



State of Wisconsin  
2015 - 2016 LEGISLATURE

LRB-1190/P1  
PJH:cmh:jf

DOA:.....Potts, BB0421 - Conflict Public Defender Pilot Program

**FOR 2015-2017 BUDGET -- NOT READY FOR INTRODUCTION**

**AN ACT ...; relating to:** the budget.

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***Analysis by the Legislative Reference Bureau***

Under current law, the Office of the State Public Defender (SPD) is responsible for providing legal representation to various indigent persons. If a person qualifies for legal representation by the SPD, the SPD either assigns an attorney employed by the office to represent the person or contracts with a private attorney to represent the person. If two potential SPD clients have conflicting or potentially conflicting interests, the SPD cannot represent both clients and, instead, must contract with private attorneys to represent at least one of the potential clients.

The bill creates, within the SPD, a two-year pilot program to administer a conflicts office in Milwaukee county. SPD attorneys in the conflicts office will represent clients in Milwaukee, Waukesha, and Racine counties that would otherwise be represented by private attorneys due to a conflicting or potentially conflicting interest with the SPD.

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:***

**SECTION 9133. Nonstatutory provisions; Public Defender Board**

(1) STATE PUBLIC DEFENDER CONFLICTS OFFICE. The state public defender shall establish and administer, as a 2-year pilot program beginning on the effective date of this subsection, a conflicts office to represent clients in conflict of interest cases in Milwaukee County, Waukesha County, and Racine County. The state public defender shall administer the conflicts office within Milwaukee County.

(END)