

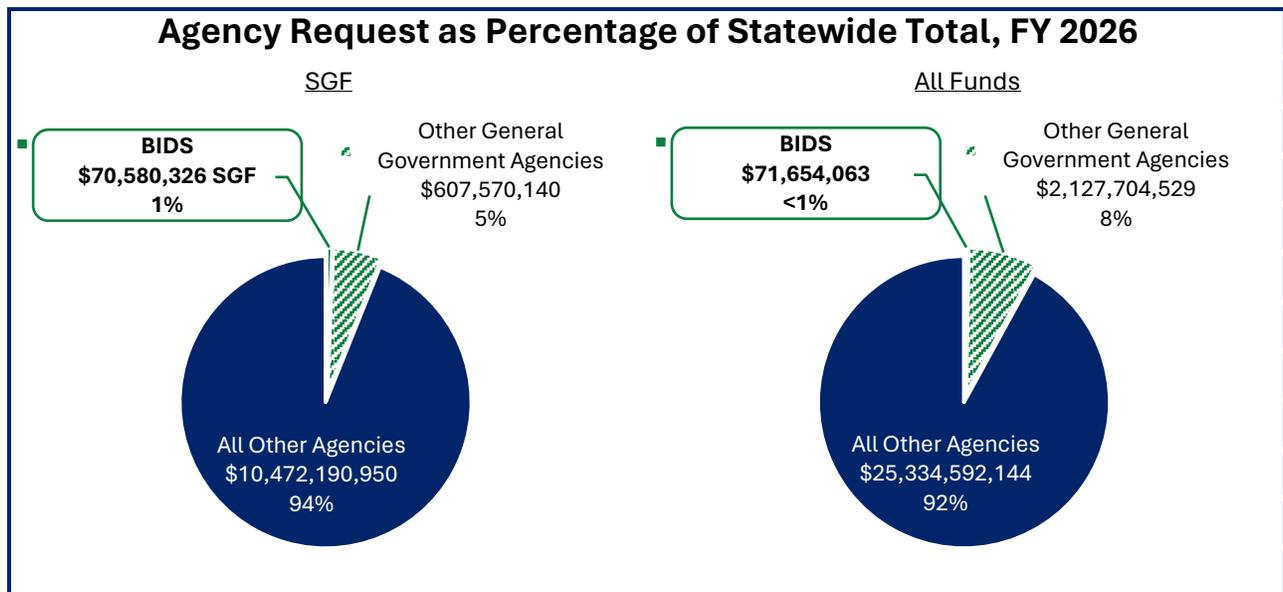
BOARD OF INDIGENTS' DEFENSE SERVICES

Budget Summary – Agency Request

Executive Summary

The Board of Indigents' Defense Services (BIDS) is tasked with providing and supervising constitutionally and statutorily required legal services for criminal defendants in Kansas who cannot afford an attorney to represent them in a court of law. BIDS oversees a statewide system of public defender offices, including specialized offices for appellate cases and capital crimes. Due to a variety of factors that impact public defense systems across the country, BIDS also oversees the State's program for Assigned Counsel. Lawyers who work out of public defender offices are considered public defense attorneys employed by the State of Kansas. Lawyers who are classified as assigned counsel are private attorneys who either: (a) volunteer to serve on local appointment panels in each judicial district, who are assigned by judges to felony cases in exchange for an hourly rate of pay; or (b) accept contracts from BIDS to handle felony cases in certain jurisdictions under negotiated terms.

Expenditures by Fiscal Year and Version				
	SGF	All Funds	Note	
FY 2024 Actual	\$ 55,191,955	\$ 56,183,500	Actual expenditures	
FY 2025 Actual	62,578,514	63,559,685	Actual expenditures	
FY 2026 Approved	62,270,091	63,076,091	2025 SB 125	
FY 2026 Agency	70,580,326	71,654,063	Revised estimate, submitted September 2025	
FY 2027 Agency	82,532,267	83,632,347	Agency request, submitted September 2025	



BOARD OF INDIGENTS' DEFENSE SERVICES

Budget Summary – Agency Request

Budget and Policy Snapshot

The tables below provide a selection of items that inform the agency budget request. These items include **supplemental and enhancement requests** (NEW), adjustments related to **reappropriated funds** (E), **language-only policy changes** requested for inclusion in legislation, changes in **federal or state policy** that impact agency funding, and other budgetary items.

These tables are not intended to be a comprehensive list of changes in the agency budget request. For more detail on individual fiscal year requests, please refer to the [FY 2026 Analysis](#) and [FY 2027 Analysis](#) sections later in this document.

FY 2026

Item	Amount	Source	Note
 SGF Reappropriation	\$ 1,268,922	SGF	Includes agency lapses
 Assigned Counsel Caseloads	5,035,207	SGF	Spring 2025 estimate
 Expert Witness Caseloads	2,987,700	SGF	Spring 2025 estimate
 Attorney Positions for Interns	55,768	SGF	Includes 8.0 FTE positions
 Additional Staffing Support	70,629	SGF	Includes 6.0 FTE positions
 IT Security	160,931	SGF	Includes 1.0 FTE position
New Gifts and Grants Fund	-	New Fund	Includes proviso language
Proviso Language for Pay Scale	-	SGF	Separate Pay Scale

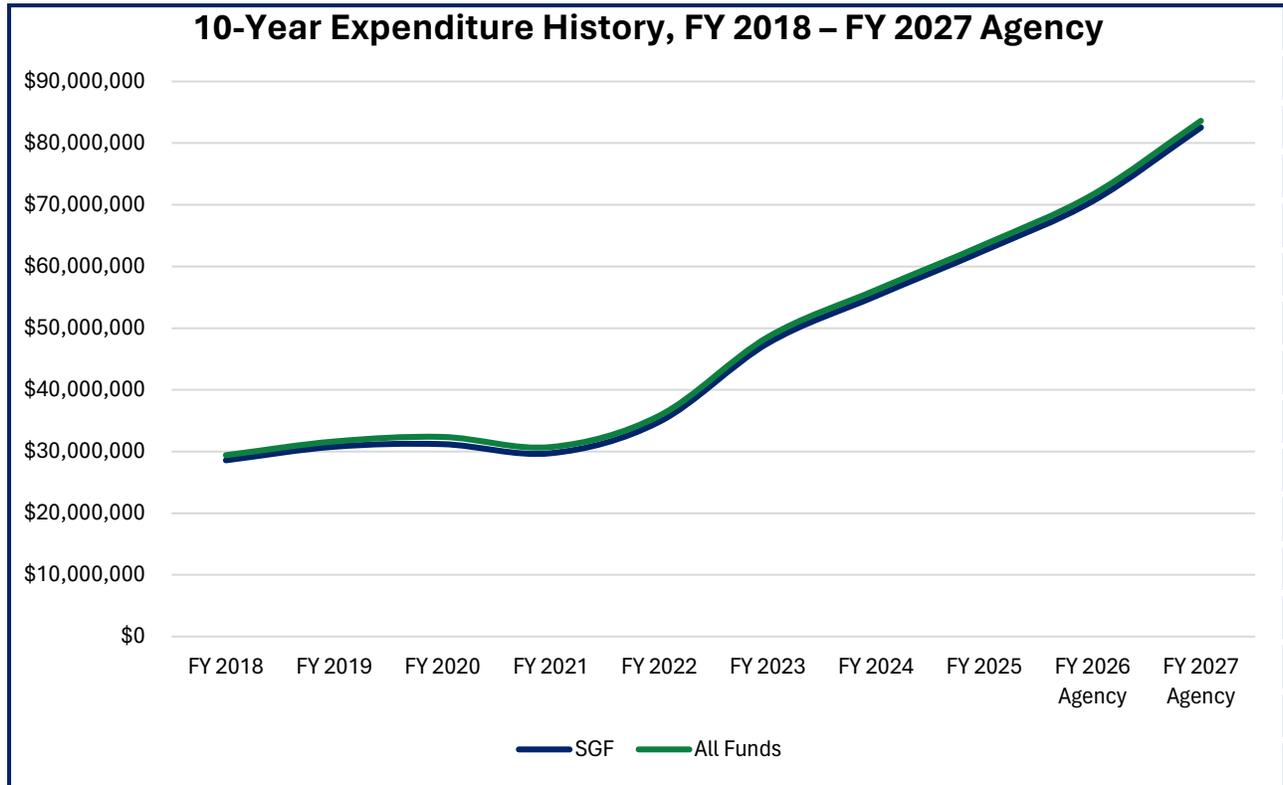
FY 2027

Item	Amount	Source	Note
 Assigned Counsel Caseloads	\$ 4,144,742	SGF	Spring 2025 estimate
 Expert Witness Caseloads	3,304,931	SGF	Spring 2025 estimate
 Holistic Defense / Ethical Caseloads	5,610,435	SGF	Includes 58.0 FTE positions
 Pay Parity with Prosecutors	6,311,356	SGF	Funds salaries and wages
 Attorney Position for Interns	794,685	SGF	Includes 18.0 FTE positions
 Additional Staffing Support	456,714	SGF	Includes 6.0 FTE positions
 IT Security	674,216	SGF	Includes 2.0 FTE positions
New Gifts and Grants Fund	-	New Fund	Includes proviso language
Proviso Language for Pay Scale	-	SGF	Separate Pay Scale

BOARD OF INDIGENTS' DEFENSE SERVICES

Budget Summary – Agency Request

Summary of Expenditures



Fiscal Year	SGF			All Funds			CPI-U*	
	Amount	Change (%)		Amount	Change (%)	FTE	Change (%)	
FY 2018	\$ 28,558,799	4.3	\$	29,389,816	4.4	196.60	0.2	
FY 2019	30,756,218	7.7		31,611,836	7.6	199.70	--	
FY 2020	31,178,202	1.4		32,353,447	2.3	199.70	0.8	
FY 2021	29,707,199	(4.7)		30,712,741	(5.1)	201.80	2.4	
FY 2022	34,801,607	17.1		35,789,983	16.5	243.23	9.2	
FY 2023	47,512,897	36.5		48,524,868	35.6	289.23	5.8	
FY 2024	55,191,955	16.2		56,183,500	15.8	289.23	3.0	
FY 2025	62,578,514	13.4		63,559,685	13.1	285.00	3.0	
FY 2026 Agency	70,580,326	12.8		71,654,063	12.7	300.00	2.8	
FY 2027 Agency	82,532,267	16.9		83,632,347	16.7	369.00	2.4	

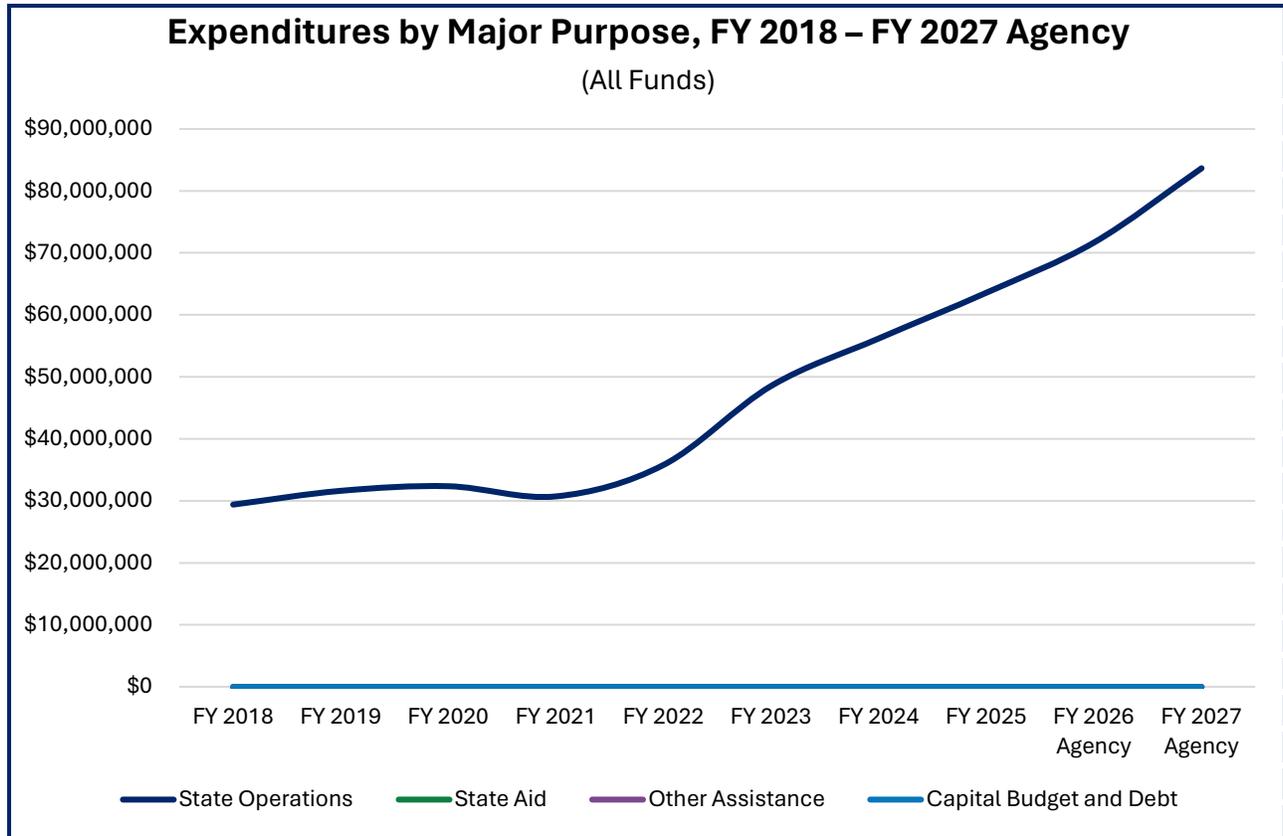
5-Year Change (FY 2023–2027)	\$ 35,019,370	73.7	\$	35,107,479	72.3	79.77	11.6
10-Year Change (FY 2018–2027)	53,973,468	189.0		54,242,531	184.6	172.40	33.1
3-Year Average** (FY 2023–2025)	55,094,455	N/A		56,089,351	N/A	287.82	N/A

* Note : Consumer Price Index for All Urban Consumers estimate for FY 2026–2027 is from the Consensus Revenue Estimating Group.

** Note : Reflects the three most recent years of actuals data.

BOARD OF INDIGENTS' DEFENSE SERVICES

Budget Summary – Agency Request



Expenditures by Category, FY 2024 – FY 2027 Agency
(All Funds)

	FY 2026 Agency % of Total	FY 2024 Actual	FY 2025 Actual	FY 2026 Approved	FY 2026 Agency	FY 2027 Agency
State Operations						
Salaries and Wages	40.9 %	\$ 21,674,301	\$ 25,754,680	\$ 29,600,847	\$ 29,296,021	\$ 42,681,020
Contractual Services	58.6	33,541,840	36,946,528	32,823,057	42,010,792	40,584,427
Commodities	0.2	134,492	143,411	137,325	159,850	159,850
Capital Outlay	0.3	832,867	715,066	165,800	187,400	207,050
Operating Adjustments	--	-	-	(919,860)	-	-
Subtotal	100.0 %	\$ 56,183,500	\$ 63,559,685	\$ 61,807,169	\$ 71,654,063	\$ 83,632,347
State Aid and Assistance						
Aid to Locals	-- %	\$ -	\$ -	\$ -	\$ -	\$ -
Other Assistance	--	-	-	-	-	-
Subtotal	-- %	\$ -				
Capital Budget and Debt						
Capital Improvements	-- %	\$ -	\$ -	\$ -	\$ -	\$ -
Debt Service Principal	--	-	-	-	-	-
Debt Service Interest	--	-	-	-	-	-
Subtotal	-- %	\$ -				
Reappropriations	-- %	\$ -	\$ -	1,268,922	\$ -	\$ -
GRAND TOTAL	100.0 %	\$ 56,183,500	\$ 63,559,685	\$ 63,076,091	\$ 71,654,063	\$ 83,632,347

BOARD OF INDIGENTS' DEFENSE SERVICES

Budget Summary – Agency Request

State Operations

Expenditures by Classification, FY 2024 – FY 2027 Agency						
(State Operations, All Funds)						
	FY 2026 Agency % of Total	FY 2024 Actual	FY 2025 Actual	FY 2026 Approved	FY 2026 Agency	FY 2027 Agency
Salaries and Wages						
Employee Pay	31.6 %	\$ 16,130,982	\$ 19,332,540	\$ 22,772,202	\$ 22,652,451	\$ 34,730,806
Employee Benefits	10.8	5,543,319	6,422,140	8,037,138	7,703,397	8,946,982
Shrinkage	(1.5)	-	-	(1,208,493)	(1,059,827)	(996,768)
Subtotal	40.9 %	\$ 21,674,301	\$ 25,754,680	\$ 29,600,847	\$ 29,296,021	\$ 42,681,020
Contractual Services						
Communication	0.3 %	\$ 166,878	\$ 194,133	\$ 185,830	\$ 219,955	\$ 311,026
Fees (Professional)	53.2	31,325,066	33,338,513	29,288,351	38,117,921	36,280,310
Fees (Other Services)	0.9	418,081	477,308	590,325	614,441	952,684
Freight and Express	0.1	10,708	29,492	20,250	29,750	24,250
Printing and Advertising	--	2,993	41	-	-	-
Rent and Leases	3.5	1,290,619	2,336,696	2,411,990	2,525,202	2,505,116
Repair and Servicing	0.1	34,145	159,091	39,875	69,050	69,050
Travel and Subsistence	0.4	230,568	323,375	186,440	298,778	303,778
Utilities	0.1	21,956	26,797	42,136	29,200	30,200
Other	0.1	40,826	61,082	57,860	106,495	108,013
Subtotal	58.6 %	\$ 33,541,840	\$ 36,946,528	\$ 32,823,057	\$ 42,010,792	\$ 40,584,427
Commodities						
Clothing	-- %	\$ 306	\$ 133	\$ -	\$ -	\$ -
Equipment and Parts	0.1	10,758	5,651	7,695	10,300	10,300
Food	--	149	653	-	-	-
Fuel	--	-	-	-	-	-
Motor Vehicle Parts	0.1	19,297	16,927	21,800	21,800	21,800
Supplies (Office)	0.1	77,514	85,943	87,980	97,850	97,850
Supplies (Professional)	0.1	13,527	10,714	11,300	12,550	12,550
Supplies (Research)	--	-	-	-	-	-
Other	0.1	12,941	23,390	8,550	17,350	17,350
Subtotal	0.2 %	\$ 134,492	\$ 143,411	\$ 137,325	\$ 159,850	\$ 159,850
Capital Outlay						
Books	-- %	\$ -	\$ 265	\$ -	\$ -	\$ -
Computer Hardware	0.1	108,254	196,184	-	28,100	47,750
Computer Software	--	10,841	-	2,500	-	-
Equipment, Furniture	0.2	587,222	482,644	128,300	124,300	124,300
Information Processing	0.1	62,518	15,527	35,000	35,000	35,000
Telecommunications	--	64,032	20,446	-	-	-
Other	--	-	-	-	-	-
Subtotal	0.3 %	\$ 832,867	\$ 715,066	\$ 165,800	\$ 187,400	\$ 207,050
Operating Adjustments	-- %	\$ -	\$ -	(919,860)	\$ -	\$ -
TOTAL	100.0 %	\$ 56,183,500	\$ 63,559,685	\$ 61,807,169	\$ 71,654,063	\$ 83,632,347

BOARD OF INDIGENTS' DEFENSE SERVICES

Budget Summary – Agency Request

Expenditures by Program

Expenditures by Program, FY 2024 – FY 2027 Agency						
(All Funds)						
	FY 2026 Agency % of Total	FY 2024 Actual	FY 2025 Actual	FY 2026 Approved	FY 2026 Agency	FY 2027 Agency
Administration Office	6.9 %	\$ 3,219,830	\$ 4,172,499	\$ 4,813,292	\$ 4,943,850	\$ 11,833,841
Appellate Defender Office	5.4	3,489,151	3,805,996	3,775,551	3,841,003	3,870,111
Assigned Counsel System	47.7	27,686,453	29,433,295	28,094,345	34,147,038	32,304,882
Death Penalty Defense	10.3	6,337,033	7,237,437	5,581,290	7,390,799	7,368,363
Legal Services for Prisoners	0.6	289,592	402,382	402,382	402,382	402,382
Public Defender Offices	29.2	15,161,441	18,508,076	20,409,231	20,928,991	27,852,768
TOTAL	100.0 %	\$ 56,183,500	\$ 63,559,685	\$ 63,076,091	\$ 71,654,063	\$ 83,632,347

FTE Positions by Program, FY 2024 – FY 2027 Agency						
	FY 2026 Agency % of Total	FY 2024 Actual	FY 2025 Actual	FY 2026 Approved	FY 2026 Agency	FY 2027 Agency
Administration Office	11.3 %	30.6	33.0	38.0	34.0	35.0
Appellate Defender Office	9.0	27.0	27.0	27.0	27.0	27.0
Assigned Counsel System	--	--	--	--	--	--
Death Penalty Defense Unit	13.7	36.0	41.0	41.0	41.0	41.0
Legal Services for Prisoners	--	--	--	--	--	--
Public Defender Offices	66.0	195.6	184.0	183.2	198.0	266.0
TOTAL	100.0 %	289.2	285.0	289.2	300.0	369.0

Expenditures by Fund

Expenditures by Fund, FY 2024 – FY 2027 Agency						
	FY 2026 Agency % of Total	FY 2024 Actual	FY 2025 Actual	FY 2026 Approved	FY 2026 Agency	FY 2027 Agency
State General Fund	98.5 %	\$ 55,191,955	\$ 62,578,514	\$ 62,270,091	\$ 70,580,326	\$ 82,532,267
Indigents Defense Services Fund	1.5	987,988	964,160	800,000	1,065,411	1,091,537
Inservice Education Workshop Fee Fund	0.1	3,557	17,011	6,000	8,326	8,543
TOTAL	100.0 %	\$ 56,183,500	\$ 63,559,685	\$ 63,076,091	\$ 71,654,063	\$ 83,632,347

BOARD OF INDIGENTS' DEFENSE SERVICES

Budget Summary – Agency Request

FY 2026 Analysis

Summary of Agency Budget Request, FY 2026						
	SGF	Indigents' Defense Services Fund	Inservice Edu. Workshop Fee Fund	Total	FTE Positions	
Approved, FY 2026						
1. 2025 SB 125, without Reappropriations	\$ 61,001,169	\$ 800,000	\$ 6,000	\$ 61,807,169	289.2	
Reappropriations						
2. State General Fund	\$ 1,288,246	\$ -	\$ -	\$ 1,288,246	--	
3. SGF Reappropriations 1.5 Percent Lapse	(19,324)	-	-	(19,324)	--	
Subtotal – Approved, with Reappropriations	\$ 62,270,091	\$ 800,000	\$ 6,000	\$ 63,076,091	289.2	
Supplemental Requests						
4. Assigned Counsel Caseloads	\$ 5,035,207	\$ -	\$ -	\$ 5,035,207	--	
5. Expert Witness Caseloads	2,987,700	-	-	2,987,700	--	
6. Attorney Positions for Interns	55,768	-	-	55,768	8.0	
7. Additional Staffing Support	70,629	-	-	70,629	6.0	
8. IT Security	160,931	-	-	160,931	1.0	
Subtotal – Supplementals	\$ 8,310,235	\$ -	\$ -	\$ 8,310,235	15.0	
Other Changes						
9. Special Revenue Fund	\$ -	\$ 265,411	\$ 2,326	\$ 267,737	--	
10. New Gifts and Grants Fund	-	-	-	-	--	
11. Proviso Language for Pay Scale	-	-	-	-	--	
12. All Other Adjustments	-	-	-	-	(4.2)	
Subtotal – Other Changes	\$ -	\$ 265,411	\$ 2,326	\$ 267,737	(4.2)	
TOTAL – Agency Revised Estimate	\$ 70,580,326	\$ 1,065,411	\$ 8,326	\$ 71,654,063	300.0	

Approved Budget

1. 2025 SB 125

The 2025 Legislature passed, and the Governor enacted, one bill appropriating and adjusting funding for state agencies. The bill includes a lapse of 1.5 percent of state operations funded from the SGF in FY 2026. For BIDS, this totals a decrease of \$919,860 SGF from assigned counsel expenditures in FY 2026.

Reappropriations

2. SGF Reappropriation

The agency reappropriated \$1.3 million in unspent SGF funds from FY 2025 to FY 2026. This includes:

- \$1,222,543 for **Assigned Counsel and Litigation Support**. Approximately \$1.5 million in assigned counsel costs from June were not processed until July. The agency states that if claims from assigned counsel for payment had not been audited by the agency, there would not be any reappropriations into FY 2026.
- \$55,257 in unspent **Capital Defense** funds that will be utilized on payment of assigned counsel and capital defense operations.

BOARD OF INDIGENTS' DEFENSE SERVICES

Budget Summary – Agency Request

- \$10,446 in unspent **Operations** funds that will be utilized on payment of assigned counsel and other operating expenditures.

The agency states the full amount of reappropriated moneys has been spent on claims for assigned counsel payments received in June 2025 that were not fully audited and/or processed until the following month. Furthermore, the agency indicates the auditing process provided for the saving of approximately \$485,000 in assigned counsel payments in FY 2025.

3. SGF Reappropriation 1.5 Percent Lapse

As part of the lapse identified in Item 1, the Legislature approved a lapse of 1.5 percent of SGF reappropriations supporting state operations in FY 2026. For BIDS, this totals a decrease of \$19,324 SGF in FY 2026 and adjusts total SGF reappropriations to \$1,268,922.

Supplemental Requests

The agency's revised estimate includes **\$8.3 million SGF** for a variety of supplemental requests, most of which are related to the agency's efforts to hire additional attorneys and staff in FY 2026.

4. Assigned Counsel Caseloads

Assigned counsel caseloads are not typically classified as a request for supplemental funding. However, the agency's revised estimate includes an increase of **\$5.0 million SGF** above the previously approved amount for assigned counsel expenditures due to the omission of caseloads from [2025 SB 125](#), which included \$27.0 million in assigned counsel funding for FY 2026. At its December 2024 meeting, the BIDS Board increased the hourly rate for compensation for assigned counsel from \$120 to \$125¹. However, at its September 2025 meeting, the BIDS Board held the rate at \$120 per hour until increased funding becomes available². This supplemental request reflects the \$120 rate for assigned counsel compensation.

Specifically, the agency requests additional funding for panel attorneys (\$4.4 million) and contract attorneys (\$601,503). When combined with its allocation for panel attorneys (\$22.5 million) and contract attorneys (\$4.5 million), this amount is the same as the spring 2025 assigned counsel caseloads estimate in FY 2026, excluding expert witness costs, which are included in a separate request below. If this request is approved, assigned counsel funding would total \$32.0 million in FY 2026.

In October 2025, the Caseload Consensus Group decreased anticipated assigned counsel expenditures by \$100,000 in FY 2026, for a total of \$29.1 million in expenditures, including costs for expert witnesses.

5. Expert Witnesses Caseloads

Although expert witness costs are usually included in assigned counsel caseloads estimates, the agency's revised estimate separates the costs of expert witnesses from the assigned counsel enhancement request. The agency requests **\$3.0 million SGF** in supplemental funding for expert witnesses for the assigned counsel program (\$952,769), for trial-level public defender offices (\$584,528), and for capital defense cases (\$1.5 million) in FY 2026. According to the agency, expenditures for expert witnesses were artificially deflated in previous budgets because of using one-time cost savings, typically from excess shrinkage, to pay the costs. However, due to shrinkage overage

¹ Board of Indigents' Defense Services Board Meeting Minutes (December 6, 2024) <https://www.ksbids.gov/s/BIDS-Website-Minutes-Agenda-Board-Packet-12-06-2024.pdf>

² Board of Indigents' Defense Services Board Meeting Minutes (September 5, 2025) <https://www.ksbids.gov/s/BIDS-Website-Agenda-and-Board-Packet-gx42.pdf>

BOARD OF INDIGENTS' DEFENSE SERVICES

Budget Summary – Agency Request

being lapsed in the current fiscal year, the agency requests the full cost of expert witnesses (\$4.2 million) be included in the agency's budget in FY 2026.

BIDS believes failure to provide experts at notable moments in representation—especially when increased use of expert witnesses by prosecutors is considered—could result in successful appeals relating to ineffective assistance of counsel claims. This would increase costs for the State due to new trials and proceedings. Moreover, according to BIDS, statutory requirements for providing certain types of experts in certain proceedings create additional costs.

Expert witnesses provide information to attorneys and jurors on subject areas for which a particular type of knowledge is needed, such as ballistics, crime scene analysis, DNA, computer forensics, psychology, and sexual abuse.

According to BIDS, the frequency of using expert witnesses in criminal trials is increasing throughout the country and is attributable to the following:

- Legislation requiring drug and alcohol evaluations for all DUI cases;
- Legislation requiring psychological evaluations for sentencing purposes,
- U.S. Supreme Court decisions finding that attorneys are ineffective if they do not use experts for the defense;
- More expert hours being required on a case, and an increase in expert billing rates;
- The impact of “Jessica’s Law”³ and other legislation that increases sentences or the severity level of a crime;
- New crimes, such as electronic solicitation and electronic possession of child pornography, that require experts for cellphone and electronic forensics; and
- Updated professional standards that require much more extensive use of *Daubert* hearings to assess all types of items prior to admission into evidence.

6. Attorney Positions for Interns

BIDS recently started an [internship program](#) for law students interested in becoming public defense attorneys for the State of Kansas. Per the agency, internships have been helpful at combating longstanding recruitment and retention issues—all BIDS interns who graduated and became licensed in Kansas ended up employed by BIDS. The agency states new positions are necessary to retain interns, as students who want to work in public defense could go to nearby states for employment in the field. As such, the agency requests **\$55,767 SGF** in supplemental funding and **8.0 FTE positions** in FY 2026 to create and fill 8 attorney positions for graduating students who have completed BIDS internships. The positions are budgeted to begin in May 2026, or after the budget is approved.

7. Additional Staffing Support

According to the agency, to adequately handle the caseloads required of public defenders, it is important that non-attorney work be handled by other staff. A lack of staff requires other employees to complete tasks otherwise not included in typical responsibilities for those roles, such as an attorney completing investigative work. In some instances, BIDS offices contract out costs at a price that is more than it would take for in-house staff to complete. As such, the agency requests **\$70,629 SGF** in supplemental funding and **6.0 FTE positions** for additional support staff roles in FY 2026. Specifically, the agency requests the following positions be created and filled:

- **Investigator:** \$11,692 (1.0 FTE position);

³ [KSA 21-6627](#)

BOARD OF INDIGENTS' DEFENSE SERVICES

Budget Summary – Agency Request

- **Mitigation Specialist:** \$12,921 (1.0 FTE position); and
- **Legal Assistant:** \$46,016 (4.0 FTE positions).

These figures represent partial-year funding for these positions and are based on enactment of such appropriations in May 2026, or after the budget is approved.

8. IT Security

The agency requests **\$160,931 SGF** in supplemental funding and **1.0 FTE position** for the following four IT security items in FY 2026:

- **Office 365:** \$106,976. The version of Microsoft Office that BIDS currently operates on will be unsupported partway through 2026, meaning it will no longer receive security updates or support. BIDS states it has negotiated licenses that are less expensive than those provided through the Office of Information Technology Services (OITS) and requests funding for this purpose.
- **Cellphones:** \$17,974. BIDS has not typically provided cellphones to employees, including positions charged with investigating potentially dangerous criminals located in the state. The agency states continuity of operations planning requires that quick communication be provided to people in an effective way in the event of emergencies or disasters. In addition, the absence of employer-issued cellphones complicates multi-factor authentication procedures, particularly when handling confidential case files and attorney-client communication. Per BIDS, the phone contract with the State provides cellphones for free or at a discounted rate.
- **Server Replacements:** \$15,000. The agency states its two servers will need to be replaced as they reach end of life by FY 2028.
- **IT Management:** \$20,981 and 1.0 FTE position. According to the agency, a recent Department of Administration and OITS survey administered by Gartner showed the agency's current IT personnel are insufficient due to the amount of IT management required for an agency of its size. As such, the agency request includes partial-year funding for the creation of 1.0 FTE Tech Support Consultant position that would not be filled until after approval of the budget request.

Other Changes

9. Special Revenue Funds

The revised estimate includes an increase of **\$267,737** in expenditures from special revenue funds in FY 2026. Specifically, the agency anticipates an increase of \$2,326, for a total of \$8,326, in expenditures from the Inservice Education Workshop Fee Fund above the previously approved amount in FY 2026. This increase is entirely due to revenue from attendance fees for Continuing Legal Education (CLE) workshops and will likely be expended on costs incurred by the agency for providing CLE workshops. The remaining \$265,411 is due to an increase in fees collected from applicants for legal counsel and bond forfeitures. These fees are eventually transferred to the Indigents' Defense Services Fund, where expenditures will go toward transcriptionists, expert witnesses, and assigned counsel in FY 2026.

10. New Gifts and Grants Fund

The agency requests appropriation of a new no-limit Gifts and Grants Fund in FY 2026. This fund would allow the agency to apply for and receive grants, *provided* that the agency is allowed to utilize the funds for the purpose of the grant.

BOARD OF INDIGENTS' DEFENSE SERVICES

Budget Summary – Agency Request

11. Proviso Language for Pay Scale

The agency requests inclusion of proviso language to its SGF operations and capital defense accounts in the appropriations bill in FY 2026 to authorize the agency to create BIDS-specific pay scales for Legal Assistant and Investigator positions. According to the agency, this proviso would recognize that the work conducted by its Legal Assistants and Investigators is more difficult and intensive than work typical of these roles statewide, and therefore BIDS pay scales should not be compared to or modeled from the state pay scales for similarly named positions. According to the agency, the proviso would attach to the agency's Operations account and Capital Defense account, since those funds pay the relevant salaries.

12. All Other Adjustments

The revised estimate includes other adjustments throughout categories of expenditures that result in no monetary change to the agency's revised estimate in FY 2026. Many of the shifts between categories are due to the agency adjusting estimates to better reflect the actual usage and cost of items. For example, within the Public Defender Offices, the agency anticipates a reduction (\$529,726) in expenditures for salaries and wages due to a reassignment in positions to accommodate caseloads. However, this is offset by an estimated increase (\$322,441) in contractual services expenditures for the Public Defender Offices in FY 2026. Specifically, the agency is budgeting more for janitorial services (\$29,111) in order to reflect the actual contract costs, and items like parking (\$16,923) and postage (9,250) in order to reflect the actual usage of those items. In addition, an increase for building and storage rental costs (\$100,086) reflects an increase in document storage costs and the full price of the new Wyandotte County building that also houses a State Habeas office.

BOARD OF INDIGENTS' DEFENSE SERVICES

Budget Summary – Agency Request

FY 2027 Analysis

Summary of Agency Budget Request, FY 2027						
	SGF	Indigents' Defense Services Fund	Inservice Edu. Workshop Fee Fund	Total	FTE Positions	
Approved, FY 2026						
2025 SB 125, without Reappropriations	\$ 61,001,169	\$ 800,000	\$ 6,000	\$ 61,807,169	289.2	
Enhancement Requests						
1. Assigned Counsel Caseloads	\$ 4,144,742	\$ -	\$ -	\$ 4,144,742	--	
2. Expert Witness Caseloads	3,304,931	-	-	3,304,931	--	
3. Holistic Defense and Ethical Caseloads	5,610,435	-	-	5,610,435	58.0	
4. Pay Parity with Prosecutors	6,311,356	-	-	6,311,356	--	
5. Attorney Position for Interns	794,685	-	-	794,685	18.0	
6. Additional Staffing Support	456,714	-	-	456,714	6.0	
7. IT Security	674,216	-	-	674,216	2.0	
Subtotal – Enhancements	\$ 21,297,079	\$ -	\$ -	\$ 21,297,079	84.0	
Other Changes						
8. Special Revenue Funds	\$ -	\$ 291,537	\$ 2,543	\$ 294,080	--	
9. New Gifts and Grants Fund	-	-	-	-	--	
10. Proviso Language for Pay Scale	-	-	-	-	--	
11. All Other Adjustments	234,019	-	-	234,019	(4.0)	
Subtotal – Other Changes	\$ 234,019	\$ 291,537	\$ 2,543	\$ 528,099	(4.0)	
TOTAL – Agency Request	\$ 82,532,267	\$ 1,091,537	\$ 8,543	\$ 83,632,347	369.2	

Enhancement Requests

1. Assigned Counsel Caseloads

The agency requests an additional **\$4.1 million SGF** above the previously approved amount for assigned counsel expenditures for FY 2027. This request is substantially similar to the supplemental request identified in the [FY 2026 Analysis](#) above.

For FY 2027, the agency requests additional funding for panel attorneys (\$3.3 million) and contract attorneys (\$795,830). When combined with its allocation for panel attorneys (\$21.6 million) and contract attorneys (\$4.5 million), this amount is the same as the spring 2025 assigned counsel caseloads estimate for FY 2027, excluding expert witness costs, which are included in a separate request below. If this request is approved, expenditures would total \$30.2 million for the pay of assigned counsel for FY 2027.

In October 2025, the Caseload Consensus Group decreased anticipated assigned counsel expenditures for FY 2027 by \$500,000, for a total of \$31.5 million in expenditures, including costs for expert witnesses.

2. Expert Witnesses Caseloads

The agency requests **\$3.3 million SGF** in enhancement funding for expert witnesses for the assigned counsel program (\$1.3 million), for trial-level public defender offices (\$584,528), and for capital defense cases (\$1.5 million) for FY 2027. This request is substantially similar to the supplemental request identified in the [FY 2026 Analysis](#) above.

Like with its FY 2026 request, the agency indicates expert witness expenditures were artificially deflated in prior budgets because of one-time cost savings, typically from excess shrinkage. However,

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due to shrinkage coverage likely being lapsed in the budget year, the agency requests the full cost of expert witnesses (\$4.2 million) be included in the agency's budget for FY 2027.

3. Holistic Defense and Ethical Caseloads

Due to the constitutional requirement that indigent defendants in Kansas have adequate defense counsel, public defense attorneys are often tasked with taking on many cases each year. Based on a study completed by the American Bar Association, National Center for State Courts, and the RAND Corporation, public defense attorneys should spend between 35 hours (for low-level felonies) and 248 hours (for high-level felonies) per case to ensure indigent defendants receive at least the minimum standard for effective assistance of counsel⁴. According to the agency, in FY 2024, each trial-level public defender in Kansas has an average caseload of 157.7 cases, meaning an average of 13 hours could be spent on each assigned case. BIDS indicates it would need over 600.0 FTE positions to fully address current caseloads. The requested increase in staffing is intended to avoid public defender offices declining new cases, which increase costs as those cases must be sent to assigned counsel.

Accordingly, the agency requests **\$5.6 million SGF** in enhancement funding and **58.0 FTE positions** for ethical caseload staffing and holistic defense for FY 2027. This request includes the following positions:

- **Public Defender I:** \$466,470 (5.0 FTE positions);
- **Public Defender II:** \$1,148,500 (10.0 FTE positions);
- **Public Defender III:** \$1,374,140 (10.0 FTE positions);
- **Legal Assistant:** \$1,503,340 (20.0 FTE positions);
- **Mitigation Specialist:** \$796,640 (10.0 FTE positions);
- **Investigator:** \$76,382 (1.0 FTE position);
- **Well-Being Coordinator:** \$137,586 (1.0 FTE position); and
- **Communication Specialist:** \$107,377 (1.0 FTE position).

Per the agency, the Legal Assistant, Mitigation Specialist, and Investigator positions are critical to positive case outcomes for defendants so that attorneys can spend more time on their clients' cases and less time on administrative tasks. However, Mitigation Specialists would likely work with both attorneys and clients on potential mitigating factors to charges filed. According to BIDS, a positive case outcome for defendants saves Kansas money in the long-term by reducing the sentence duration or the likelihood of a custodial sentence.

Furthermore, the agency states the Communication Specialist and Well-Being Coordinator positions are designed to assist in day-to-day operations with the community, including BIDS employees. BIDS indicates a greater degree of communication between the agency and the community is necessary to continue building strong relations and to enhance transparency. In addition, the Well-Being Coordinator would assist attorneys and employees by matching them with the appropriate resources, such as mental health counseling, that could be necessary to assist with sudden or ongoing mental burnout and compassion fatigue.

4. Pay Parity with Prosecutors

BIDS has an internal [Well-Being Committee](#) that surveys its employees to support the health and retention of agency personnel. During the summer of 2025, the Committee conducted an employee well-being survey, which found that of the employees who responded, only one-quarter of attorneys had not considered leaving employment as a public defender for Kansas because of salary concerns.

⁴ American Bar Association, National Center for State Courts, and RAND Corporation, National Public Defense Workload Study (2023) https://www.rand.org/pubs/research_reports/RR2559-1.html

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According to BIDS, turnover creates significant potential constitutional issues because certain felonies require attorneys with expertise or else the State risks the charges being dismissed.

The agency states it lost one out of every four public defenders in FY 2019. That statistic grew to one in every five public defenders in FY 2022. The Legislature approved salary adjustments to bring salaries of all BIDS employees up to more competitive levels with similarly situated state employees in FY 2023. The agency believes the pay adjustment had a significant impact on the retention and recruitment of public defense attorneys. In the summer of 2023, it reviewed a selection of salary structures at prosecutor offices across Kansas and a collection of prosecutor job advertisements from the Office of the Attorney General, finding that salaries of prosecutors in Kansas outpaced salaries of public defenders by 24.5 percent. As such, the agency requests **\$6.3 million SGF** in enhancement funding to provide an average 24.5 percent adjustment in salaries and wages to reach pay parity with prosecuting attorneys for FY 2027.

5. Attorney Positions for Interns

The agency requests **\$794,685 SGF** in enhancement funding and **18.0 FTE positions** for FY 2027, to create and fill 18 attorney positions for graduating students who have completed BIDS internships. The positions are budgeted to begin in May 2027, following graduation. This request is substantially similar to the supplemental request identified in the [FY 2026 Analysis](#) above.

6. Additional Staffing Support

The agency requests **\$456,714 SGF** in enhancement funding and **6.0 FTE positions** for additional support staff for FY 2027. This request is substantially similar to the supplemental request identified in the [FY 2026 Analysis](#) above and includes full-year funding for the following positions:

- **Investigator:** \$76,382 (1.0 FTE position);
- **Mitigation Specialist:** \$79,664 (1.0 FTE position); and
- **Legal Assistant:** \$300,668 (4.0 FTE position).

7. IT Security

The agency requests **\$674,216 SGF** in enhancement funding and **2.0 FTE positions** for FY 2027. The request includes the following two new items for FY 2027:

- **Data Backup Project:** \$300,000. In April 2024, the Legislative Division of Post Audit published an IT Security Audit⁵. BIDS indicates the audit found it needed to fund updates and improvements to its relatively antiquated data backup system so that it could electronically store material in a more comprehensive, continuous, and safer way. The requested amount is an estimate but will be adjusted during the budget process if BIDS receives quotes from vendors.
- **Off-Site Backup Network Hub:** \$25,000. The network architecture for BIDS relies upon the servers remaining online at the Administration Office located within the Jayhawk Tower building in Topeka, Kansas. According to the agency, when Jayhawk Tower building had an air conditioning issue, the servers within the building were shut down, which impacted every public defender office in the state. The requested amount is an estimate but will be adjusted during the budget process if BIDS receives quotes from vendors.

The request also includes the four items included in the supplemental request identified in the [FY 2026 Analysis](#) above:

⁵ Note: The Legislative Division of Post Audit keeps IT Security Audits permanently confidential under [KSA 45-221\(a\)\(12\)&\(45\)](#) because release of the information could jeopardize the agency's IT security.

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- **Office 365:** \$106,976. The version of Microsoft Office that BIDS currently operates on will be unsupported partway through 2026, meaning it will no longer receive security updates or support. BIDS states that the agency has negotiated licenses that are less expensive than those provided through OITS and requests funding for this purpose.
- **Cellphones:** \$107,844. BIDS has not typically provided cell phones to employees, including those positions which are charged with investigating potentially dangerous criminals located in the state. The agency states that continuity of operations planning requires that quick communication be provided to people in an effective way in the event of emergencies or disasters. In addition, not having employer-issued cellphones complicates multi-factor authentication procedures, particularly when handling confidential case files and attorney-client communication. Per BIDS, the phone contract with the State provides cellphones for free or at a discounted rate.
- **Server Replacements:** \$15,000 (OT). The agency states its two servers will need to be replaced as they reach end of life by FY 2028. Although the agency requests funding for this item in FY 2026, it is not an ongoing request after FY 2027.
- **IT Management:** \$119,396 and 2.0 FTE positions. According to the agency, a recent Department of Administration and OITS survey administered by Gartner showed that the agency's current IT personnel have an undue risk of responsibility due to the amount of IT management required for an agency of its size. As such, the agency request includes full-year funding for the creation of 2.0 FTE positions for FY 2027.

Other Changes

8. Special Revenue Funds

The request includes an increase of **\$294,080** from special revenue funds for FY 2027. Specifically, the agency anticipates an increase of \$2,543, for a total of \$8,543, in expenditures from the Inservice Education Workshop Fee Fund above the previously approved amount for FY 2027. This increase is due entirely to revenue from attendance fees for CLE workshops and will likely be expended on costs incurred by the agency for providing such workshops. The remaining \$291,537 is due to an increase in fees collected from applicants for legal counsel and bond forfeitures. These fees are eventually transferred to the Indigents' Defense Services Fund, where expenditures will go toward transcriptionists, expert witnesses, and assigned counsel for FY 2027.

9. New Gifts and Grants Fund

The agency requests appropriation of a new no-limit Gifts and Grants Fund in FY 2026. This fund would allow the agency to apply for and receive grants, *provided* that the agency is allowed to utilize the funds for the purpose of the grant. This is the same as the item identified in the [FY 2026 Analysis](#) above.

10. Proviso Language for Pay Scale

The agency requests inclusion of proviso language in the appropriations bill for FY 2027 to authorize the agency to create BIDS-specific pay scales for Legal Assistant and Investigator positions. This is the same as the item identified in the [FY 2026 Analysis](#) above.

11. All Other Adjustments

The request includes an increase of \$234,019 SGF in all other adjustments for FY 2027. The amount is due entirely to the agency's allocation for fringe benefits. However, rather than budgeting for an increase in health insurance rates (\$244,195) and a decrease in KPERS rates (\$10,176), the agency intends to distribute additional funds to other categories of expenditures.

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Aside from the increase in the SGF allocation for the agency, there are several adjustments throughout categories of expenditures that result in a net-zero change for FY 2027. For example, the agency plans to reduce salaries and wages expenditures (\$131,570) for the Death Penalty Defense Unit, mainly due to employee turnover, while increasing contractual services expenditures (\$522,683) for capital cases for FY 2027. Specifically, the agency anticipates needing an additional \$449,916 in payments for assigned counsel who handle capital defense cases for FY 2027.