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## DIGEST

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HB 818 Original

2016 Regular Session

Mack

**Abstract:** Amends provisions of law regarding the Louisiana Public Defender Board.

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 removes all existing board members serving on the effective date of proposed law and reduces the number of board members from 11 to 7.

Proposed law provides that board members shall be compensated on the same basis and in the same amount as the Louisiana State University Board of Supervisors.

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. 15:148) provides for the adoption of rules to implement the provisions of present law and requires that the rules be adopted pursuant to the APA. Present law provides that oversight of the rules shall be conducted by the House Committee on Administration of Criminal Justice and the Senate Committee on Judiciary C.

Proposed law retains present law and provides that it will retain professionals necessary to provide a report to the legislative committees in the 2018 Regular Session.

Present law (R.S. 15:150) provides that the board shall hire an executive staff consisting of a state public defender, a deputy public defender-director of training, a deputy public defender-director of juvenile defender services, a budget officer, a technology and management officer, a trial-level compliance officer, and a juvenile justice compliance officer.

Present law changes present law to allow the board discretion in hiring executive staff.

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 75% 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 mandatory 75% of dedicated and disbursed funds required by proposed law.

(Amends R.S. 15:143(14), 146(A)(3), (B)(1) and (3) and (C), 149.2(D), 150(A), (C), and (E); Adds R.S. 15:148(D), 150(F), (G), and (H), 162(I) and 167(E); Repeals R.S. 15:146(D)(B)(4), (5), and (6))