



## Fiscal Estimate Narratives

SPD 2/16/2006

LRB Number	05-3330/1	Introduction Number	AB-1027	Estimate Type	Original
<b>Description</b> Mistreatment of a child with a mental illness or a developmental disability and providing a penalty					

### Assumptions Used in Arriving at Fiscal Estimate

The State Public Defender (SPD) provides legal representation in criminal cases and other specified proceedings in which the loss of personal liberty or parental rights may occur. For adult clients, the SPD must complete a financial eligibility evaluation before appointing an attorney. SPD services are constitutionally required because in the case types handled by SPD, a defendant without the financial means to hire an attorney has the right to have an attorney appointed. Therefore, any bill that would increase the number of cases handled by SPD would increase SPD costs.

This bill creates a new criminal offense for mistreatment of a vulnerable child. Thus, SPD costs would be increased for each case in which SPD is required to appoint counsel. To the extent that charges might have been brought under another criminal statute under existing law (such as child abuse or neglect), these increased costs would be mitigated. Because of the possibility in some cases for other charges under current law, it will be difficult to determine the precise impact of the new statute, but SPD can track the number of cases under the new statute once it takes effect.

Other state and county agencies may also incur increased costs as a result of additional court proceedings and jail inmates.

### Long-Range Fiscal Implications