

HOUSE SUMMARY OF SENATE AMENDMENTS

HB 1137

2016 Regular Session

Mack

CRIMINAL/PROCEDURE: Provides with respect to indigent defense

Synopsis of Senate Amendments

1. Increases the number of Louisiana Supreme Court appointees from two to four.
2. Removes members appointed by the Louisiana State Bar Association and the president of the Louisiana Chapter of the Louis A. Martinet Society.
3. Removes statutory reference regarding the disbursement of funds to the district defender office.

Digest of Bill as Finally Passed by Senate

Present law (R.S. 15:146) creates the Louisiana Public Defender Board (LPDB) and provides that the board shall consist of eleven members.

Proposed law reduces the number of board members from 15 to 11.

Present law (R.S. 15:147) provides that except for the inherent regulatory authority of the Louisiana Supreme Court provided for in La. Const. Art. V, §5 regarding the regulation of the practice of law, the LPDB shall have all regulatory authority, control, supervision, and jurisdiction, including auditing and enforcement, and all power incidental or necessary to such regulatory authority, control, supervision, and jurisdiction over all aspects of the delivery of public defender services throughout the courts of the state of Louisiana.

Proposed law retains present law.

Present law (R.S. 15:167) provides for the creation of the Louisiana Public Defender Fund and the composition of the fund, administration of the fund, and use of monies from the fund.

Present law (R.S. 15:168) further provides that there is hereby created within each judicial district an indigent defender fund which shall be administered by the district public defender.

Proposed law retains these provisions of present law and further provides that the board shall dedicate and disburse at least 65% of the entirety of its annual budget and its funds in the Louisiana Public Defender Fund each fiscal year to the district defender offices and their indigent defender funds in the various judicial districts throughout the state.

Proposed law provides that any funds disbursed to any district defender shall be paid in addition to the minimum mandatory 65% of dedicated and disbursed funds required by proposed law.

(Amends R.S. 15:146; Adds R.S. 15:162(I), 166, and 167(E))