Nina Gardner, Chair
Hon. James E. Duggan, Vice Chair
Hon. James P. Bassett
Stephanie Bray, Esq.
Gina Belmont, Esq.
Sen. Sharon M. Carson
Kimberley Casey
John E. Durkin, Esq.
Karen A. Gorham, Esq.
Christopher M. Keating, Esq.
Hon. Edwin W. Kelly
Hon. David D. King

THE STATE OF NEW HAMPSHIRE
JUDICIAL COUNCIL
www.nh.gov/judicialcouncil

FIS 19 037

Steven D. Lubrano
Gordon J. MacDonald, Esq.
Brian J. X. Murphy, Esq.
Hon. Tina Nadeau
Edward D. Philpot, Esq.
Stephen Reno
Rep. Claire Rouillard
Dino Scala
Alan Seidman, Ed.D
Phillip Utter, Esq.
Daniel Will, Esq.

Sarah T. Blodgett, Executive Director
25 Capitol Street, Room 424
Concord, New Hampshire 03301-6312

January 16, 2019

The Honorable Mary Jane Wallner, Chairman
Fiscal Committee of the General Court
State House
Concord, N.H. 03301

Approved by Fiscal Committee 2/8/19
Date

His Excellency, Governor Christopher T. Sununu
And the Honorable Executive Council
State House
Concord, N.H. 03301

REQUESTED ACTION

Pursuant to RSA 604-A:1-b, Additional Funding, authorize the Judicial Council to receive an additional appropriation from funds not otherwise appropriated in the total amount of $750,000, upon Fiscal Committee and Governor and Council approval, through June 30, 2019. Source of funds is 100% General Fund. Funding is to be budgeted in 02-07-07-070010 as follows:

Class/Expense	Class Title	Current Budget	Change	Revised Budget
1.1030000/ 108/500752	Services other than Counsel	$900,000	$750,000	$1,650,000

EXPLANATION

This account funds services other than counsel which a court deems necessary for an adequate defense. RSA 604-A:1 provides that "representation shall include counsel and investigative, expert and other services and expenses, including process to compel the attendance of witnesses, as may be necessary for an adequate defense before the courts of this state." Expenditures have significantly exceeded our forecasts in this line. Without additional funding, the Judicial Council will be unable to pay the court-approved invoices for these services.

Pursuant to RSA 604-A:1-b, the Judicial Council may request, with prior approval of the Fiscal Committee of the General Court, that the Governor and Council authorize additional funding if expenditures for indigent defense are greater than amounts appropriated in the operating budget.

Phone: (603) 271-3592
Fax: (603) 271-1112
TDD: Relay NH 1-800-735-2964

Total FY 18 expenditures for this line were $1,379,971. As of January 16, 2019, year-to-date expenditures for this line were approximately $853,197, leaving a balance of approximately $46,803. The FY19 monthly average for this line is $139,156.

The Judicial Council has an additional $209,917 in invoices waiting to be processed. The funds currently available in account 02-07-07-070010-1103 are insufficient to pay the court-approved invoices already in-house and expected to arrive between now and the end of the current fiscal year. Based on the monthly average of expenditures since July 1, 2018, the account will require the addition of $750,000 to meet the anticipated expenditures in this line through June 30, 2019.

This Agency will remain at your service to provide any requested information concerning the critical importance of this additional funding to the orderly administration of justice.

Thank you for your consideration.

Respectfully Submitted,

Sarah T. Blodgett

Sarah T. Blodgett
Executive Director