

Fiscal Estimate Narratives

DOA 10/20/2023

LRB Number	23-1000/1	Introduction Number	AB-0460	Estimate Type	Original
Description index of discovery for district attorneys and public defenders					

Assumptions Used in Arriving at Fiscal Estimate

Assembly Bill 460 (AB-460) proposes to require the Department of Administration (Department) to maintain an index system for discovery that allows management and organization of all discovery-related information for the state's district attorneys and public defenders.

The Department currently maintains and provides coordination of an automated justice information system that is compatible among county District Attorney offices to support case management and the sharing of all case-related information as required under ss. 16.971 (9) and (10), Wis. Stats. Funding for these existing information technology support service operations for the state's District Attorneys, Public Defender Board, the Director of State Courts, and the Departments of Corrections and Justice, is appropriated under s. 20.505 (1) (kh), Wis. Stats., Justice information systems, Appropriation Numeric 140.

Currently, discovery information for the District Attorneys and Public Defender Board is not centrally managed across all offices. The Department would need to develop and manage a new discovery indexing module within the existing justice information system to meet the requirements under the proposed.

The Department estimates that the proposed requirements under AB-460 would result in a need for software licensing enhancements for the approximate 1,400 staff at the state's District Attorney offices to allow for the digital compilation of discovery documentation, which does not include any licenses needed by the Public Defender Board. The enhanced version of the document management software application is necessary for compatibility with the index system documentation sequencing process required under AB-460.

The cost of this added functionality is incremental to existing software licenses and would be an ongoing annual cost. The cost for enhanced software licensure is estimated at an approximate \$250 per user per year, or \$350,000 total each year on an ongoing basis. In addition, each District Attorney Office would need access to the application platform which is anticipated to cost approximately \$2,200 per Office per year, or a total of \$158,400 annually. The sum of these two cost components is approximated at \$508,400 annually for the state's District Attorney Offices, however the actual cost is not known and could vary from this estimation.

The Department also expects further justice information system enhancements would be necessary to meet the indexing requirements proposed under AB-460, which are anticipated to be completed by a contracted vendor. While the total cost of these needed system modifications is unknown, a reasonable approximation based upon comparable vendor-provided enhancements is equal to a minimum one-time cost of \$200,000 with ongoing maintenance costs estimated at \$50,000 per year.

The one time and ongoing costs for the development and maintenance for the index discovery system would be paid for under Appropriation Numeric 140, which is funded via the amounts in the schedule transferred from s. 20.505 (1) (id), Wis. Stats., Justice information fee receipts, Appropriation Numeric 123, into which all moneys less \$700,000 received from the justice information surcharge under s. 814.86 (1), Wis. Stats., are collected. Appropriation Numeric 123 which funds Numeric 140 is currently in an unsupported overdraft status.

The Department does not anticipate the increased system costs could be absorbed under existing expenditure authority under Appropriation Numeric 140 and would exacerbate the current unsupported overdraft position of Numeric 123. As such, the Department would require increased expenditure authority under Numeric 140 and/or ultimately an alternate funding source to fund the system costs to avoid growth in Numeric 123's negative program position.

Long-Range Fiscal Implications