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**HOUSE COMMITTEE AMENDMENTS**

2021 Regular Session

Amendments proposed by House Committee on Administration of Criminal Justice to  
Original House Bill No. 586 by Representative Magee

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1 AMENDMENT NO. 1

2 On page 1, line 3, after "152," and before "166" insert "152.1"

3 AMENDMENT NO. 2

4 On page 2, line 1, after "152," and before "166" insert "152.1"

5 AMENDMENT NO. 3

6 On page 18, between lines 25 and 26, insert the following:

7 "§152.1. Louisiana Public Defender Advisory Board

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9 A. There is hereby created the Louisiana Public Defender Advisory  
10 Board within the Office of the State Public Defender and Justice Investment  
11 to provide for the advisory supervision of a statewide public defender system.

12 B. The advisory board shall be subject to the Code of Governmental  
13 Ethics, the law relative to public records and open meetings, the law relative  
14 to public bid and procurement, and all other provisions of law applicable to  
15 state agencies.

16 C. To the extent practicable, the advisory board shall be comprised  
17 of members who reflect the racial and gender makeup of the general  
18 population of the state, and who are geographically representative of all  
19 portions of the state.

20 D. When a vacancy occurs, whether by expiration of a term,  
21 resignation, or other event, the state public defender shall submit to the  
22 appointing entity a list identifying the residency of the current advisory board  
23 members by congressional district, and request that, to the extent possible,  
24 the entity make the appointment from the residents of under-represented  
25 districts.

26 E. (1) The advisory board shall consist of eleven members.

27 (2) Persons appointed to the advisory board shall have significant  
28 experience in the defense of criminal proceedings or shall have demonstrated  
29 a strong commitment to quality representation in indigent defense matters.  
30 No person shall be appointed to the advisory board who has received  
31 compensation to be an elected judge, elected official, judicial officer,  
32 prosecutor, law enforcement official, indigent defense provider, or  
33 employees of all such persons, within a two-year period prior to appointment.  
34 No active part-time, full-time, contract or court-appointed indigent defense  
35 provider, or active employees of such persons, may be appointed to serve on  
36 the advisory board as a voting member. No person having an official  
37 responsibility to the advisory board, administratively or financially, or their  
38 employee shall be appointed to the advisory board during their term of office.  
39 The majority of advisory board members shall be current members of the  
40 Louisiana State Bar Association. Representatives of the client community  
41 shall not be prohibited from serving as voting members of the advisory  
42 board.

43 (3) The members shall be selected as follows:

44 (a) The governor shall appoint five members, one from each appellate  
45 court district, and shall designate the chairman.

1           **(b) The five members shall be appointed from a list of three nominees**  
2 **submitted to the governor by a majority of the district public defenders**  
3 **providing public defender services in each appellate district.**

4           **(c) The chief justice of the Supreme Court of Louisiana shall appoint**  
5 **four members, one member shall be a juvenile justice advocate; one member**  
6 **shall be a retired judge with criminal law experience; and two members shall**  
7 **be at large.**

8           **(d) The president of the Senate and the speaker of the House of**  
9 **Representatives shall each appoint one member.**

10          **(e) All appointments to the advisory board shall be subject to**  
11 **confirmation by the Senate.**

12          **(4) A vacancy on the advisory board shall be filled in the same**  
13 **manner as the original appointment.**

14          **(5) Members of the advisory board shall serve staggered terms of four**  
15 **years.**

16          **F. (1) The advisory board, by a vote of two-thirds of the members,**  
17 **may expel a member who has accumulated three unexcused absences from**  
18 **advisory board meetings during a twelve-month period.**

19          **(2) If a member is expelled as provided by this Subsection, the state**  
20 **public defender shall send written notice to the member informing him of his**  
21 **expulsion and notify the appropriate appointing authority of the vacancy on**  
22 **the advisory board.**

23          **G. The state public defender shall notify the appropriate appointing**  
24 **authority of any advisory board vacancy which occurs for any reason.**

25          **H. The Office of the State Public Defender and Justice Investment**  
26 **shall provide administrative and research staff support for the advisory board,**  
27 **including but not limited to the scheduling of meetings and providing public**  
28 **notice of scheduled meetings.**

29          **I. The advisory board shall meet at least quarterly, with the meetings**  
30 **called and agenda set by the state public defender as needed."**