

BUDGET REVIEW SUBCOMMITTEE ON JUSTICE AND JUDICIARY

Minutes of the 3rd Meeting of the 2023 Interim

August 2, 2023

Call to Order and Roll Call

The 3rd meeting of the Budget Review Subcommittee on Justice and Judiciary was held on August 2, 2023, at 9:00 AM in Room 149 of the Capitol Annex. Representative Patrick Flannery, Chair, called the meeting to order, and the secretary called the roll.

Present were:

Members: Representative Patrick Flannery, Co-Chair; Senator Shelley Funke Frommeyer, Co-Chair; Senator Amanda Mays Bledsoe, Senator Michael J. Nemes, Senator John Schickel, Senator Robin L. Webb, Representative Nima Kulkarni, and Representative Scott Sharp.

Guests: Damon Preston, Public Advocate, Department of Public Advocacy; B. Scott West, Deputy Public Advocate, Department of Public Advocacy; Elizabeth Lucas, Director of Implementation & Court Services, Administrative Office of the Courts; Danny Rhoades, Executive Officer, Department of Court Facilities, Administrative Office of the Courts; Scott Mattingly, Chief Technology Officer, Administrative Office of the Courts; and Representative Jason Nemes.

LRC Staff: Zachary Ireland, Perry Papka, and Jennifer Luttrell.

Approval of Minutes

Representative Sharp moved to approve the minutes from the July 19, 2023 meeting of the subcommittee. Senator Schickel seconded the motion and the minutes were approved without objection.

Department of Public Advocacy - Recruitment and Retention Issues & Implementation of House Bill 568 (2023 Regular Session)

Mr. Preston and Mr. West provided an update on issues facing the Department of Public Advocacy (DPA).

In response to a question from Chair Flannery, Mr. Preston noted that the best cases to utilize contracted attorneys are contempt dockets, child support dockets, and similar short cases. DPA has very few contracted attorneys working circuit court dockets.

In response to questions from Senator Mays Bledsoe, Mr. Preston noted that there is a service commitment of two years associated with one-time bonus payments. If the attorney leaves after one year, they are obligated to repay fifty percent of the bonus payment. Mr. Preston stated that of every four attorneys that leave the DPA, he would estimate that half go to other state agencies, while the rest go to either the prosecutors' office or private practice.

In response to a question from Representative Kulkarni, Mr. Preston stated that now that DPA is no longer competing with the Louisville Metro Public Defenders' office has positively impacted recruiting.

In response to a question from Senator Funke Frommeyer, Mr. Preston said that it is more expensive for the commonwealth to contract out cases than to handle them in the DPA's office.

Administrative Office of the Courts - Virtual Technology in the Courts & Court Facility Construction Projects

Ms. Lucas, Mr. Mattingly, and Mr. Rhoades provided an update from the Administrative Office of the Courts regarding court facility construction and virtual courtroom technology.

In response to a question from Representative Nemes, Mr. Rhoades noted that court facilities are graded on a specific set of criteria.

Adjournment

There being no further business before the subcommittee, the meeting was adjourned at 10:54 AM.