

57 municipalities to provide regional legal defense.

58 [(4)] (5) "Indigent" means a person qualifying as an indigent under indigency standards
59 established in Part 3, Counsel for Indigents.

60 [(5)] (6) "Legal aid association" means a nonprofit defense association or society that
61 provides [~~counsel and~~] legal defense [~~resources~~] for indigent defendants.

62 [(6)] (7) "Legal defender's office" means a [~~department~~] division of county government
63 created and authorized by the county legislative body to provide legal representation in
64 criminal matters to indigent defendants.

65 [(7)] (8) "Legal defense" means [~~legal counsel, defense resources, or both.~~] to:

66 (a) provide defense counsel for each indigent who faces the ~~H~~→ [substantial probability of
67 the] potential ←~~H~~ deprivation of the indigent's liberty;

68 (b) afford timely representation by defense counsel;

69 (c) provide the defense resources necessary for a complete defense;

70 (d) assure undivided loyalty of defense counsel to the client;

71 (e) provide a first appeal of right; and

72 (f) prosecute other remedies before or after a conviction, considered by defense counsel
73 to be in the interest of justice except for other and subsequent discretionary appeals or
74 discretionary writ proceedings.

75 [(8)] (9) "Participating county" means a county which has complied with the provisions
76 of this chapter for participation in the Indigent Capital Defense Trust Fund as provided in
77 Sections 77-32-602 and 77-32-603 or the Indigent Felony Defense Trust Fund as provided in
78 Sections 77-32-702 and 77-32-703.

79 (10) "Regional legal defense" means a defense services provider which provides legal
80 defense to any combination of counties or municipalities through an interlocal cooperation
81 agreement pursuant to Title 11, Chapter 13, Interlocal Cooperation Act, and Subsection
82 77-32-306(3).

83 [(9)] (11) "Serious offense" means a felony or capital felony.

84 Section 2. Section **77-32-202** is amended to read:

85 **77-32-202. Procedure for determination of indigency -- Standards.**

86 (1) A determination of indigency or continuing indigency of any defendant may be
87 made by the court at any stage of the proceedings.