

STATE OF WISCONSIN

OFFICE OF THE STATE PUBLIC DEFENDER

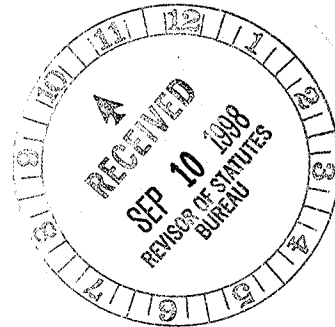
I, Daniel M. Berkos, Chair of the State Public Defender Board and custodian of the official records, certify that the annexed rule related to the cost of retained counsel was duly approved and adopted by this board on November 14, 1997.

I further certify that this copy has been compared by me with the original on file in this Office and that the same is a true copy thereof, and of the whole of the original.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name in the City of Madison, State of Wisconsin, this 10th day of September 1998.



DANIEL M. BERKOS, Chair
State Public Defender Board



**PROPOSED ORDER OF THE STATE PUBLIC DEFENDER BOARD
AMENDING A RULE**

The Wisconsin state public defender board proposes an order to amend PD 3.02 (1), relating to the cost of retained counsel.

Analysis By Agency:

The proposed amendment to PD 3.02 (1) establishes a separate cost of counsel amount for chapter 55 (protective placement) cases. Under the current schedule, the category "civil commitment" includes the cost of counsel for both chapter 55 and chapter 51 cases. A time study conducted by the State Public Defender's Office revealed that chapter 55 cases are more complicated and time-consuming than chapter 51 cases and, in fact, that chapter 55 cases equate with felony cases. In addition, the SPD's present collections amounts and trial division case weights for chapter 55 cases are the same as those for felony cases. The proposed amendment to PD 3.02 (1) would thus make the cost of counsel amount for chapter 55 cases consistent with felony cases.

Statutory authority: s. 977.02 (3), Stats.
Statute interpreted: s. 977.07, Stats.

SECTION 1. PD 3.02 (1) is amended to read:

PD 3.02 Cost of retained counsel. (1) The "anticipated cost of retaining counsel," shall be determined by this schedule, except as provided by sub. (2):

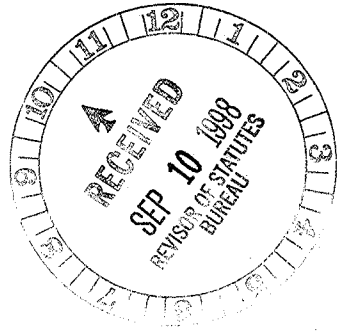
	Milwaukee County	Other Counties
1st degree intentional homicide	\$7500	\$7500
Other Class A & Class B felony	3400	2800
Other felony	1900	1450
Traffic misdemeanor	400	300
Other misdemeanor	500	400
Juvenile	500	400
<u>Civil commitment Chapter 51</u>	565	450
<u>Chapter 55</u>	<u>1900</u>	<u>1450</u>
Paternity	800	700
Appeals	2000	1500
Involuntary termination of parental rights	3400	2800

This rule shall take effect on the first day of the month commencing after the date of publication in the Wisconsin administrative register, pursuant to s. 227.22 (2) (intro.), Stats.

Dated: 9/10/98

Wisconsin State Public Defender Board

By: Daniel M. Berkos
DANIEL M. BERKOS, Chair





WISCONSIN PUBLIC DEFENDER

Nicholas L. Chiarkas
STATE PUBLIC DEFENDER

Frederick H. Miller
DEPUTY STATE PUBLIC DEFENDER

Virginia A. Pomeroy
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ADMINISTRATIVE DIRECTOR

Marla J. Stephens
APPELLATE DIRECTOR

Ellen K. Berz
ASSIGNED COUNSEL DIRECTOR

Thomas E. Dixon
TRAINING DIRECTOR

Michael Tobin
TRIAL DIRECTOR

September 10, 1998

Gary Poulson
Revisor of Statutes Bureau
131 West Wilson Street, Room 800
Madison, WI 53703-3233

Re: PD 3.02 (1)

Dear Gary:

Enclosed please find a certified copy of an administrative rule recently promulgated by the State Public Defender Board.

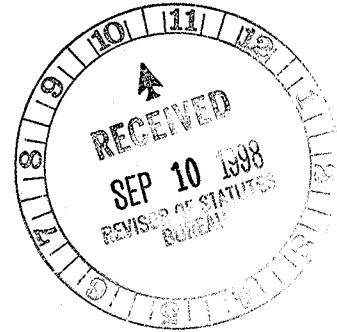
An extra copy of the rule is enclosed for printing purposes.

Thank you.

Sincerely,

Gina Pruski
Deputy Legal Counsel

Enclosure



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