
ENGROSSED 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 The department with the advice of the indigent defense task force
14 created in section 1 of this act, shall:

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

19 (2) Develop guidelines for distributing funds to assist local
20 governments in providing indigent defense services in high-impact cases
21 in conjunction with the indigent defense task force.

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

24 The task force shall:

25 (1) Advise the department on their provision of technical
26 assistance to local governments, which must meet the requirements of
27 RCW 10.101.020, 10.101.030, and 10.101.040;

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

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

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

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

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

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