



**Fiscal Estimate Narratives**

**SPD 2/10/2005**

|   |                                  |                               |
|---|----------------------------------|-------------------------------|
| LRB Number <b>05-0918/1</b>   | Introduction Number <b>AB-91</b> | Estimate Type <b>Original</b> |
| <b>Subject</b><br>Municipal court imprisonment term if fail to obey court's order |                                  |                               |

**Assumptions Used in Arriving at Fiscal Estimate**

The State Public Defender (SPD) provides legal representation in criminal cases and other specified proceedings in which the loss of personal liberty or parental rights may occur. For adult clients, the SPD must complete a financial eligibility evaluation before appointing an attorney. SPD services are constitutionally required because in the case types handled by SPD, a defendant without the financial means to hire an attorney has the right to have an attorney appointed. Therefore, any bill that would increase the number of cases handled by SPD would increase SPD costs.

This bill relates to penalties for non-compliance with municipal court orders, such as orders to pay monetary forfeitures. SPD does not represent in these proceedings. Since this bill does not create any new cases in which SPD appoints counsel, SPD would not incur additional costs.

Increased counties costs are likely, because the bill authorizes consecutive terms of incarceration for non-compliance with municipal court orders. When a person serves multiple periods of incarceration consecutively (instead of concurrently), the total length of incarceration is greater, thus increasing costs to the local sheriff's department.

**Long-Range Fiscal Implications**