## Fiscal Estimate - 2009 Session

Original Updated	Corrected Supple	emental			
LRB Number 09-2012/1	Introduction Number AB-012	24			
<b>Description</b> Appellate procedure					
Fiscal Effect					
State:  No State Fiscal Effect Indeterminate Increase Existing Appropriations Decrease Existing Appropriations Appropriations Revenues Decrease Existing Appropriations Revenues Decrease Existing Appropriations Revenues Decrease Costs No Local Government Costs Indeterminate  1. Increase Costs 3. Increase Revenue Permissive Mandatory Districts Districts					
Fund Sources Affected Affected Ch. 20 Appropriations  GPR FED PRO PRS SEG SEGS					
Agency/Prepared By	Authorized Signature	Date			
SPD/ Mike Tobin (608) 266-8259	Krista Ginger (608) 264-8572 3/10/2009				

## Fiscal Estimate Narratives SPD 3/10/2009

LRB Number 09-2012/1	Introduction Number	AB-0124	Estimate Type	Original
Description				
Appellate procedure				

## **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 proceedings. The SPD plays a major 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 does not provide for a new criminal offense, expand the definition of a criminal offense, or increase criminal penalties. The bill would amend and clarify the rules of appellate procedure regarding preservation of the right to appeal certain issues decided by the circuit court, as exceptions to the general rule that a guilty plea or similar resolution of a case waives the right to appeal from rulings on motions. Although the changes could affect the procedures followed in an individual case, it does not appear that the bill would affect the number of trial proceedings or post-conviction proceedings in which the SPD would appoint counsel. Further, it appears that any attorney additional time that might result in some cases might be offset by decreased attorney time spent in other cases. Therefore, the SPD does not anticipate any significant increase or decrease in its workload as a result of this proposal.

**Long-Range Fiscal Implications**