



HOUSE BILL 1020: Indigent Defense Services Amendments

2016-2017 General Assembly

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| Committee: | House Judiciary I | Date: | May 11, 2016 |
| Introduced by: | Rep. Daughtry | Prepared by: | Erika Churchill |
| Analysis of: | First Edition | | Amy Darden |
| | | | Committee Counsel |

SUMMARY: *House Bill 1020 would amend the appointment of the Commission on Indigent Defense Services and make various changes to Indigent Defense Services, as recommended by the Joint Legislative Oversight Committee on Justice and Public Safety.*

CURRENT LAW: The Commission on Indigent Defense Services determines methods for delivering legal services to indigent persons eligible for representation under the Indigent Defense Services Act of 2000. Currently, the Director of the Administrative Office of the Courts can modify the budget and use funds appropriated to the Office of Indigent Defense services without approval of the Commission or the Office of Indigent Defense Services. An annual report on the Office of Indigent Defense Services and specific evaluations must be sent to the Chairs of the Joint Legislative Oversight Committee on Justice and Public Safety and to the Chairs of the House and Senate Committees on Justice and Public Safety by March 15 of each year.

BILL ANALYSIS: House Bill 1020 would do the following:

- Adds to the existing appointments made to the Commission by the Chief Justice of the North Carolina Supreme Court, the Governor and the General Assembly and removes appointments previously made by the North Carolina Academy of Trial Lawyers, the North Carolina Association of Black Lawyers, and the North Carolina Association of Women Lawyers. It also makes all member terms four years and allows only the Director of the Administrative Office of the Courts to serve more than two consecutive terms plus any initial term of less than four years. Effective January 1, 2017.
- Requires direct consultation with a quorum of the Commission before AOC may modify the budget of IDS. Effective July 1, 2016.
- Requires additional reporting by the Office of Indigent Defense Services on the following:
 - Volume and cost of cases handled in each district including specific data on total final costs and fee application information of capital and potentially capital cases
 - Specific data regarding the determination to create any new satellite offices for capital defenders.

EFFECTIVE DATE: Except as noted, effective when it becomes law.

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