cases in our community, the office needs the resources required to maintain that commitment. The understaffing of prosecutors in Dane County is not a new problem, but one which has grown exponentially along with the "brain drain" of experienced attorneys who have retired or who have gone to higher paying jobs within the US Attorney's Office and the Department of Justice. Since March 2014 through December 2018, we have lost 35 prosecutors with 501 years of cumulative experience, replaced with attorneys of 91 years of cumulative experience. At the same time, the level of serious crimes, including homicides and attempted homicides, requiring the skills of seasoned prosecutors, continues to rise. Even if all the current prosecutors had the experience needed for complex crimes, it would be difficult to keep up with caseloads. The lack of staff with long term experience makes the task that much more difficult.

Finally, our attorney staffing levels remain at historically low levels. In 1985, this office had 26 full-time ADA's; today, we have 28.85 full-time ADA positions. There were 34 ADAs in this office from 1999 to 2004. The number of allocated ADA positions has slowly decreased since that time. As of 2015, the population of Dane County has increased 47%, the number of Madison Police Officers has increased 52% and new

criminal case filings by 25%. Dane County accounts for 80% of the state's total net population growth and the current population of Dane County is over 536,416. Moreover, the Legislature continues to enact legislation creating more criminal offenses, more felony offenses; and more offenses with minimum mandatory sentences; thereby placing increasing demands on this office.

P-5 Milwaukee Clerks Funding Request

ONLY COMPLETED BY THE MILWAUKEE DA OFFICE

Prosecutorial Unit (County): MILWAUKEE

For the Speedy Drug Courts, Speedy Violent Crimes Courts and Operation Cease-fire clerks in total, \$305,000 was authorized in FY16 and \$305,000 in FY17. Indicate the amount in addition to the FY19 base amount that is being requested in FY20 and FY21.

1. **Additional FY 2018 funds requested compared to FY17:** _____

2. **Additional FY 2019 funds requested compared to FY17:** _____

**P-6 County Impact Statement
For Requested Increase in Prosecutorial Positions**

Prosecutorial Unit (County): Dane

I. Space Provisions for Newly Requested Prosecutorial Positions

- A. The number of new positions requested, for which additional county provided space will be required, is _____. (Normally this will exclude any FTE positions where you are only requesting that an existing part-time position be increased.)
- B. Is there sufficient space currently available in the district attorney's office to accommodate the new requested prosecutorial positions and any support staff and equipment needed for them?
- YES ☒ NO ☐ PARTIAL OR UNKNOWN ☐ (if checked, please explain)

We currently have 12 spaces that could be utilized for office space.

II. County Costs for all Newly Requested Positions (i.e., as shown on P-3)

Estimated total annualized county costs needed to support all additional prosecutorial FTE positions you are requesting from the State, if they are approved by the Governor and Legislature: \$60,000 (\$5,000 x 12). (Exclude all costs, such as ADA wages and computers, which are borne by the State.)

Please Check

☐ All appropriate county budgetary and other officials have been informed of this State budget request. Attach any supporting letters or resolutions. (If such documents are received after submission of your budget, please submit them to the State Prosecutors Office when they become available.) The county official(s) to whom a complete copy of this request was sent were:

Name(s) of County Officials notified: Joe Parisi, Dane County Executive

This Budget Submission Was Prepared by

Alexandra Fischer, Paralegal
Dane County DA's Office
608-261-9757
8-31-18