

Proposed 2011 Session Legislation

Agency Name & No: Office of the State Public Defender - 61080

Priority Number: 2 Filename:

Short Title: Fees for Certain Services

Agency Contact Person/Phone: Harry Freebourn 406-496-6084

1. Purpose:

To allow the Office of the State Public Defender to recover all or a portion of public defender costs in any case in which a person has been determined to be eligible for public defender services under this statute or by law and in which the person has the reasonable ability to pay.

2. Background:

In some instances, the agency must serve a client even though they may have the ability to pay for the service. This change would allow the agency to bill for services. Amend 47-1-111, MCA

3. Fiscal Impact by Fund Type: This impact should be as specific as possible.

This would create fee revenue for the agency. The amount is not yet known.

4. Summary Checklist [Check & complete all that apply]--

- Housekeeping Only, Federal Requirement, Audit Recommendation, Major Legislation, Anticipated to be Controversial Legislation, Bill Draft has been included in Legislation Submittal, Supports Submitted EPP Item Number, Local Government Fiscal Impact, Increases/Decreases FTE, Revenue changes (Tax, Fee, Penalty), Leg. has been Submitted in Previous Legislative Sessions, Legislation would affect other state agencies, Special Interest Groups Affected, Other.

Proposed 2011 Session Legislation

Agency Name & No: Office of the State Public Defender - 61080

Priority Number: 1 | Filename:

Short Title: Access to Jailed Persons

Agency Contact Person/Phone: Harry Freebourn 406-496-6084

1. Purpose:

To allow public defenders access to jailed persons prior to appointment by courts

2. Background:

Current law does not included this provision - should be in 47-1-111, MCA

3. Fiscal Impact by Fund Type: This impact should be as specific as possible.

None

4. Summary Checklist [Check & complete all that apply]--

- Housekeeping Only     Federal Requirement     Audit Recommendation (Audit No. \_\_\_\_\_)     Major Legislation
- Anticipated to be Controversial Legislation     Bill Draft has been included in Legislation Submittal (if available)
- Supports Submitted EPP Item Number \_\_\_\_\_     Local Government Fiscal Impact
- Increases FTE, or     Decreases FTE by    List FTE amount and program \_\_\_\_\_
- Increases Existing Revenue     Tax     Fee     Penalty [amount in #3]
- Decreases Existing Revenue     Tax     Fee     Penalty [amount in #3]
- Establishes New Revenue     Tax     Fee     Penalty [amount in #3]
- Leg. has been Submitted in Previous Legislative Sessions (list priority no, LC no, or bill no): \_\_\_\_\_
- Legislation would affect other state agencies (list): \_\_\_\_\_
- Special Interest Groups Affected (list): \_\_\_\_\_
- Other: \_\_\_\_\_