

SB0081



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB0081

Introduced 1/31/2007, by Sen. John J. Cullerton

SYNOPSIS AS INTRODUCED:

55 ILCS 5/3-4012 new

Amends the Counties Code. Provides that each county must adopt standards for the delivery of public defense services. Sets forth certain criteria for the standards.

LRB095 04092 HLH 24130 b

FISCAL NOTE ACT
MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

A BILL FOR

1 AN ACT concerning local government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Counties Code is amended by adding Section
5 3-4012 as follows:

6 (55 ILCS 5/3-4012 new)

7 Sec. 3-4012. Public defender; standards. In addition to any
8 other requirements of this Code, each county must adopt
9 standards for the delivery of public defense services, whether
10 those services are provided by contract, assigned counsel, or a
11 public defender office. The standards must include the
12 following: compensation of counsel, duties and
13 responsibilities of counsel, case-load limits and types of
14 cases, responsibility for expert-witness fees and other costs
15 associated with representation, administrative expenses,
16 support services, reports of attorney activity and vouchers,
17 training, supervision, monitoring and evaluation of attorneys,
18 substitution of attorneys or assignment of contracts,
19 limitations on private practice of contract attorneys,
20 qualifications of attorneys, disposition of client complaints,
21 cause for termination of contract or removal of attorney, and
22 nondiscrimination. In the case of a public defender's office
23 established under Section 3-4003 of this Code, the

1 participating counties shall jointly adopt one set of
2 standards.

3 The standards endorsed by the American Bar Association for
4 the provision of public defense services should serve as
5 guidelines to local legislative authorities in adopting
6 standards. Case-load limits should also be determined by the
7 number and kind of cases being accepted by the particular
8 public defense service and by the local state's attorney's
9 charging and plea-bargaining practices.