SLS 13RS-2127 ORIGINAL

Regular Session, 2013

SENATE CONCURRENT RESOLUTION NO. 99

BY SENATOR CROWE

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PUBLIC DEFENDER. Requests the Louisiana Public Defender Board to study whether the statewide public defender system should be privatized via a system of contract employment.

A CONCURRENT RESOLUTION 1 2 To urge and request that the Louisiana Public Defender Board study the feasibility, desirability, and practicality of delivering a statewide public defender system through 3 4 an exclusively contract system. 5 WHEREAS, the Louisiana Public Defender Board was created in 2007 to provide for the supervision, administration, and delivery of a statewide public defender system that 6 7 must deliver uniform public defender services in all courts of this state, in accordance with 8 the Sixth and Fourteenth Amendments to the United States Constitution and Article I. 9 Section 13 of the Constitution of Louisiana: and 10 WHEREAS, in pursuit of equal justice, the board advocates for clients, supports 11 practitioners, and protects the public by continually improving the services guaranteed by 12 the constitutional right to counsel; and 13 WHEREAS, the method of delivery of public defender services in each judicial 14 district shall be approved by the board to the extent that the method is meeting or is able to meet the performance standards and guidelines of the board, and the board may change the 15 16 method of delivery in order to ensure compliance with best practices reflected in the performance standards and guidelines; and 17

WHEREAS, at present, Louisiana has three full-time staff public defender offices;

SLS 13RS-2127 ORIGINAL SCR NO. 99

five part-time staff offices; five "hybrid system" offices that are transitioning to full-time systems and use a combination of contract or part-time public defenders as well as some full-time attorneys; and the remainder utilizing contract employment; and

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WHEREAS, the opinion has been expressed by some involved in the public defender system that costs could be controlled and limited financial resources better utilized by transitioning to a system by which all public defender offices would operate on a contract employment basis, thereby eliminating substantial costs associated with offices employing full-time staff.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby urge and request the Louisiana Public Defender Board to study the feasibility, desirability, and practicality of delivering a statewide public defender system through an exclusively contract employment system, and to report its findings to the legislature not later than January 10, 2014.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the Louisiana Public Defender Board and the state public defender.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Alden A. Clement, Jr.

DIGEST

Crowe SCR No. 99

Requests the La. Public Defender Bd. to study whether the statewide public defender system should be privatized via a system of exclusively contract employment and report its findings to the legislature by January 10, 2014.