

**HOUSE SUMMARY OF SENATE AMENDMENTS****HB 82****2017 Regular Session****Mack**

INDIGENT DEFENSE: Provides relative to the powers, duties, and responsibilities of the Louisiana Public Defender Board

**Synopsis of Senate Amendments**

1. Requires the board to seek the assistance of the legislative auditor or an internal auditor rather than a private company.
2. Provides that the attorney-client privilege and confidentiality that applies to staff shall apply to all board members and staff for the review of case details.

**Digest of Bill as Finally Passed by Senate**

Present law provides that except for the inherent regulatory authority of the La. Supreme Court provided for in La. Const. Art. V, §5 regarding the regulation of the practice of law, the La. Public Defender Board shall have all regulatory authority, control, supervision, and jurisdiction, including auditing and enforcement, and all power incidental or necessary to such regulatory control, supervision, and jurisdiction over all aspects of the delivery of public defender services throughout the courts of the state.

Present law further provides for the powers, duties, and responsibilities of the board.

Proposed law retains present law and adds the following powers, duties, and responsibilities of the board:

- (1) Supervise the activities of staff and apply reasonable controls for the supervision of spending, accounting, and discretionary grants. Requires the board to seek the assistance of the legislative auditor or an internal auditor to ensure staff's discretion is subject to supervision consistent with the La. Local Government Budget Act. Provides that the attorney-client privilege and confidentiality that applies to counsel in cases shall apply to all board members and staff for the review of case details.
- (2) Adopt reasonable procedures in compliance with the La. Rules of Professional Conduct for reviewing and preserving the confidentiality of privileged materials during and after litigation.
- (3) Adopt necessary procedures to protect the strategic choices and confidential work product of the board when considering important matters of spending.

(Adds R.S. 15:147(B)(17)-(19))