



Performance Note
SB0155 - Indigent Defense
Commission
Sponsor: Sen. Weiler, Todd



Performance Note Report

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Agency: CCJJ Commission

Funding For:

New Agency
Serving a New or Larger Population

Public Benefit:

Purpose: The purpose of this legislation is to create an Indigent Defense Commission to study the indigent criminal defense system statewide and report to the Legislature on its findings, including recommendations to improve the system and thereby ensure effective representation to indigent defendants throughout the state. The Commission will also provide information to indigent criminal defense systems to help them improve their performance.

Services: The services provided by the funding are: (1) Collect data from local indigent criminal defense system authorities (2) Authorizes the commission to assist local jurisdictions to meet minimum standards of effective representation by: (a) Establishing advisory caseload principles and guidelines for defense services providers (b) reviewing contracts and interlocal agreements with defense service providers and providing recommendations for contract design (3) Provide financial assistance to indigent criminal defense systems

Expected Outcome: The expected outcome of the new program is to provide better quality legal defense to indigent defendants.

Implementations and Resources: The bill will be implemented by establishing a 11 member Commission that will oversee the operations to improve the local indigent defense system. The Commission has authority to hire a director and other necessary staff to meet the legislative mandate to improve legal representation for indigent defendants. The Commission will be established as a separate line item within the Commission on Criminal and Juvenile Justice. The estimated annual cost to support the new office will be around \$500,000 with an additional \$2.5 million being made available to award grants to local indigent defense systems to assist them in improving their defense systems.

How: The proposed activities will assist local defense systems in improving their representation of indigent defendants by establishing advisory caseload principles and guidelines for defense services providers. This could prevent future lawsuits against the state. The grant money will provide personnel and other resources to assist with indigent defense.

Performance Measures

Goal

Title: Establish advisory caseloads for indigent defense systems

Description: The Indigent Defense Commission needs to gather information from all indigent defense systems throughout the state regarding the number of indigent offenders they are representing and the average caseload per attorney.

Collection Method: Individual indigent defense systems will gather this caseload data which has been described above and will submit this data to the Commission. The Commission will analyze the data, check it for accuracy, and will use this data to establish advisory caseload standards. The target/benchmark and baseline data are not presently available. This information will be established by the Indigent Defense Commission.

Goal

Title: Improve compliance with minimum standards.

Description: Investigate, audit, and review the provision of indigent criminal defense services for compliance with minimum principles.

Collection Method: Data will be collected by investigation, audit and self reporting. Data will also be collected electronically from a statewide database. The target/benchmark and baseline data is not yet available but will be established by the Indigent Defense Commission at a future date.