



**ASSEMBLY AMENDMENT 19,  
TO 1995 ASSEMBLY BILL 130**

March 23, 1995 – Offered by COMMITTEE ON CHILDREN AND FAMILIES.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 61, line 5: after that line insert:

3 “SECTION 150d. 48.23 (4) of the statutes is amended to read:

4 48.23 (4) PROVIDING COUNSEL. In any situation under this section in which a  
5 person has a right to be represented by counsel or is provided counsel at the  
6 discretion of the court and counsel is not knowingly and voluntarily waived, the court  
7 shall refer the person to the state public defender and counsel shall be appointed by  
8 the state public defender under s. 977.08 without a determination of indigency. If the  
9 referral is of a person who has filed a petition under s. 48.375 (7), the state public  
10 defender shall appoint counsel within 24 hours after that referral. Any counsel  
11 appointed in a petition filed under s. 48.375 (7) shall continue to represent the child  
12 in any appeal brought under s. 809.105 unless the child requests substitution of  
13 counsel or extenuating circumstances make it impossible for counsel to continue to  
14 represent the child. In any situation under sub. (2) in which a parent 18 years of age  
15 or older is entitled to representation by counsel; counsel is not knowingly and  
16 voluntarily waived; and it appears that the parent is unable to afford counsel in full,

1 or the parent so indicates; the court shall refer the parent to the authority for  
2 indigency determinations specified under s. 977.07 (1). In any other situation under  
3 this section in which a person has a right to be represented by counsel or is provided  
4 counsel at the discretion of the court, competent and independent counsel shall be  
5 provided and reimbursed in any manner suitable to the court regardless of the  
6 person’s ability to pay, except that the court may not order a person who files a  
7 petition under s. 813.122 or 813.125 to reimburse counsel for the child who is named  
8 as the respondent in that petition.”.

9 **2. Page 177, line 19:** before the period insert: “or a person employed or  
contracted by the department of justice to provide the services specified in s. 950.08”.

10 **3. Page 219, line 22:** before the period insert: “, except that the court may not  
order a person who files a petition under s. 813.122 or 813.125 to reimburse counsel  
for the juvenile who is named as the respondent in that petition”.

11 **4. Page 356, line 1:** after “**release**” insert “**or escape**”.

12 **5. Page 357, line 19:** after that line insert:

13 “(4) If a juvenile escapes in violation of s. 946.42 (3), as soon as possible after  
14 the department or county department having supervision or legal custody over the  
15 juvenile discovers that escape, that department or county department shall make a  
16 reasonable effort to notify by telephone any known victim of the act for which the  
17 juvenile was found delinquent, if the criteria under sub. (1) (b) are met, an adult  
18 member of the victim’s family, if the victim died as a result of the juvenile’s delinquent  
19 act and if the criteria under sub. (1) (b) are met or the victim’s parent or guardian,

1 if the victim is younger than 18 years old and if the criteria under sub. (1) (b) are  
2 met.”.

3 (END)