

Alternate Public Defender
RECOMMENDED BUDGET • FY 2026-27

RECOMMENDED BUDGET

The Alternate Public Defender’s budget is recommended at \$2,370,860, which is an increase of \$229,589 (10.7%) when compared to the FY 2025-26 Adopted Budget. Revenue is recommended at \$526,041, a decrease of \$7,000 (1.31%) compared to FY 2025-26. The General Fund support is 77.8% and increased by \$236,589 (14.7%) when compared to the FY 2025-26 Adopted Budget. The increase in General Fund support is primarily due to increases in Salaries and Benefits, which include Board-approved salary increases, health premium increases, and increased CalPERS unfunded accrued liability payments.

DEPARTMENT BUDGET SUMMARY

Description	FY 2024-25 Actual	Current Year Adopted	CAO Recommended	Difference from Adopted
Other Fin Sources	17,170	533,041	526,041	(7,000)
Total Revenue	17,170	533,041	526,041	(7,000)
Salaries & Benefits	1,201,272	1,591,735	1,727,741	136,006
Services & Supplies	577,806	548,911	642,494	93,583
Other Charges	1,544	0	0	0
Intrafund Transfers	25	625	625	0
Total Appropriations	1,780,647	2,141,271	2,370,860	229,589
FUND 1000 GENERAL FUND TOTAL	1,763,478	1,608,230	1,844,819	236,589

MAJOR BUDGET CHANGES

Revenues

Other Financing Sources

(\$7,000) Decrease in Operating Transfers In due to operational expenses not being realized for the DA/PD Subaccount special revenue fund.

Appropriations

Salaries and Benefits

\$53,020 Increase in CalPERS employer’s contribution, primarily due to increases to the County’s unfunded accrued liability payment.

\$42,560 Increase in Health Insurance premiums.

\$37,874 Increase in Salaries and Benefits expenses primarily due to Board-approved compensation increases and employee step increases.

\$2,552 Increase in Retiree Health Program charges.

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Services and Supplies

\$87,060	Increase in Indigent Defense for legal services, criminal investigation services, and psychiatric medical services based on a three-year average of historical actuals.
\$3,485	Increase in General Liability insurance premium expense as the Department's share of overall County claims incurred has increased from prior years, increasing their Liability insurance premium expense.
\$3,038	Increase due to adjustments across multiple objects to align the budget to actual costs.

MISSION

The purpose of the Office of the Alternate Public Defender is to provide legal representation to indigent persons charged with crimes whom the Public Defender's Office is unable to represent due to a conflict of interest or unavailability, in court proceedings in the Superior Court.

PROGRAM SUMMARY

Alternate Public Defender

The Office of the Alternate Public Defender represents defendants in all the same types of cases as the Public Defender's Office does pursuant to the requirements of Government Code section 27706 for those cases where either the Judge or the County Public Defender has determined a conflict exists. Conflicts can exist for several reasons. Examples include a case where the Public Defender may already be defending a client on a different case or where a client is linked to circumstances in a different client's case. Judges may also assign the Alternate Public Defender to cases where multiple defendants are charged in the same proceeding or where special circumstances exist, such as the death penalty, which requires, by law, a minimum of two attorneys, one of whom would come from the Alternate Public Defender's Office. The Office handles all aspects of representation of indigent persons accused of crime – from low-level charges to murder charges – or those who are mentally ill and who are subject to conservatorship proceedings, as well as juveniles under Welfare and Institutions Code section 602 et seq.

The Office was created in March 2021; before that, all services were provided through contracts. The Office currently serves the West and East Slopes with County employees.

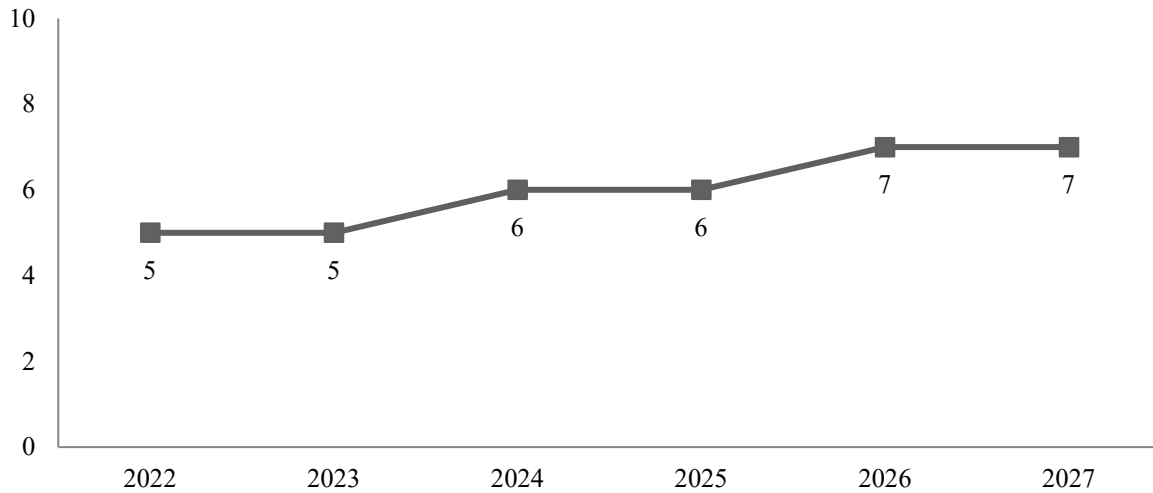
STAFFING TREND

The Office of the Alternate Public Defender was established in FY 2021-22 with 5.0 FTEs. The recommended allocation for FY 2026-27 is 7.0 FTEs.

During FY 2025-26, one vacant Deputy Attorney allocation was alternately filled with an Associate Attorney. The Recommended Budget includes carrying over this underfill to allow for flexibility in the recruitment for this position that is typically difficult to recruit for.

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SOURCES & USES OF FUNDS

Indigent Defense is a mandated service, funded almost entirely from discretionary General Fund revenue; however, beginning in FY 2025-26, the Alternate Public Defender was provided a share of Public Safety Realignment through the CCP to be used for a Deputy Attorney, training, and other eligible expenses. In FY 2026-27, the CCP has allocated funding to the Alternate Public Defender again. This budget also includes \$13,000 in funding from the District Attorney/Public Defender Special Revenue Fund to help offset General Fund costs.

