



2025-2026 General Assembly

SENATE BILL 257: 2026 Appropriations Act, Sec. 16.26: Require the Commission on Indigent Defense Services to Provide Confidential Public Defender Performance Evaluations to Senior Resident Superior Court Judges

Analysis of: S.L. 2026-41, Sec. 16.26

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Prepared by: Legislative Analysis
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Section 16.26 of S.L. 2026-41 (Senate Bill 257) requires that, prior to the end of a public defender's term pursuant to an appointment, the Commission on Indigent Defense Services (Commission) must submit a performance evaluation for that public defender to the senior resident superior court judge who is the appointing authority of that public defender.

During one or more closed sessions of the Commission, the performance evaluation must be developed and adopted by a majority vote of a quorum of the Commission. Generally, all information pertaining to a performance evaluation is confidential, not a public record, and is not subject to discovery or subpoena in a civil or criminal action.

This section became effective July 7, 2026, and applies to public defender terms ending on or after November 30, 2026.

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