



## 2013 ASSEMBLY BILL 243

June 11, 2013 – Introduced by Representatives BARNES, PASCH, MASON, BERCEAU, C. TAYLOR, HEBL, OHNSTAD, ZAMARRIPA and GOYKE, cosponsored by Senator L. TAYLOR. Referred to Committee on Judiciary.

1     **AN ACT** *to amend* 977.08 (4m) (c); and *to create* 977.08 (4m) (d) of the statutes;  
2             **relating to:** increasing the rate paid to private attorneys for representing  
3             indigent clients.

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### *Analysis by the Legislative Reference Bureau*

Under current law, the state public defender (SPD) provides legal representation for indigent persons in criminal, delinquency, and certain related cases. The SPD assigns cases either to staff attorneys or to local private attorneys. Generally, a private attorney who is assigned a case by the SPD is paid \$40 per hour for time spent related to the case and \$25 per hour for time spent in travel in certain situations.

This bill increases to \$75 per hour the amount a private attorney is paid for time spent related to the case.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

4             **SECTION 1.** 977.08 (4m) (c) of the statutes is amended to read:  
5             977.08 (**4m**) (c) Unless otherwise provided by a rule promulgated under s.  
6             977.02 (7r) or by a contract authorized under sub. (3) (f), for cases assigned on or after

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1 July 29, 1995, and before the effective date of the paragraph .... [LRB inserts date],  
2 private local attorneys shall be paid \$40 per hour for time spent related to a case,  
3 excluding travel, and \$25 per hour for time spent in travel related to a case if any  
4 portion of the trip is outside the county in which the attorney's principal office is  
5 located or if the trip requires traveling a distance of more than 30 miles, one way,  
6 from the attorney's principal office.

7 **SECTION 2.** 977.08 (4m) (d) of the statutes is created to read:

8 977.08 (4m) (d) Unless otherwise provided by a rule promulgated under s.  
9 977.02 (7r) or by a contract authorized under sub. (3) (f), for cases assigned on or after  
10 the effective date of this paragraph .... [LRB inserts date], private local attorneys  
11 shall be paid \$75 per hour for time spent related to a case, excluding travel, and \$25  
12 per hour for time spent in travel related to a case if any portion of the trip is outside  
13 the county in which the attorney's principal office is located or if the trip requires  
14 traveling a distance of more than 30 miles, one way, from the attorney's principal  
15 office.

16 (END)