



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-0883/1
CMH:klm

2017 ASSEMBLY BILL 37

January 20, 2017 - Introduced by Representatives KESSLER, C. TAYLOR, BERCEAU and BROSTOFF, cosponsored by Senators L. TAYLOR, WIRCH, RISSER and VINEHOUT. 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.

Analysis by the Legislative Reference Bureau

Under current law, the state public defender 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. This bill increases to \$100 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.

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

ASSEMBLY BILL 37**SECTION 1**

1 July 29, 1995, and before the effective date of this 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 \$100 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)