



For Immediate Release

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Bill to Increase Public Defender Eligibility Passes Assembly, Senate Committees

Representative Hintz urges legislative leaders to bring bill to a vote

MADISON— Representative Gordon Hintz (D-Oshkosh) urged leaders in both the Senate and Assembly to schedule a vote on Assembly Bill 576 and Senate Bill 321 after both bills passed their respective committees this week. The companion bills would update the eligibility standards for Wisconsin State Public Defender (SPD) representation, and work to ensure that everyone has a chance to receive proper legal representation.

“I’m very pleased that this legislation has been passed with bipartisan support in committee,” said Rep. Hintz. “The standards for receiving SPD representation have not been updated in 20 years, and the gap between those who are eligible for representation and those who have to go without is expanding every year. By passing this legislation and updating these standards, we will not only be ensuring that more of our citizens receive legal representation but we will be saving county property taxpayers money.”

In October, Representative Hintz joined Representative Garey Bies (R-Sister Bay) and Senator Jim Sullivan (D-Wauwatosa) to introduce this legislation. The legislation would update the SPD’s financial eligibility criteria to be the same as that of the W2 program (except the SPD criteria limits the asset exclusion for a home to \$30,000, and takes the cost to hire an attorney into account). Under the new eligibility requirements, the SPD would be able to provide legal representation in about 15,400 additional cases per year. Additionally, the new requirements would ultimately eliminate the liability for counties to provide counsel to people who do not qualify for SPD representation. In an October article in the Oshkosh Northwestern, Winnebago County Clerk of Courts Diane Fremgen estimated that the cost of court-appointed attorneys in Winnebago County has risen steadily over the last few years, from \$178,018 in 2005 to \$256,885 in 2006.

Rep. Hintz began working on this bill with his colleagues and the SPD office after a meeting last spring with the District 4 Judges and county leaders including Winnebago County Executive Mark Harris, where he first learned about the outdated qualification standard.

“In a session where the Senate and the Assembly have vastly different priorities, this bipartisan legislation is an opportunity to pass a meaningful bill to ensure that our citizens are given fair and adequate representation in our justice system, regardless of how wealthy or poor they are,” added Hintz. “I strongly urge the leadership in both the Senate and Assembly to schedule these bills for a floor vote this session.”

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