

Regular Session, 2012

SENATE BILL NO. 434

BY SENATOR PETERSON

PUBLIC DEFENDER. Provides relative to the judicial district indigent defender fund in Orleans Parish. (7/1/12)

1 AN ACT

2 To amend and reenact R.S. 15:168(B)(2), relative to judicial district indigent defender funds;
3 to require the inclusion of certain data with monthly remittances in Orleans Parish;
4 to require certain notification; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 15:168(B)(2) is hereby amended and reenacted to read as follows:

7 §168. Judicial district indigent defender fund

8 * * *

9 B.(1) * * *

10 (2)(a) Such amounts shall be remitted by the respective recipients thereof to
11 the judicial district indigent defender fund monthly by the tenth day of the
12 succeeding month.

13 **(b) Such amounts remitted in the parish of Orleans shall include all of**
14 **the following data for each case in which the costs required for in this**
15 **Subsection are assessed:**

16 **(1) Name and case number of each defendant.**

17 **(2) Date of order assessing such costs.**

- 1 **(3) Date by which the defendant is ordered to pay such costs.**
- 2 **(4) Date of collection of such costs.**
- 3 **(5) Actual amount collected.**
- 4 **(c) The office for the district public defender for the parish of Orleans**
- 5 **shall notify the office of the inspector general, city of New Orleans, in writing,**
- 6 **if such amounts and data required in Subparagraphs (a) and (b) of this**
- 7 **Paragraph have not been remitted by the fifteenth day of the month.**

* * *

Section 2. This Act shall become effective on July 1, 2012.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Cathy R. Wells.

DIGEST

Present law requires every court of original criminal jurisdiction, except in the town of Jonesville, in the city of Plaquemine, and in mayors' courts in municipalities having a population of less than 5,000, to remit special costs to the district indigent defender fund for certain violations, under state statute as well as under parish or municipal ordinance, except a parking violation.

Present law requires the sum of \$35 to be assessed in cases in which a defendant is convicted after a trial, a plea of guilty or nolo contendere, or after forfeiting bond and that it shall be in addition to all other fines, costs, or forfeitures imposed.

Present law further requires such amounts to be remitted by the respective recipients to the judicial district indigent defender fund monthly by the 10th day of the succeeding month.

Proposed law retains present law and further requires that such amounts remitted in the parish of Orleans include all of the following data:

1. Name and case number of each defendant.
2. Date of order assessing the costs.
3. Date by which the defendant is ordered to pay such costs.
4. Date of collection of such costs.
5. Actual amount collected.

Proposed law requires the office for the district public defender for the parish of Orleans to notify the office of the inspector general, city of New Orleans, in writing, if such required amounts and data have not been remitted by the 15th day of the month.

Effective July 1, 2012.

(Amends R.S. 15:168(B)(2))