

**Department of Transformation and Shared Services**

Governor Sarah Huckabee Sanders

Secretary Leslie Fiskin

Director Kay Barnhill

December 13, 2023

The Honorable Breanne Davis, Co-Chairperson  
 The Honorable Mark Berry, Co-Chairperson  
 Uniform Personnel Classification and  
 Compensation Plan Subcommittee  
 Arkansas Legislative Council  
 State Capitol Building, Room 315  
 Little Rock, Arkansas 72201

Dear Senator Davis and Representative Berry:

The Office of Personnel Management (OPM) submits a request from the Arkansas Public Defender Commission (APDC) for your review.

APDC is requesting six (6) positions from the OPM growth pool established by Arkansas Code Annotated § 21-5-225(b)(1). The classifications requested are listed below:

**CLASSIFICATIONS REQUESTED**

<b><u>CLASS CODE</u></b>	<b><u>TITLE</u></b>	<b><u>GRADE</u></b>	<b><u># REQUESTED</u></b>	<b><u>SALARY RANGE</u></b>
G008N	Chief Public Defender	GS14	1	\$86,887 - \$125,986
G012N	Public Defender III	GS13	4	\$77,862 - \$112,899
G337C	PD Legal Services Specialist	GS08	1	\$45,010 - \$65,264

**JUSTIFICATION**

APDC is requesting the above positions in order to meet the needs of the department. The requested positions will be assigned to the Sixth Judicial District which includes Perry and Pulaski counties. According to the Sixth Judicial District Administrative Plan, which was submitted and approved by the Arkansas Supreme Court, beginning in 2024, an additional circuit judge will begin hearing criminal cases in Pulaski County and two (2) judges who currently share a single docket in Perry County will each have independent dockets assigned resulting in additional court obligations for the district. The requested positions are required in order to properly process the influx in cases due to additional dockets as well as staff the additional criminal court. Approval of this request will result in an anticipated total cost of approximately \$760,337 including matching and the positions will be funded through State Central Services.

Office of Personnel Management

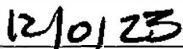
501 Woodlane Street, Suite 205 \* Little Rock, AR 72201 \* 501.682.1753

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The Honorable Mark Berry, Co-Chairperson  
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**RECOMMENDATION**

The Office of Personnel Management has reviewed the request and **recommends** the approval of six (6) growth pool positions. Your consideration of this request is greatly appreciated.

  
STATE PERSONNEL DIRECTOR

  
DATE

KB/ca:1-2

Positions Requested							
Business Area	# of Positions	Class Code	Title	Grade	Salary Range	*Estimated Cost	Funding Source(s) %
0324	1	G008N	Chief Public Defender	GS14	\$86,887 - \$125,986	\$ 149,011.80	100% SCS
0324	4	G012N	Public Defender III	GS13	\$77,862 - \$112,899	\$ 534,133.60	100% SCS
0324	1	G337C	PD Legal Services Specialist	GS08	\$45,010 - \$65,264	\$ 77,191.80	100% SCS
Total Estimated Cost of the New Positions including 40% match						\$	760,337.20
Total Cost to General Revenue						\$	760,337.20

Positions Surrendered								
Business Area	Position Number	Class Code	Title	Grade	Date Vacated	Position Budgeted Y/N	**Estimated Savings	Funding Source(s) %
Total Estimated Savings							\$	-
Estimated Savings to General Revenue							\$	-

Total Estimated Cost to the Agency						\$	760,337.20
Total Estimated Cost to General Revenue						\$	760,337.20
Total Authorized Position Adjustment							6

\* The Estimated Cost calculation is based upon the Midpoint of the salary range, plus 40% matching.

\*\* The Estimated Savings calculation is based upon the exit salary plus 40% match, only if a position has been vacant less than 1 year from the date of the request. Otherwise, savings is solely based on \$6,600 provided to EBD for all budgeted positions.

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## Arkansas Public Defender Commission

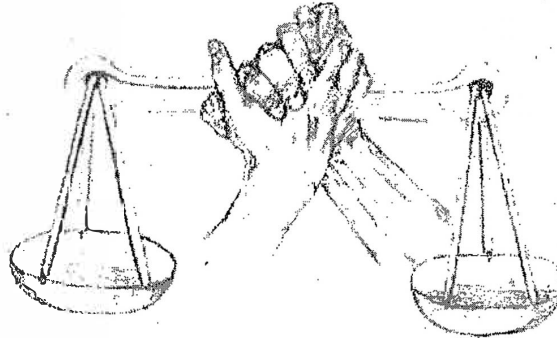
### Capital, Conflicts Attorneys

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Executive Director  
**GREGG E. PARRISH**

### Appellate Attorney

David R. Raupp



November 17, 2023

Ms. Kay Barnhill  
State Personnel Director  
501 Woodlane Ave.  
Ste. 205  
Little Rock, AR 72201

RE: Growth Pool position request

Dear Ms. Barnhill:

The Arkansas Public Defender Commission (APDC) respectfully requests utilization of the Growth Pool maintained by the Office of Personnel Management for the State of Arkansas. On behalf of the Arkansas Public Defender Commission, I make the following requests:

Position Number	Class Code	Grade	Title	Salary	Fringe	Health
New(1)	G008N	GS14	Chief Public Defender	\$89,887-\$125,986	\$20,674	\$6000
New(4)	G012N	GS13	Public Defender III	\$77,862-112,900	\$17,908	\$6,000
New(1)	G337C	GS08	PD Legal Services Specialist	\$45,010-\$65,265	\$10,352	\$6000

The Arkansas Public Defender Commission is charged with representing indigent clients in Arkansas Circuit Courts in the Criminal, Juvenile and Probate divisions. In addition to these

duties, we are required to appear with clients in District and Municipal Courts which includes the separate divisions of city and county proceedings. For reference, our statutory obligations are set forth in A.C.A. §16-87-306. Included in these mandated requirements is further representation in cases of a civil nature which includes guardianship proceedings, Adult Family Protection cases and Family in Need of Services (FINS) cases.

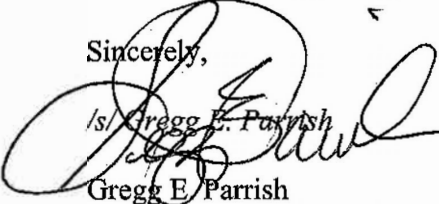
The need for these six (6) positions (5 attorneys and 1 paralegal) arises from two (2) amendments to the Sixth Judicial District Administrative Plan which has been approved by the Arkansas Supreme Court. The Sixth Judicial District is comprised of two (2) counties, namely Pulaski and Perry, and annually, each district within the State of Arkansas, must submit a plan as to how circuit judges will distribute amongst themselves legal filings.

The Arkansas Supreme Court confirmed the Judicial Plan submitted by the 6<sup>th</sup> Judicial District on October 26, 2023, in *In Re Administrative Plans for Circuit Courts, 2023 Ark. 156 (2023)*. The 2024 plan reflects a change from calendar year 2023 wherein Judge Andrew Gill will commence hearing criminal cases in Pulaski County on January 1, 2024. This amendment changes the number of circuit judges presiding over a criminal docket from four (4) to five (5). In addition to Pulaski County, Judge Gill and Judge Compton will both begin having criminal dockets in Perry County, and I have been advised will be meeting on different days of the week. Presently, both judges share a docket, and alternate appearances. With both of them now having their own docket beginning January 1, 2024, this will add additional court obligations in Perry County as well. This amendment and implementation of an additional criminal division statutorily obligates the APDC to staff a criminal court which did not exist in years past. Covering this upcoming obligation without the addition of these positions will be impossible for the local APDC office.

The APDC, through its Pulaski Public Defender Office, has also seen the addition of new specialty courts in Pulaski and Perry counties. Public defenders are expected and required to appear in these courts as a loss of liberty exists, and this creates additional duties with the expectation that our attorneys, who are already balancing numerous courts and a caseload which exceeds standards, to take on further duties.

Thank you for consideration of this request. I am readily available to discuss and justify this need upon notice.

Sincerely,



/s/ Gregg E. Parrish  
Gregg E Parrish

GEP