

Chapter PD 6

REIMBURSEMENT OF LEGAL FEES

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PD 6.01 Repayment of attorney costs. Except as provided in ss. PD 6.02 to 6.05, a person who is responsible for payment for legal representation provided by the state public defender shall reimburse the state public defender for the cost of the legal representation according to the following schedule:

Type of Case	Amount	Type of Case	Amount
First Degree Intentional Homicide	\$7500	Misdemeanor	\$ 200
Other Class A or B Felony	\$1000	Parole/Probation Revocation	\$ 200
Sexual Predator (s. 980.02)	\$1000	Juvenile Felonies/TPRs	\$ 400
Other Felony	\$ 400	Other Juveniles	\$ 200
Commitment	\$ 100	Special Proceeding	\$ 100
Chapter 55	\$ 400	Paternity	\$ 200
Appellate/Trial	\$1000	Appellate/Plea	\$ 400

History: Cr. Register, July, 1995, No. 475, eff. 8-1-95; emerg. r. and recr. eff. 8-31-95; r. and recr. Register, February, 1996, No. 482, eff. 3-1-96.

PD 6.02 Prepayment option. (1) A client may elect to prepay, within 30 days of appointment of counsel by the state public defender, the optional prepayment amount for the cost of representation specified in the following prepayment fee schedule:

Type of Case	Amount	Type of Case	Amount
First Degree Intentional Homicide	\$500	Misdemeanor	\$ 50
Other Class A or B Felony	\$100	Parole/Probation Revocation	\$ 50
Sexual Predator (s. 980.02)	\$100	TPR	\$ 50
Other Felony	\$ 50	Special Proceeding	\$ 25
Commitment	\$ 25	Paternity	\$ 50
Chapter 55	\$ 50	Appellate/Plea	\$ 50
		Appellate/Trial	\$100

(2) If a client pays the optional prepayment amount under sub. (1), the client is not liable for any additional payment for public defender legal counsel for that case.

History: Emerg. cr. eff. 8-31-95; cr. Register, February, 1996, No. 482, eff. 3-1-96.

PD 6.03 Multiple related charges. (1) If multiple related charges for one client are issued on separate complaints, the state public defender or designee may waive the reimbursement fee for cases opened under any of the following circumstances:

(a) The multiple complaints allege the issuance of forged or worthless checks on the same account and within a period of three months or less.

(b) The multiple complaints allege offenses arising out of a single incident.

(2) The reimbursement fee for a case opened based on a reissuance of a criminal complaint previously dismissed is waived.

(3) Waiver of reimbursement fees under this section applies both to the reimbursement fee under s. PD 6.01 and the optional prepayment amount under s. PD 6.02.

History: Emerg. cr. eff. 8-31-95; cr. Register, February, 1996, No. 482, eff. 3-1-96.

PD 6.04 Multiple appointments on the same case. When the same case results in multiple state public defender appointments of counsel for a client for any of the following reasons, the client shall be charged one reimbursement fee for the case:

(1) The case was reassigned for administrative reasons or because of a conflict of interest.

(2) The attorney withdrew because of the client's change of financial circumstances, and the client became indigent and eligible for state public defender representation again.

(3) The client requested substitution of counsel under s. PD 2.04.

(4) The client retained a private attorney who withdrew before completion of the case.

History: Emerg. cr. eff. 8-31-95; cr. Register, February, 1996, No. 482, eff. 3-1-96.

PD 6.05 Reimbursement from parents of juveniles. (1) Pursuant to s. 48.275 (2) (b), Stats., when the court orders reimbursement by the parent of a juvenile, the amount of the reimbursement fee shall be the amount specified in the fee schedule in s. PD 6.01, subject to the following:

(a) The parent may request, within 30 days of the reimbursement order, that the state public defender determine whether the parent is indigent. If the parent does not make this request or if the parent is determined not to be indigent, the reimbursement fee shall be the amount specified in the fee schedule in s. PD 6.01.

(b) If the parent is determined to be partially indigent, the reimbursement fee shall be the amount of partial payment specified in s. PD 3.04 (1). If the parent is determined to be indigent, no reimbursement fee shall be assessed.

(2) The state public defender shall report to the court that ordered reimbursement the result of the indigency determination and the amount of the reimbursement fee to be assessed.

(3) If reimbursement by both parents is ordered, the parents are jointly and severally liable for the obligation. The maximum amount for which both parents are obligated is the amount of the reimbursement fee under s. PD 6.01.

History: Emerg. cr. eff. 8-31-95; cr. Register, February, 1996, No. 482, eff. 3-1-96.