



State of Utah
 Indigent Defense Commission
GRANT MODIFICATION FORM:
 State Fiscal Year 2022

1) Grantee Name & Address:

Weber County
 P.O. Box 150801
 Ogden, UT 84415

2) Grant Number:	22D-23	3) Modification Number:	1
4) Grant Project Director:	Mike Bouwhuis James Retallick	5) Phone:	(801) 393-6452 (801) 721-0354
6) Email:	barrister63@comcast.net jretallick@webercountyutah.gov	7) Length of Grant:	12 Months
8) Grant Start Date:	7-1-2021	9) Grant End Date:	06-30-2022

10) Budget Increase Request

Original Grant Total:	\$233,942.00
Proposed Grant Increase:	\$163,170.00
Proposed New Grant Total:	\$397,112.00
Change Effective Date:	1-1-2022

11) Budget Change Summary

	Grant Award		System Annual Spending	
	Current	New Amount	Current	New Amount
Personnel / FTE Expenses:	\$0.00	\$0.00	\$0.00	\$0.00
Fringe Benefits for Personnel / FTE Expenses:	\$0.00	\$0.00	\$0.00	\$0.00
Contract Services:	\$233,942.00	\$293,942.00	\$1,920,538.00	\$0.00
Equipment, Supplies, and Operating Expenses:	\$0.00	\$103,170.00	\$118,940.00	\$0.00
Travel:	\$0.00	\$0.00	\$0.00	\$0.00
Other (Explain):	\$0.00	\$0.00	\$0.00	\$0.00

12) Modification Requested:

(1) \$45,000 in Specialty Attorney Funding – The IDC provides Weber County with two specialty attorneys who receive a budget of \$70,000 each per year to be the first chair attorney on the homicide and first-degree felony sex cases. The purpose of having specialty attorneys is to (1) ensure the most experienced attorneys are assisting with the most difficult cases, and (2) reduce the workload of the other attorneys.

Reducing workload is critical in Weber County, especially since five attorneys left in October 2021 with four of the five citing the high caseload as the primary reason for leaving. (The county has budgeted to hire four new attorneys in 2022, but until those attorneys can be hired and trained, the specialty attorneys are critical to keeping caseloads manageable.)

Grant Morrison has had two complex cases go to trial already this fiscal year and therefore has already used \$60,400 of his allocated budget. He has several other cases that are set for trial before June 30th and anticipates he will need an additional \$45,000 if each trial goes forward as anticipated.

Randy Marshall has used less than \$30,000 of his allocated funding but has several cases that are set for trial in the next six months as well. He anticipates that if those trials go forward, he will use the majority of his allocated funding before June 30th.

As a result of the current caseloads and anticipated trials, the county requests an additional \$45,000 for Grant Morrison's specialty contract. This will allow Grant to continue working on his caseload without running out of money before the end of the fiscal year and will give the county time to hire and train additional attorneys who can assist in reducing the workload.

(2) \$118,410 for Public Defender Office Startup Costs – Weber County is starting a full-time Public Defender Office with the director starting full-time work on February 1, 2022. The county has money set aside to lease space and build out 11 offices, a reception area, and to provide space for five cubicles and a break room. There is additional space for future growth, but that will not be built out this year.

The county also set aside funds to furnish and equip the receptionist area and two attorney offices; however, significantly more contract attorneys have expressed interest in beginning full-time work for the new public defender office this year. In order to bring those attorneys into the office this year, the county will need help furnishing and providing equipment for their offices.

The county would greatly benefit from assistance in the following areas:

(a) \$60,600 for Desks and Cubicles – The county will need to purchase 11 desks and five cubicles at \$4,600 per desk and \$2,000 per cubicle.

(b) \$25,600 for Desktop Computers – The county will need 11 desktop computers for attorneys and five for support staff. The approximate cost is \$1,600 for each setup.

(c) \$9,570 for Laptop Computers – The county will need to purchase 11 laptops, one for each attorney at approximately \$870 each.

(d) \$4,900 for Printers and Copier – The county will need to purchase a copy machine at \$3,500 and two printers at \$700 each.

(e) \$15,000 Website Design – The county would like to hire a web development company to design a website for the office and its clients. We envision a website with general information about the office; a login portal for clients to access their discovery, schedule appointments, and access other information pertaining to their case; and a portal for attorneys to access templates, coordinate coverage, and collaborate on a type of open forum. We would also like to include a page where clients can find resources that in a time of crisis will provide them with immediate help.

(f) \$2,500 for Video Conferencing Equipment – The Weber County Public Defender Office will have a large conference room where we would like to have video conferencing equipment. The setup would include a Meeting Owl Pro camera and microphones, a large TV that can be used as a monitor, and a soundbar. This will allow our office to communicate effectively with other public defender offices, the court, and other organizations with which we need to work regularly.

(g) \$240 for a Zoom License for the Office – The Weber County Public Defender Office would like a Zoom license that they can share to meet with clients and other attorneys.

(3) \$2,000 Defender Data Training – One of our contract attorneys has become very proficient at using Defender Data, especially in the area of document generation. He has created templates for document generation and is willing to share them with the group. We would like him to do a group training with all the attorneys and individual training with those who need it on how they can use Defender Data more proficiently.

13) Modification Approved:

The following requests **were approved** for grant funding, for costs incurred between 1-1-2022 and 6-30-2022:

- 1- \$60,000.00 - Contract Services:
 - a. \$45,000.00 in additional funding for the Specialty Contract held by Grant Morrison. Reimbursed at a rate up to \$125 per hour.
 - b. \$15,000.00 for a website design contract.
- 2- \$103,170.00 - Other Equipment, Supplies, and Operating Expenses:
 - a. \$50,600.00 for eleven desks, bookcases, and credenzas (\$4,600/set)
 - b. \$10,000.00 for five cubicles (\$2,000/each)
 - c. \$25,600.00 for sixteen desktop computers (\$1,600/each)
 - d. \$9,570.00 for eleven laptop computers (\$870/each)
 - e. \$3,500.00 for one copy machine
 - f. \$1,400.00 for two printers (\$700/each)
 - g. \$2,500.00 for video conference equipment as described in the request.
 - h. Individual item costs may vary within reason. Total reimbursement will not exceed the amount awarded for the category of Other E.S.O.

The following items **were not approved** for grant funding:

- 1- Item (2)(g) in the request for a Zoom license was declined.
- 2- Item (3) in the request for Defender Data Training was declined.

14) Name of Authorized System Representative:	Scott Jenkins
15) Title of Authorized System Representative:	County Commission Chair
16) Signature of Authorized System Representative :	
17) Date Signed:	
18) Matthew Barraza, IDC Director Signature:	
19) Date Approved:	

ATTACHMENT E: AMENDED BUDGET DETAILS

FY 2022 WEBER COUNTY PROJECT BUDGET (July 1, 2021 - June 30, 2022)				
Expense Category	Expense Line Item	Total Cost	IDC Grant Award	System Spending
Personnel	Personnel	\$0.00	\$0.00	\$0.00
Fringe	Fringe	\$0.00	\$0.00	\$0.00
Contracted	District Court Attorney/Coordinator - Mike Bouwhuis	\$142,191.00	\$0.00	\$142,191.00
	District Court Attorney - Martin Gravis	\$96,963.00	\$0.00	\$96,963.00
	District Court Attorney - Jim Retallick	\$96,115.00	\$0.00	\$96,115.00
	District Court Attorney - Jason Widdison	\$79,431.00	\$0.00	\$79,431.00
	District Court Attorney - Shawn Condie	\$75,509.00	\$0.00	\$75,509.00
	District Court Attorney - Shawn Smith	\$65,827.00	\$32,467.00	\$33,360.00
	District Court Attorney - Randy Marshall	\$41,536.00	\$0.00	\$41,536.00
	District Court Attorney - Gage Crowther	\$78,095.00	\$0.00	\$78,095.00
	Juvenile Court Child Welfare - Mary Anne Ellis	\$102,168.00	\$0.00	\$102,168.00
	Juvenile Court Child Welfare/Delinquency - Rebecca Voymas	\$96,157.00	\$19,000.00	\$77,157.00
	Juvenile Court Child Welfare/Delinquency - Jennifer Clark	\$138,327.00	\$0.00	\$138,327.00
	Juvenile Court Delinquencies - Richard Williams	\$73,721.00	\$0.00	\$73,721.00
	Juvenile Court Child Welfare - Andrew Heyward	\$91,209.00	\$0.00	\$91,209.00
	Juvenile Court Child Welfare - Ammon Nelson	\$78,288.00	\$0.00	\$78,288.00
	Juvenile Court Child Welfare - Adam Hensley	\$71,468.00	\$0.00	\$71,468.00
	Appellate Court Contract - The Appellate Group	\$100,000.00	\$0.00	\$100,000.00
	Investigator Contract - Kelly Madsen	\$45,000.00	\$0.00	\$45,000.00
	Capital Defense Fund	\$500,000.00	\$0.00	\$500,000.00
	Specialty Attorney Contract - Randy Marshall*	\$70,000.00	\$70,000.00	\$0.00
	Specialty Attorney Contract - Grant Bill Morrison*	\$115,000.00	\$115,000.00	\$0.00
Administrative Assistant - Lindsey Watkins	\$37,600.00	\$37,600.00	\$0.00	
Civil Commitment Hearings Contract	\$4,875.00	\$4,875.00	\$0.00	
Public Defender Website Design Contract	\$15,000.00	\$15,000.00	\$0.00	
Equipment Supplies and Operating Expenses (E.S.O.)	Fixed Equipment, Supplies & Operating Expenses	\$23,940.00	\$0.00	\$23,940.00
	Other Equipment, Supplies & Operating Expenses**	\$103,170.00	\$103,170.00	\$0.00
	Defense Resources & Reserves	\$90,000.00	\$0.00	\$90,000.00
	Training & Related Travel	\$5,000.00	\$0.00	\$5,000.00
	Indigent Defense Capital Fund	\$0.00	\$0.00	\$0.00
Travel	Mileage	\$0.00	\$0.00	\$0.00
Totals:		\$2,436,590.00	\$397,112.00	\$2,039,478.00
*Grant funding for specialty attorney contracts is limited to \$125.00 per hour. Any overage per hour is the county's responsibility. **Other E.S.O. grant funding is limited to the individual amounts for each item outlined in Grant Modification 1.				

Reimbursement is contingent upon the System meeting minimum required spending amounts for each expense category as outlined in the Quarterly Payment Structure. As specified in the Certified Assurances grant funds must supplement, not supplant or replace current System spending.

Unless otherwise approved by the IDC, System expenses must be paid before reimbursement and should be reported for the period in which the expense is incurred. Reporting periods are specified in the attachment titled Quarterly Reporting Schedule. For expenses incurred during a period that are paid after the quarterly financial report is submitted, a supplemental financial status report will be required. Contact the grant program manager for assistance. Reimbursement dates are dependent upon grantee reporting and are subject to change.

James M. Retallick	Public Defender Director	JJ	02/18/2022
System Project Director Name	Title	Initials	Date
Authorized System Representative Name	Title	Initials	Date

ATTACHMENT F: AMENDED QUARTERLY PAYMENT STRUCTURE

FY 2022 WEBER COUNTY PAYMENT STRUCTURE (July 1, 2021 - June 30, 2022)									
Expense Line Item	Expense Structure	Jul-Sep Grant Award	Jul-Sep System Spending	Oct-Dec Grant Award	Oct-Dec System Spending	Jan-Mar Grant Award	Jan-Mar System Spending	Apr-Jun Grant Award	Apr-Jun System Spending
Personnel	None	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Fringe	None	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
District Court Attorney/Coordinator - Mike Bouwhuis	Fixed	\$0.00	\$35,547.75	\$0.00	\$35,547.75	\$0.00	\$35,547.75	\$0.00	\$35,547.75
District Court Attorney - Martin Gravis	Fixed	\$0.00	\$24,240.75	\$0.00	\$24,240.75	\$0.00	\$24,240.75	\$0.00	\$24,240.75
District Court Attorney - Jim Retallick	Fixed	\$0.00	\$24,028.75	\$0.00	\$24,028.75	\$0.00	\$24,028.75	\$0.00	\$24,028.75
District Court Attorney - Jason Widdison	Fixed	\$0.00	\$19,857.75	\$0.00	\$19,857.75	\$0.00	\$19,857.75	\$0.00	\$19,857.75
District Court Attorney - Shawn Condie	Fixed	\$0.00	\$18,877.25	\$0.00	\$18,877.25	\$0.00	\$18,877.25	\$0.00	\$18,877.25
District Court Attorney - Shawn Smith	Fixed	\$8,116.75	\$8,340.00	\$8,116.75	\$8,340.00	\$8,116.75	\$8,340.00	\$8,116.75	\$8,340.00
District Court Attorney - Randy Marshall	Fixed	\$0.00	\$10,384.00	\$0.00	\$10,384.00	\$0.00	\$10,384.00	\$0.00	\$10,384.00
District Court Attorney - Gage Crowther	Fixed	\$0.00	\$19,523.75	\$0.00	\$19,523.75	\$0.00	\$19,523.75	\$0.00	\$19,523.75
Juvenile Court Child Welfare - Mary Anne Ellis	Fixed	\$0.00	\$25,542.00	\$0.00	\$25,542.00	\$0.00	\$25,542.00	\$0.00	\$25,542.00
Juvenile Court Child Welfare/Delinquency - Rebecca Voymas	Fixed	\$4,750.00	\$19,289.25	\$4,750.00	\$19,289.25	\$4,750.00	\$19,289.25	\$4,750.00	\$19,289.25
Juvenile Court Child Welfare/Delinquency - Jennifer Clark	Fixed	\$0.00	\$34,581.75	\$0.00	\$34,581.75	\$0.00	\$34,581.75	\$0.00	\$34,581.75
Juvenile Court Delinquencies - Richard Williams	Fixed	\$0.00	\$18,430.25	\$0.00	\$18,430.25	\$0.00	\$18,430.25	\$0.00	\$18,430.25
Juvenile Court Child Welfare - Andrew Heyward	Fixed	\$0.00	\$22,802.25	\$0.00	\$22,802.25	\$0.00	\$22,802.25	\$0.00	\$22,802.25
Juvenile Court Child Welfare - Ammon Nelson	Fixed	\$0.00	\$19,572.00	\$0.00	\$19,572.00	\$0.00	\$19,572.00	\$0.00	\$19,572.00
Juvenile Court Child Welfare - Adam Hensley	Fixed	\$0.00	\$17,867.00	\$0.00	\$17,867.00	\$0.00	\$17,867.00	\$0.00	\$17,867.00
Appellate Court Contract - The Appellate Group	Variable	As-Billed		As-Billed		As-Billed		As-Billed	
Investigator Contract - Kelly Madsen	Variable	As-Billed		As-Billed		As-Billed		As-Billed	
Capital Defense Fund	Variable	As-Billed		As-Billed		As-Billed		As-Billed	
Specialty Attorney Contract - Randy Marshall*	Variable	As-Billed		As-Billed		As-Billed		As-Billed	
Specialty Attorney Contract - Grant Bill Morrison*	Variable	As-Billed		As-Billed		As-Billed		As-Billed	
Administrative Assistant - Lindsey Watkins	Variable	As-Billed		As-Billed		As-Billed		As-Billed	
Civil Commitment Hearings Contract	Fixed	\$1,218.75	\$0.00	\$1,218.75	\$0.00	\$1,218.75	\$0.00	\$1,218.75	\$0.00
Public Defender Website Design Contract	Variable	As-Billed							
Fixed Equipment, Supplies & Operating Expenses	Fixed	\$0.00	\$5,985.00	\$0.00	\$5,985.00	\$0.00	\$5,985.00	\$0.00	\$5,985.00
Other Equipment, Supplies & Operating Expenses	Variable	As-Billed							
Defense Resources & Reserves	Variable	As-Billed		As-Billed		As-Billed		As-Billed	
Training & Related Travel	Variable	As-Billed		As-Billed		As-Billed		As-Billed	
Indigent Defense Capital Fund	None	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Mileage	None	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

For categories budgeted quarterly:

- The System must meet the minimum required system spending amount for the quarter before requesting grant reimbursement.
- Reimbursement requests should not exceed the quarterly grant amount budgeted for each line item.
- Any costs exceeding the budgeted quarterly system spending and grant amounts combined, shall be the System's responsibility, and count toward the system-spending requirement for the following quarter.

For as billed categories:

- The System must meet any established annual system-spending requirement for a line item before utilizing grant funding on the same line item.
- Any costs exceeding the annual grant amount for a line item, will be the System's responsibility and will count as system spending.

James M. Retallick	Public Defender Director	JJ	02/18/2022
System Project Director Name	Title	Initials	Date
Authorized System Representative Name	Title	Initials	Date