
SUBSTITUTE SENATE BILL 5072

State of Washington 52nd Legislature 1991 Regular Session

By Senate Committee on Ways & Means (originally sponsored by Senators Nelson, Rasmussen and Talmadge).

Read first time March 11, 1991.

1 AN ACT Relating to indigent defense; adding new sections to chapter
2 10.101 RCW; adding a new section to chapter 43.63A RCW; creating a new
3 section; and declaring an emergency.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 10.101 RCW
6 to read as follows:

7 (1) The indigent defense task force created in chapter 156, Laws of
8 1988, and reinstated in chapter 409, Laws of 1989, shall be
9 reinstated and continued through June 1994.

10 (2) The task force shall consist of the following members:

11 (a) Two members appointed by the governor.

12 (b) Two members appointed by the chief justice of the state supreme
13 court.

1 (c) Two members appointed by the Washington state bar association,
2 at least one of whom represents an organization currently providing
3 public defense representation.

4 (d) One member appointed by the association of counties.

5 (e) One member appointed by the speaker of the house of
6 representatives.

7 (f) One member appointed by the president of the senate.

8 (g) One member appointed by the association of Washington cities.

9 (h) One member appointed by the Washington association of
10 prosecuting attorneys.

11 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.63A RCW
12 to read as follows:

13 There is created in the department an office of public defense
14 services. The office, with the advice of the indigent defense task
15 force created in section 1 of this act, shall:

16 (1) Provide technical assistance to local governments to help them
17 implement screening procedures, service delivery standards, and cost
18 recovery, and the other requirements of RCW 10.101.020, 10.101.030, and
19 10.101.040; and

20 (2) Develop guidelines for distributing funds to assist local
21 governments in providing indigent defense services in high-impact
22 cases.

23 NEW SECTION. **Sec. 3.** A new section is added to chapter 10.101 RCW
24 to read as follows:

25 The task force shall:

26 (1) Advise the office of public defense services created in section
27 2 of this act on their provision of technical assistance to local

1 governments, which must meet the requirements of RCW 10.101.020,
2 10.101.030, and 10.101.040;

3 (2) Assist the department of community development in developing
4 guidelines for distributing funds to assist local governments in
5 providing defense services in "high-impact" cases. High-impact cases
6 shall include death penalty cases, complex fraud cases, drug cases
7 involving extraordinary expense, and such other cases as the task force
8 shall determine;

9 (3) Work with the legislature's task force on city and county
10 finances created in RCW 82.14.301 to make joint recommendations to the
11 legislature concerning provision of indigent defense services;

12 (4) Review the provision of trial and appellate defense services
13 and make recommendations to the legislature regarding the provision of
14 such services; and

15 (5) Review available data on indigent defense services in the state
16 and make recommendations to the office of the administrator for the
17 courts and the legislature on necessary modifications to the service
18 delivery system.

19 NEW SECTION. **Sec. 4.** If specific funding for the purposes of
20 this act, referencing this act by bill number, is not provided by June
21 30, 1991, in the omnibus appropriations act, this act shall be null and
22 void.

23 NEW SECTION. **Sec. 5.** This act is necessary for the immediate
24 preservation of the public peace, health, or safety, or support of the
25 state government and its existing public institutions, and shall take
26 effect immediately.