

Fiscal Estimate Narratives

SPD 12/2/2011

LRB Number	11-2127/1	Introduction Number	AB-0400	Estimate Type	Original
Description State agency fiscal and operations reports and quarterly hearings of the Joint Legislative Audit Committee					

Assumptions Used in Arriving at Fiscal Estimate

The State Public Defender (SPD) is statutorily authorized and required to appoint attorneys to represent indigent defendants in criminal and certain commitment proceedings. The SPD plays a critical role in ensuring that the Wisconsin justice system complies with the right to counsel provided by both the state and federal constitutions. Any legislation has the potential to increase SPD costs if it creates a new criminal offense, expands the definition of an existing criminal offense, or increases the penalties for an existing offense.

This bill, which requires all state agencies to report on fiscal conditions and operations each year to the Joint Legislative Audit Committee, would not affect the representation of indigent clients.

Though the bill does not specify the level of detail that may be required for "an accounting of all agency expenditures exceeding \$100," it is possible that the requirement to collect some of the data would create an administrative burden for the agency.

Depending on the level of detail requested for the agency expenditures over \$100 provision, the SPD may have confidentiality conflicts if payments to private bar attorneys or other litigation-related payments under § 20.550 (1)(d) are required to be reported in a manner that would include personally identifiable information of SPD clients.

Long-Range Fiscal Implications