

S.B. 134

INDIGENT DEFENSE COMMISSION AMENDMENTS

Senator **Todd Weiler** proposes the following amendments:

1. *Page 4, Lines 91 through 92:*

91 (5) A person who is currently employed solely as a criminal prosecuting attorney may not
92 serve as a member of the commission.

2. *Page 5, Lines 131 through 136:*

131 (a) one individual who is an active member of the Utah State Bar to serve as a full-time
132 assistant director; and

133 (b) one individual with data collection and analysis skills to carry out duties as outlined
134 in Subsection 77-32-804(1)(a) {~~and~~} .

135 {~~(c) any additional professional and clerical staff necessary to enable the commission to~~
136 carry out its responsibilities.}

3. *Page 6, Lines 157 through 161:*

157 [(v)] (v) Counsel shall be free to provide meaningful {~~adversarial testing of the~~
158 evidence} representation, including:

159 (A) adequate access to defense resources; and

160 (B) workloads that allow for time to meet with clients, investigate cases, and file

161 appropriate motions.

4. *Page 11, Lines 334 through 336:*

334 (2) (a) For purposes of this part, "baseline budget" means an indigent [criminal]

335 defense system's {~~share of local funding, adjusted annually for growth in population and~~

336 inflation.} annual expenditure for indigent defense services. The baseline budget shall be adjusted
for indigent defense case load fluctuations and inflation whenever subsequent grant requests are
submitted to the commission.