
Judiciary Committee

HB 1793

Title: An act relating to removing the limit on the number of cities eligible for indigent defense grants through the office of public defense.

Brief Description: Removing the limit on the number of cities eligible for indigent defense grants through the office of public defense.

Sponsors: Representatives Lantz, Hinkle, Springer, Rodne, O'Brien, Kenney, Schual-Berke, Clibborn, Newhouse, Lovick, Williams, Dickerson, McIntire, Appleton, Hasegawa, Ericks, Roberts, Wood and Moeller.

<p style="text-align: center;">Brief Summary of Bill</p> <ul style="list-style-type: none">• Removes the limit on the number of eligible cities that can receive indigent defense money through grants administered by the Office of Public Defense.

Hearing Date: 2/6/07

Staff: Trudes Tango (786-7384).

Background:

A criminal defendant who is determined to be indigent has a right to counsel at public expense. In addition, persons facing involuntary commitment proceedings, parents in dependency and termination proceedings, and juvenile offenders have a right to counsel at public expense if they are indigent. Generally, counties and cities are responsible for funding indigent defense costs at the trial level.

In recent years, reports from various entities, including the Washington State Bar Association Blue Ribbon Task Force on Indigent Defense and the Court Funding Task Force, have expressed concerns about the inadequate delivery of indigent defense services at the trial level.

In 2005, the Legislature enacted 2SHB 1542, which directs the Office of Public Defense (OPD) to distribute appropriated funds to eligible cities and counties for public defense services. Local jurisdictions may apply for funds if they meet certain requirements. If the OPD determines that a

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local jurisdiction receiving funds has not substantially complied with these requirements, the OPD may terminate funding.

Of the total available funds appropriated, the OPD is directed to distribute 90% to eligible counties and 10% to no more than five eligible cities as determined by the OPD.

In 2006, the Legislature appropriated approximately \$3 million dollars for trial-level indigent defense. The \$300,000 to cities was distributed as follows:

- Auburn - \$60,000
- Cheney - \$15,000
- Lynnwood - \$75,000
- Spokane - \$60,000
- Yakima - \$90,000

Summary of Bill:

The limit on the number of eligible cities that can receive indigent defense money through grants administered by the Office of Public Defense is removed. More than five cities may be eligible to receive city moneys.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.