

FINAL BILL REPORT

HB 2028

C 111 L 05

Synopsis as Enacted

Brief Description: Regarding the advisory committee of the office of public defense.

Sponsors: By Representatives Kagi and Darneille; by request of Office of Public Defense.

House Committee on Judiciary

Senate Committee on Judiciary

Background:

The Office of Public Defense (OPD), which was created in 1996 and scheduled to sunset in 2009, administers state-funded indigent defense services for criminal appeals.

The Director of the OPD is appointed by the Washington Supreme Court. The Director is supervised by an 11-member advisory committee consisting of judicial representatives, legislators, attorneys, and lay people. The chair and two other members are appointed by the Supreme Court, one member is appointed by the Court of Appeals, two nonattorney members are appointed by the Governor, four members are appointed by the Legislature, and one member is appointed by the Washington State Bar Association.

During an appointee's term on the advisory committee, the appointee may not be an appellate judge or appellate court employee, or be a prosecutor or prosecutor employee, or provide indigent defense services except on a pro bono basis.

For various reasons, temporary judges are sometimes used to hear cases in the Court of Appeals. The chief justice of the Supreme Court may appoint any regularly elected superior court judge or any retired superior, appellate, or Supreme Court judge to serve as a pro tem judge on the Court of Appeals.

Summary:

An appointee of the OPD advisory committee may serve as a pro tem appellate court judge.

Votes on Final Passage:

House	97	0
Senate	47	0

Effective: July 24, 2005