

DISTRICT ATTORNEYS

Budget Summary							
Fund	2022-23 Base Year Doubled	2023-25 Governor	2023-25 Jt. Finance	2023-25 Legislature	2023-25 Act 19	Act 19 Change Over Base Year Doubled	
						Amount	Percent
GPR	\$113,249,800	\$136,953,100	\$127,438,700	\$127,438,700	\$127,438,700	\$14,188,900	12.5%
FED	0	2,668,000	2,668,000	2,668,000	2,668,000	2,668,000	N.A.
PR	<u>9,381,600</u>	<u>7,387,600</u>	<u>7,861,800</u>	<u>7,861,800</u>	<u>7,861,800</u>	<u>- 1,519,800</u>	- 16.2
TOTAL	\$122,631,400	\$147,008,700	\$137,968,500	\$137,968,500	\$137,968,500	\$15,337,100	12.5%

FTE Position Summary						
Fund	2022-23 Base	2024-25 Governor	2024-25 Jt. Finance	2024-25 Legislature	2024-25 Act 19	Act 19 Change
						Over 2022-23 Base
GPR	456.40	511.20	460.80	460.80	460.80	4.40
FED	46.00	0.00	0.00	0.00	0.00	- 46.00
PR	<u>42.50</u>	<u>35.50</u>	<u>38.50</u>	<u>38.50</u>	<u>38.50</u>	<u>- 4.00</u>
TOTAL	544.90	546.70	499.30	499.30	499.30	- 45.60

Budget Change Items

1. STANDARD BUDGET ADJUSTMENTS [LFB Paper 105]

	Governor (Chg. to Base)		Jt. Finance/Leg. (Chg. to Gov)		Net Change	
	Funding Positions		Funding Positions		Funding Positions	
GPR	-\$5,353,100	0.00	-\$1,626,200	0.00	-\$6,979,300	0.00
FED	2,668,000	- 46.00	0	0.00	2,668,000	- 46.00
PR	<u>- 1,519,800</u>	<u>- 4.00</u>	<u>0</u>	<u>0.00</u>	<u>- 1,519,800</u>	<u>- 4.00</u>
Total	-\$4,204,900	- 50.00	-\$1,626,200	0.00	-\$5,831,100	- 50.00

Governor: Provide adjustments to the base totaling -\$2,969,700 GPR, \$2,668,000 FED, and -\$759,900 PR, and -4.0 PR positions in 2023-24, and -\$2,383,400 GPR and -\$759,900 PR, and -4.0 PR and -46.0 FED positions in 2024-25. Adjustments are for: (a) turnover reduction (-\$1,219,700 GPR annually); (b) removal of non-continuing elements from the base (-\$889,400 FED and -\$607,500 PR and -4.0 PR positions in 2023-24 and -\$3,557,400 FED and -\$607,500 PR

and -46.0 FED and -4.0 PR positions in 2024-25); (c) full funding of continuing position salaries and fringe benefits (-\$2,405,900 GPR, \$3,557,400 FED, and -\$152,400 PR, annually); (d) reclassifications and semiautomatic pay progression (\$560,900 GPR in 2023-24 and \$1,147,200 GPR in 2024-25); and (e) night and weekend differential pay (\$95,000 GPR annually). Note that positions removed under non-continuing element were supported with federal ARPA funds.

Joint Finance/Legislature: Increase the rate used to calculate turnover reduction from 3% to 5% for all appropriations subject to a 3% turnover rate. Reduce funding under the turnover reduction standard budget adjustment by -\$813,100 GPR annually.

2. RESTORE TURNOVER [LFB Paper 315]

	Governor (Chg. to Base)	Jt. Finance/Leg. (Chg. to Gov)	Net Change
GPR	\$2,439,400	-\$2,439,400	\$0

Governor: Provide \$1,219,700 annually to restore the turnover reduction applied in standard budget adjustments.

Joint Finance/Legislature: Provision not included.

3. SALARY ADJUSTMENTS [LFB Paper 316]

	Governor (Chg. to Base)	Jt. Finance/Leg. (Chg. to Gov)	Net Change
GPR	\$14,026,800	\$2,215,600	\$16,242,400

Governor: Provide \$7,013,400 annually to increase the starting salary of all Assistant District Attorneys (ADAs) to \$35 an hour and provide an hourly increase of \$7.76 (\$16,140 annually) to all ADAs and Deputy District Attorneys. Further, include non-statutory language specifying that, notwithstanding statutory provisions that establish maximum annual salary increases in connection with pay progression, salary increases in 2023-24 and 2024-25 may be more than 10% annually.

Joint Finance/Legislature: Provide an additional \$1,107,800 annually to increase the salary adjustment from \$7.76 to \$8.76 an hour. Further, include non-statutory language specifying that, notwithstanding statutory provisions that establish maximum annual salary increases in connection with pay progression, salary increases in 2023-24 may be more than 10% annually. In addition, include non-statutory language specifying that, notwithstanding the current compensation plan, that the agency can provide the new minimum salary upon appointment and provide adjustments and pay progression to those at the maximum salary level.

[Act 19 Sections: 9101(1)(a)&(c)]

4. PAY PROGRESSION [LFB Paper 316]

	Governor (Chg. to Base)	Jt. Finance/Leg. (Chg. to Gov)	Net Change
GPR	\$1,672,100	\$432,400	\$2,104,500

Governor: Provide \$1,672,100 in 2024-25 to support the pay progression plan for assistant district attorneys (ADAs) and deputy district attorneys (DDAs). The ADA and DDA pay progression plan is merit-based and consists of 17 hourly salary steps, with each step equal to one-seventeenth of the difference between the lowest annual salary (\$56,659 as of January 3, 2023) and the highest annual salary (\$136,781 as of January 3, 2023). The value of one hourly salary step equals \$4,722 annually. Notwithstanding the creation of a 17 hourly salary step pay progression plan, the supervising DAs are authorized to: (a) deny annual salary increases to individual ADAs and DDAs; and (b) increase the salary of individual ADAs and DDAs by up to 10% per year. Funding requested is equal to one step.

Joint Finance/Legislature: Provide an additional \$432,400 in 2024-25 such that current law provisions may provide pay progression of one step with higher salaried individuals limited to the maximum of the salary range then in effect.

5. DISTRICT ATTORNEY COMPENSATION [LFB Paper 317]

	Governor (Chg. to Base)	Jt. Finance/Leg. (Chg. to Gov)	Net Change
GPR	\$854,300	\$71,900	\$926,200

Governor: Provide \$854,300 in 2024-25 to increase the hourly compensation of elected district attorneys by \$10.03 (\$7.76 salary adjustment and \$2.27 one step increase) (\$20,862 annually) beginning with the start of their new term (January, 2025) to match the raise provided to ADAs and DDAs. Salaries for elected District Attorneys (ranging from \$106,288 to \$145,288 based on county population) are established in the state's compensation plan which is approved by the Joint Committee on Employment Relations.

Joint Finance/Legislature: Provide an additional \$71,900 in 2024-25 to increase the salary adjustment from \$7.76 to \$8.76 an hour.

6. **ADDITIONAL GPR PROSECUTOR POSITIONS** [LFB Paper 318]

	Governor (Chg. to Base)		Jt. Finance/Leg. (Chg. to Gov)		Net Change	
	Funding	Positions	Funding	Positions	Funding	Positions
GPR	\$8,945,000	54.80	-\$8,457,700	- 50.40	\$487,300	4.40
PR	- 474,200	- 3.00	474,200	3.00	0	0.00
Total	\$8,470,800	51.80	-\$7,983,500	- 47.40	\$487,300	4.40

Governor: Provide \$3,750,200 GPR and 48.8 GPR positions in 2023-24, and \$5,194,800 GPR and 54.8 GPR positions in 2024-25, to provide additional prosecutors to District Attorney offices across the state. In addition, modify funding by -\$237,100 PR annually and -3.0 PR positions.

a. *New State Prosecutor Positions.* Provide \$3,421,600 GPR in 2023-24, \$4,562,100 GPR in 2024-25, and 44.9 GPR positions annually, to provide additional ADAs requested by the following 16 offices:

<u>County</u>	<u>Recommended GPR ADA Positions</u>	<u>Current Prosecutor Position Authority</u>	<u>Current FED ADA Positions*</u>	<u>Resulting Prosecutor Position Authority</u>
Brown	6.0	17.0	2.5	25.5
Clark	2.0	2.0	0.0	4.0
Dane	10.0	30.0	3.0	43.0
Dodge	1.0	5.0	0.0	6.0
Eau Claire	2.0	11.0	1.0	14.0
Fond du Lac	0.5	9.0	1.5	11.0
Grant	1.0	2.0	0.0	3.0
Marathon	1.0	13.0	2.0	16.0
Marinette	1.0	3.0	0.0	4.0
Milwaukee	4.0	124.5	16.0	144.5
Monroe	2.0	5.0	0.5	7.5
Sauk	2.0	6.0	0.5	8.5
St. Croix	1.0	7.0	0.5	8.5
Walworth	3.0	6.0	0.5	9.5
Waukesha	7.4	20.0	1.5	28.9
Waupaca	<u>1.0</u>	4.0	0.0	5.0
Total	44.9			

* Positions expire at the end of 2024.

b. *Convert PR and FED-Funded ADA Position Authority to GPR.* Provide \$237,100 GPR and -\$237,100 PR and 3.0 GPR and -3.0 PR positions in 2023-24, \$515,900 GPR and -\$237,100 PR in 2024-25 and 8.5 GPR and -3.0 PR positions, to convert funding for certain prosecutor positions from program revenue to general purpose revenue as identified below. [Note

that the federal funding for positions converted are removed as part of standard budget adjustments as non-continuing items.]

<u>County</u>	<u>Recommended PR to GPR Positions</u>	<u>Recommended FED to GPR Positions*</u>	<u>Total Converted Positions</u>
Fond du Lac	1.0	1.5	2.5
Kenosha	0.0	2.0	2.0
Milwaukee	2.0	0.0	2.0
Outagamie	<u>0.0</u>	<u>2.0</u>	<u>2.0</u>
Total	3.0	5.5	8.5

* Position starts in 2024-25.

c. *Increase Existing Part-Time ADA Position Authority:* Provide \$91,500 GPR and 0.9 GPR positions in 2023-24, and \$116,800 GPR and 1.4 GPR positions in 2024-25 to increase part-time prosecutor positions in the following three counties: (a) Langlade 0.5 GPR position in 2024-25 (0.5 to 1.0 position); (b) Oneida 0.5 GPR position (0.5 to 1.0 position); and (c) Ozaukee 0.4 GPR position (0.6 to 1.0 position).

Joint Finance/Legislature: Reduce funding by \$3,582,500 GPR and 46.9 GPR positions in 2023-24 and \$4,875,200 GPR and 50.4 GPR positions in 2024-25. As a result, \$167,700 GPR and 1.9 GPR positions in 2023-24 and \$319,600 GPR and 4.4 GPR positions in 2024-25 would be provided for additional ADAs. Specify that positions would be provided as follows: Langlade, 0.5 GPR in 2024-25; Oneida, 0.5 GPR in 2023-24; Ozaukee, 0.4 GPR in 2023-24; Kenosha, 2.0 GPR in 2024-25; and Sauk, 1.0 GPR in 2023-24. Further, restore \$237,100 PR and 3.0 PR positions annually.

7. SUPPLIES AND SERVICES [LFB Paper 319]

	Governor (Chg. to Base)	Jt. Finance/Leg. (Chg. to Gov)	Net Change
GPR	\$1,118,800	\$289,000	\$1,407,800

Governor: Provide \$559,400 annually to support the costs of various Department of Administration (DOA) assessments including charges for personnel services, financial services, DOA overhead, risk management and state accounting system. As part of the District Attorneys salary and fringe benefits appropriation, \$223,200 annually is allocated to supplies and services. Payments for special prosecutors (\$155,100 in 2021-22) are also made from the appropriation's supplies and services allocation.

Joint Finance/Legislature: Provide an additional \$144,500 annually for DA supplies and services for a total of \$703,900 annually.

8. DEPUTY DISTRICT ATTORNEY ALLOCATIONS

Governor: Allow counties with a population between 200,000 and 750,000 to appoint up to four deputy district attorneys instead of three. This provision would affect Brown, Dane, and Waukesha counties.

Joint Finance/Legislature: Provision not included. (Removed from budget consideration pursuant to Joint Finance Motion #10.)

9. DISTRICT ATTORNEY INFORMATION TECHNOLOGY PROGRAM [LFB Paper 146]

Governor: Provide \$4,400,000 GPR annually in the Department of Administration to support the District Attorney Information Technology (DAIT) program, which provides IT hardware, software, and legal subscription services to the District Attorneys (DA), Assistant District Attorneys, and other District Attorney Office staff. Funding is intended to provide laptops and software for 1,600 state- and county-funded employees statewide utilizing the DAIT network (\$3,000,000 annually) and to provide TIME Access, Westlaw subscription, and State Bar legal research tools for eligible DA office employees (\$1,400,000 annually). Further, funding is intended to upgrade the prosecutor technology for case tracking system. [See "Administration -- Information Technology."]

Joint Finance/Legislature: Provide funding but on a one-time basis. [See "Administration -- Information Technology."]

10. REPRESENTATION FOR LAW LICENSE GRIEVANCES

Governor: Provide funding and an attorney position in the Department of Administration an attorney to represent state attorneys before the Office of Lawyer Regulation in the event that a grievance against their law license is filed (\$65,700 PR in 2023-24 and \$84,200 PR in 2024-25 with 1.0 PR position annually). [See "Administration -- General Agency Provisions."]

Joint Finance/Legislature: Provision not included. (Removed from budget consideration pursuant to Joint Finance Motion #10.)