

Clearinghouse Rule 98-089

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 January 24, 1997.

I 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 18th day of April 1997.



DANIEL M. BERKOS, Chair
State Public Defender Board



98-089

6-1-97

**PROPOSED ORDER OF THE STATE PUBLIC DEFENDER
CREATING 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) is technical in nature, and is necessary to make the rule consistent with current agency practice. Presently, the category related to Class A and B felonies in the "cost of retained counsel" table makes reference to "armed" Class A and B felonies. Current agency practice requires deletion of the term "armed." The category should correctly state "other Class A & Class B felony."

Statutory authority: s. 977.02 (3), Stats.

Statute interpreted: s. 977.07, Stats.

Section 1.

PD 3.02 (1) is amended to read:

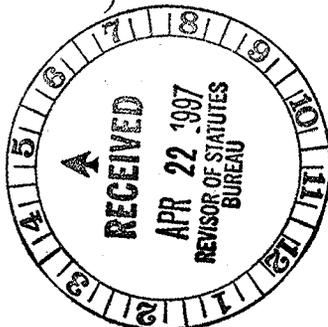
PD 3.02 Cost of retained counsel. (1) The "anticipated cost of retaining counsel," shall be determined by this schedule, except as provided by sub. (2):

	Milwaukee County	Other Counties
1st degree intentional homicide	\$7500	\$7500
Other armed Class A & Class B felony	3400	2800
Other felony	1900	1450
Traffic misdemeanor	400	300
Other misdemeanor	500	400
Juvenile	500	400
Civil commitment	565	450
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: *April 18, 1997*

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

Sally Mayne Pederson
LEGAL COUNSEL

Arlene F. Banoul
ADMINISTRATIVE DIRECTOR

Marla J. Stephens
APPELLATE DIRECTOR

Marcus T. Johnson
ASSIGNED COUNSEL DIRECTOR

Thomas E. Dixon
TRAINING DIRECTOR

Michael Tobin
TRIAL DIRECTOR

April 18, 1997

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

