

Fiscal Estimate - 2005 Session

Original
 Updated
 Corrected
 Supplemental

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|------------------------------------|--|
| LRB Number 05-2838/2 | Introduction Number AB-624 |
|------------------------------------|--|

Subject
 Payment for representation by public defender

Fiscal Effect

State:

No State Fiscal Effect
 Indeterminate

| | | |
|--|--|---|
| <input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Create New Appropriations | <input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Decrease Existing Revenues | <input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Decrease Costs |
|--|--|---|

Local:

| | | |
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| <input type="checkbox"/> No Local Government Costs <input type="checkbox"/> Indeterminate 1. <input type="checkbox"/> Increase Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 2. <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory | 3. <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory | 5.Types of Local Government Units Affected <input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities <input type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts |
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| | |
|--|---------------------------------------|
| Fund Sources Affected | Affected Ch. 20 Appropriations |
| <input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS | |

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| Agency/Prepared By SPD/ Mike Tobin (608) 266-8259 | Authorized Signature Krista Ginger (608) 264-8572 | Date 8/15/2005 |
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Fiscal Estimate Narratives
SPD 8/24/2005

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|---|------------------|---------------------|---------------|---------------|-----------------|
| LRB Number | 05-2838/2 | Introduction Number | AB-624 | Estimate Type | Original |
| Subject | | | | | |
| Payment for representation by public defender | | | | | |

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 does not create a new offense or change either the procedures or penalties applicable to cases handled by the SPD. Thus, it does not result in any added costs to the SPD.

The bill clarifies the SPD procedures to collect attorney fees from adult clients. The bill expands the authority of the SPD Board to set the applicable time period for clients to pay the discount fee instead of the higher fee. The discount fee accounts for most of the SPD's collections revenue.

The SPD presently gives clients 60 days within which to pay the discount fee. If the bill is enacted, the SPD might undertake pilot programs to see if a different time period might produce more revenue. The SPD regularly reports on its collections revenue and projections.

Long-Range Fiscal Implications