

77-32-701 Establishment of Indigent Felony Defense Trust Fund -- Use of fund -- Compensation for indigent legal defense from fund.

- (1) For purposes of this part, "fund" means the Indigent Felony Defense Trust Fund.
- (2)
 - (a) There is established a private-purpose trust fund known as the "Indigent Felony Defense Trust Fund."
 - (b) The fund shall be disbursed by the Division of Finance at the direction of the board and subject to the provisions of this chapter.
- (3) The fund consists of:
 - (a) money received from participating counties as provided in Sections 77-32-702 and 77-32-703;
 - (b) a one-time appropriation by the Legislature; and
 - (c) interest and earnings from the investment of fund money.
- (4) Fund money shall be invested by the state treasurer with the earnings and interest accruing to the fund.
- (5) The fund shall be used to assist participating counties with the financial resources, as provided in Subsection (6), to fulfill their constitutional and statutory mandates for the provision of an adequate defense for indigents prosecuted for the violation of state laws in cases involving felony offenses.
- (6) Money allocated to or deposited in this fund shall be used only:
 - (a) to reimburse participating counties for expenditures made for an attorney appointed to represent an indigent, other than a state inmate in a state prison, prosecuted for a felony in a participating county; and
 - (b) for administrative costs pursuant to Section 77-32-401.

Amended by Chapter 303, 2011 General Session