

- LRS budget increases by 0.5% in FY 2002 and decreases by 3.6% in FY 2003

Legal Rights Service

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ROLE

The Legal Rights Service (LRS) was created in 1975 as an independent state agency to protect and advocate the rights of persons with mental, developmental, or other authorized disabilities. Related to this function, the agency receives, investigates, and acts upon allegations of rights violations, provides legal representation in cases, pursues administrative, legal, and other remedies to resolve complaints, and makes sure that such persons are informed of their rights. LRS also conducts public hearings and subpoenas individuals in order to obtain information needed to carry out LRS' duties, and includes an ombudsman section.

The Legal Rights Service Commission provides oversight for LRS. The commission has seven members: three appointed by the President of the Senate; three appointed by the Speaker of the House of Representatives; and one, the chairperson, appointed by the Chief Justice of the Supreme Court. The commission is responsible for appointing and advising an administrator for LRS, assisting on LRS' budget, and establishing policy guidelines for LRS.

Agency In Brief					
Number of Employees	Total Appropriations-All Funds		GRF Appropriations		Appropriation Bill(s)
	2002	2003	2002	2003	
44	\$3.9 million	\$3.8 million	\$634,577	\$627,617	Am. Sub. H.B. 94

OVERVIEW

Appropriations for the Legal Rights Service are approximately 81 percent federally funded, 16 percent state GRF funded, and 2 percent funded by other non-GRF state dollars. Although total funding for LRS increases by 0.54 percent in fiscal year (FY) 2002, the GRF portion of the LRS budget decreases by 14.7 percent in FY 2002 compared to actual FY 2001 spending. For federal funds, total appropriations in FY 2002 increase by 6.7 percent when compared to FY 2001 actuals. In FY 2003, the total LRS budget decreases by 3.6 percent compared to FY 2002 appropriations. The GRF appropriations in FY 2003 are relatively flat funded versus FY 2002 (i.e., decrease of 1.1 percent).

BUDGET ISSUES

GRF FUNDING DECREASE

As discussed above, GRF funding for Legal Rights Service decreases by 14.7 percent in FY 2002 from FY 2001 actual spending. In FY 2003, GRF appropriations decrease by 1.1 percent from FY 2002 levels. LRS believes that it will be able to maintain current service levels at the appropriation levels contained in Am. Sub. H.B. 94. However, LRS may need to temporarily freeze intake hours for certain areas (e.g., special education cases when Individual Education Plans come out). When LRS freezes intake, they attempt to provide information and referrals to resources to assist families in need of services.


Protection and Advocacy for Individual Rights (PAIR)

One program that could experience an increase in intake demand is the PAIR program. This program provides advocate services for individuals who have been discriminated against or whose rights have been violated based upon a significant disability, including people with chronic or serious medical conditions, people with physical disabilities, and people with traumatic brain injury who were injured after age 22. Since the number of potential program participants is sizable, costs related to client intake activities could increase significantly.

CLASS ACTION LAWSUIT OVERSIGHT

Changes to the statutes governing the operations of the LRS provide specific oversight by the LRS Commission regarding the pursuit of class action lawsuits to resolve complaints and regarding the issuance of subpoenas. Under the changes made to the Revised Code, the administrator of LRS may not pursue a class action lawsuit to resolve a complaint unless both of the following have occurred:

- 1) At least four of the seven members of the LRS Commission have affirmatively voted to consent to the pursuit of the class action lawsuit; and
- 2) At least five of the seven members of the LRS Commission are present at the meeting of the Commission at which the consent to pursue the class action is obtained.

Under other changes made to the Revised Code, the approval of the LRS Commission that the LRS administrator must have to compel by subpoena a person's appearance and testimony or the production of records or information must be given by an affirmative vote of at least four of the commission's seven members. 

FY 2002 - 2003 Final Appropriation Amounts

All Fund Groups

<i>Line Item Detail by Agency</i>			<i>FY 1999:</i>	<i>FY 2000:</i>	<i>FY 2001:</i>	<i>FY 2002 Appropriations:</i>	<i>% Change 2001 to 2002:</i>	<i>FY 2003 Appropriations:</i>	<i>% Change 2002 to 2003:</i>
Report For: Main Operating Appropriations Bill			Version: Enacted						
LRS Legal Rights Service									
GRF	054-100	Personal Services	\$ 319,275	\$ 331,826	\$316,769	\$ 270,597	-14.58%	\$ 265,924	-1.73%
GRF	054-200	Maintenance	\$ 47,639	\$ 50,355	\$49,672	\$ 44,599	-10.21%	\$ 45,491	2.00%
GRF	054-300	Equipment	\$ 2,400	\$ 2,960	\$2,744	\$ 2,439	-11.12%	\$ 2,488	2.02%
GRF	054-401	Ombudsman	\$ 361,073	\$ 387,036	\$374,969	\$ 316,942	-15.48%	\$ 313,714	-1.02%
General Revenue Fund Total			\$ 730,387	\$ 772,177	\$ 744,154	\$ 634,577	-14.72%	\$ 627,617	-1.10%
416	054-601	Gifts and Donations	\$ 0	\$ 0		\$ 1,319	N/A	\$ 1,352	2.50%
524	054-608	Traumatic Brain Injury	\$ 100,000	\$ 0	\$42,655	\$ 21,550	-49.48%	\$ 0	-100.00%
5M0	054-610	Settlements	---	---	\$121,673	\$ 75,000	-38.36%	\$ 75,000	0.00%
General Services Fund Group Total			\$ 100,000	\$ 0	\$ 164,327	\$ 97,869	-40.44%	\$ 76,352	-21.99%
305	054-602	Protection and Advocacy-Development	\$ 804,739	\$ 1,149,805	\$1,052,240	\$ 1,068,109	1.51%	\$ 1,068,109	0.00%
3B8	054-603	Protection and Advocacy-Mentally Ill	\$ 623,527	\$ 743,084	\$842,019	\$ 810,314	-3.77%	\$ 810,314	0.00%
3R9	054-604	Family Support Collaborative	\$ 105,551	\$ 178,356	\$227,799	\$ 242,500	6.45%	\$ 242,500	0.00%
3N3	054-606	Protection and Advocacy-Individual Rig	\$ 343,188	\$ 378,952	\$372,601	\$ 468,445	25.72%	\$ 468,445	0.00%
3N9	054-607	Assistive Technology	\$ 81,156	\$ 73,960	\$72,952	\$ 50,000	-31.46%	\$ 50,000	0.00%
3T2	054-609	Client Assistance Program	\$ 360,034	\$ 436,964	\$391,851	\$ 406,772	3.81%	\$ 406,772	0.00%
3X1	054-611	Protection and Advocacy for Beneficia	---	---	\$2,663	\$ 113,113	4,147.10%	---	N/A
Federal Special Revenue Fund Group Total			\$ 2,318,195	\$ 2,961,121	\$ 2,962,124	\$ 3,159,253	6.65%	\$ 3,046,140	-3.58%
Legal Rights Service Total			\$ 3,148,582	\$ 3,733,298	\$ 3,870,606	\$ 3,891,699	0.54%	\$ 3,750,109	-3.64%