

ADMINISTRATIVE RULES FISCAL ESTIMATE AND ECONOMIC IMPACT ANALYSIS

Type of Estimate and Analysis

Original Updated Corrected

Administrative Rule Chapter, Title and Number

Administrative Rule Chapter PD 1, Certification, §§ 1.03(2), 1.03(4), 1.05(6)

Subject

Authority of SPD Board to impose conditions on an attorney's application for recertification and timeframe for an attorney to appeal the SPD's decision to temporarily suspend an attorney's certification pending investigation.

Fund Sources Affected

GPR FED PRO PRS SEG SEG-S

Chapter 20 , Stats. Appropriations Affected

None

Fiscal Effect of Implementing the Rule

No Fiscal Effect
 Indeterminate

Increase Existing Revenues
 Decrease Existing Revenues

Increase Costs
 Could Absorb Within Agency's Budget
 Decrease Costs

The Rule Will Impact the Following (Check All That Apply)

State's Economy
 Local Government Units

Specific Businesses/Sectors
 Public Utility Rate Payers

Would Implementation and Compliance Costs Be Greater Than \$20 million?

Yes No

Policy Problem Addressed by the Rule

The SPD certifies private attorneys to represent clients. This rule allows the Board to impose conditions on an attorney's application for recertification and to set a particular timeframe for an attorney to appeal the SPD's decision to temporarily suspend an attorney's certification pending investigation.

Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred)

This rule has no economic or fiscal impact on specific businesses, business sectors, public utility rate payers, local governmental units or the state's economy as a whole. There are no implementation or compliance costs.

Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule

This rule will allow the SPD Board to impose particular conditions on an attorney's application for recertification. It will also clarify the rule regarding the timeframe in which an attorney may appeal the state public defender's decision to temporarily suspend an attorney's certification pending investigation.

Long Range Implications of Implementing the Rule

There are no long range implications of implementing the rule.

Compare With Approaches Being Used by Federal Government

There is no Federal equivalent.

Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)

Neither Illinois nor Michigan has a statewide public defender system. Iowa and Michigan do not use an independent Board

to oversee its private bar attorneys.

Name and Phone Number of Contact Person

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