

SB 5454-S2.E - DIGEST

(DIGEST AS ENACTED)

Recognizes the state's obligation to provide adequate representation to criminal indigent defendants and to parents in dependency and termination cases.

Declares an intent to create a dedicated revenue source for the purposes of meeting the state's commitment to improving trial courts in the state, providing adequate representation to criminal indigent defendants, providing for civil legal services for indigent persons, and ensuring equal justice for all citizens of the state.

Creates the equal justice subaccount as a subaccount of the public safety and education account. The money received by the state treasurer from the increase in fees imposed by this act shall be deposited in the equal justice subaccount and shall be appropriated only for: (1) Criminal indigent defense assistance and enhancement at the trial court level, including a criminal indigent defense pilot program;

(2) Representation of parents in dependency and termination proceedings;

(3) Civil legal representation of indigent persons; and

(4) Contribution to district court judges' salaries and to eligible elected municipal court judges' salaries.

Provides that, upon conviction or a plea of guilty in any court organized under Title 3 RCW or Title 35 RCW, a defendant in a criminal case is liable for a fee of forty-three dollars. This fee shall be subject to division with the state under RCW 3.46.120(2), 3.50.100(2), 3.62.020(2), 3.62.040(2), and 35.20.220(2).

Appropriates the sum of two million three hundred thousand dollars, or as much thereof as may be necessary, from the equal justice subaccount of the public safety and education account to the office of public defense for the fiscal biennium ending June 30, 2007, solely for the purpose of criminal indigent defense assistance and enhancement in the trial courts. Of this amount, one million dollars is provided solely for a criminal indigent defense pilot program for persons charged with felony or misdemeanor offenses. The pilot program shall include the following: (1) Effective implementation of indigency screening; enhanced defense attorney practice standards; and use of investigative and expert services.

(2) The sum of five million dollars, or as much thereof as may be necessary, is appropriated from the equal justice subaccount of the public safety and education account to the office of public defense for the fiscal biennium ending June 30, 2007, solely for the purpose of representation of parents in dependency and termination proceedings.

(3) The sum of three million dollars, or as much thereof as may be necessary, is appropriated from the equal justice subaccount of the public safety and education account to the office of civil legal aid for the fiscal biennium ending June 30, 2007, solely for

the purpose of civil legal representation of indigent persons.

(4) The sum of two million four hundred thousand dollars is appropriated from the equal justice subaccount of the public safety and education account to the administrator for the courts for the fiscal biennium ending June 30, 2007, solely for the purposes of district court judges' and elected municipal court judges' salary contributions.