
MCILS INITIATIVE 1 – ASSIGNED COUNSEL PAYMENTS

TO: JUDICIARY AND AFA COMMITTEES

FROM: JUSTIN W. ANDRUS, EXECUTIVE DIRECTOR, MCILS

SUBJECT: MCILS INITIATIVE 1- ASSIGNED COUNSEL PAYMENTS

DATE: 2/23/2023

CC: COMMISSION; INTERESTED PARTIES

MCILS budget Initiative 1 requests an appropriation to permit us to maintain the rate increase from \$80 to \$150 into the next biennium. MCILS respectfully reduces the appropriation it requests through Initiative 1 from \$21,457,780 to **\$18,606,910** in each year of the biennium.

During Fiscal Year 2022, MCILS assigned counsel invoiced and were paid for 252,117 hours. For the rolling year February 22, 2022, to February 23, 2022, MCILS assigned counsel invoiced for and were paid for 265,813 hours. This is an increase of 13,696 hours, or approximately 5%. We attribute this increase in hours worked to an increase in substantive in-court work performed by counsel.

MCILS can never perfectly predict the number of hours for which it will be responsible because the flow of work in the Courts changes from time to time. We are using the year-on-year number of 265,813 as the most recent accurate count. We calculate the requested new appropriation as follows:

Hours	265,813
@\$80	\$ 21,265,040.00
@\$150	\$ 39,871,950.00
 New appropriation	 \$ 18,606,910.00

The current Executive Branch initiative to provide additional funding to support assigned counsel rates would provide \$6,100,000, a difference of \$12,506,910.