
Civil Rights & Judiciary Committee

HB 1911

Brief Description: Concerning activities in which the office of public defense may engage without violating the prohibition on providing direct representation of clients.

Sponsors: Representatives Taylor, Cheney, Ortiz-Self, Reed, Simmons, Ormsby, Reeves, Fosse and Davis; by request of Office of Public Defense.

<p style="text-align: center;">Brief Summary of Bill</p> <ul style="list-style-type: none">• Specifies three activities in which the Office of Public Defense may engage without violating the prohibition on direct representation of clients.
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Hearing Date: 1/10/24

Staff: Carter Gale (786-7290) and Yelena Baker (786-7301).

Background:

The Office of Public Defense (OPD) is a judicial branch agency established to implement the constitutional and statutory guarantees of counsel and to deliver indigent defense services funded by the state. The OPD is prohibited from providing direct representation of clients and instead administers state-funded services. The OPD contracts with attorneys, local governments, and law firms to provide representation of indigent client appeals, indigent parents in dependency cases, persons committed as sexually violent predators, and initial consultations for youth who are stopped or arrested by law enforcement.

Summary of Bill:

The OPD is permitted to engage in the following activities without violating the prohibition on

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direct representation of clients:

- Managing and supervising OPD attorneys who meet applicable qualifications may provide limited, short-term coverage for initial telephonic or video consultation services when OPD contracted counsel is unavailable.
- The OPD may coordinate with law schools to facilitate and supervise placement of clerks, externs, and interns with OPD contracted counsel.
- The OPD employees may provide pro bono legal services in a manner consistent with the rules of professional conduct and applicable OPD policies.

Appropriation: None.

Fiscal Note: Available.

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