# Assembly

## **Record of Committee Proceedings**

## **Committee on Judiciary and Ethics**

#### **Assembly Bill 395**

Relating to: criteria for determining indigency for purposes of representation by the State Public Defender and requiring the exercise of rule-making authority.

By Representatives Sherman, Hebl, Grigsby, Hintz, Bies, Berceau, Colon, Dexter, Fields, Jorgensen, Kessler, Mason, Molepske Jr., A. Ott, Parisi, Petrowski, Pope-Roberts, Richards, Roys, Seidel, Smith, Soletski, Spanbauer, Staskunas, Tauchen, Turner, Van Akkeren, Van Roy, A. Williams and Young; cosponsored by Senators Coggs, Risser, Sullivan, Miller, Olsen, Vinehout, Wirch, Robson, Lassa, Erpenbach, Lehman, Plale, Hansen, Taylor and Schultz.

August 26, 2009 Referred to Committee on Judiciary and Ethics.

#### October 6, 2009 PUBLIC HEARING HELD

Present: (10) Representatives Hebl, Colon, Kessler, Cullen, Richards, Turner, Gundrum, Kerkman, Kramer, Zipperer.

Absent: (0) None.

Appearances For

- Gary Sherman Representative, 74th Assembly District
- Spencer Coggs Senator, 6th Senate District
- Shirley Abrahamson, Madison Chief Justice, Wisconsin Supreme Court
- John Voelker, Madison Director of State Courts, Supreme Court of Wisconsin
- Jennifer Bias, Racine State Public Defender
- Michael Tobin, Madison State Public Defender Office
- Krista Ginger, on behalf of Nick Chiarkas, Madison Office of WI State Public Defender
- JB Van Hollen Attorney General, State of Wisconsin
- John Chisholm, Milwaukee Milwaukee County District Attorney
- Scott Southworth, Mauston Juneau County District Attorney
- Richard Sankowitz, Milwaukee Judge, Milwaukee County Circuit Court
- Christopher Ahmuty, Milwaukee ACLU of Wisconsin
- Carlo Esqueda Dane County Courts
- Sheila Reiff, Elkhorn WI Clerks of Court Association

- Sarah Diedrick-Kasdorf, Madison Wisconsin Counties Association
- Laura Gramling-Perez, Wauwatosa Milwaukee Bar Assoc Legal Services to the Indigent Co
- Richard Jones, Fitchburg Pastor, Mount Zion Baptist Church
- John Huebscher, Madison Wisconsin Catholic Conference
- Larry Peterson, Stoughton WI State Public Defender Association
- Felicia Miller-Watson, Glendale WI African American Lawyer Association
- Tim Kiefer, Waunakee

### Appearances Against

• None.

### Appearances for Information Only

• None.

## Registrations For

- Jeff Plale Senator, 7th Senate District
- Nancy Rottier Director, WI State Court System
- Scott Spector, Madison AFT-Wisconsin
- Mickey Beil, Madison Dane County
- David Krahn, Waukesha Waukesha County
- Mark Wadium, Appleton Outagamie County
- Joseph Ehmann, Middleton State Public Defender
- Diann Chapman, Verona State Public Defender
- Lora Cerone, Janesville State Public Defender
- Joseph Ehmann, Middleton State Public Defender
- Marla Stephens, Milwaukee WI Public Defender
- Margaret Maroney, Madison WI State Public Defender
- Donald Lang, Fitchburg
- Eileen Hirsch, Madison
- Steven Grunder, Madison
- Susan Alesia, Madison
- Douglas Krammer, Madison President, State Bar of Wisconsin

### **Registrations Against**

• None.

### Registrations for Information Only

• None.

#### October 20, 2009 EXECUTIVE SESSION HELD

Present: (10) Representatives Hebl, Colon, Kessler, Cullen, Richards, Turner, Gundrum, Kerkman, Kramer, Zipperer. Absent: (0) None.

Moved by Representative Colon, seconded by Representative Kramer that **assembly amendment 1** be recommended for introduction and adoption.

Ayes:(10) Representatives Hebl, Colon, Kessler,<br/>Cullen, Richards, Turner, Gundrum,<br/>Kerkman, Kramer, Zipperer.Noes:(0) None.

INTRODUCTION AND ADOPTION OF ASSEMBLY AMENDMENT 1 RECOMMENDED, Ayes 10, Noes 0

Moved by Representative Turner, seconded by Representative Richards that **Assembly Bill 395** be recommended for passage as amended.

- Ayes: (8) Representatives Hebl, Colon, Kessler, Cullen, Richards, Turner, Kerkman and Kramer.
- Noes: (2) Representatives Gundrum and Zipperer.

PASSAGE AS AMENDED RECOMMENDED, Ayes 8, Noes 2

Traci Bussan Committee Clerk