

Bill No. CS for CS for SB 2542

Barcode 955228

CHAMBER ACTION

Senate

House

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Senator Smith moved the following amendment:

**Senate Amendment (with title amendment)**

On page 13, line 6, through  
page 14, line 27, delete those lines

and insert:

(3) In utilizing a registry:

(a) Each circuit Article V indigent services committee shall compile and maintain a list of attorneys in private practice, by county and by category of cases. In the eleventh judicial circuit for the 2005-2006 and 2006-2007 fiscal years, the committee shall compile and maintain a list of attorneys by race, sex, and ethnicity of the assigned attorneys. To be included on a registry, attorneys shall certify that they meet any minimum requirements established in general law for court appointment, are available to represent indigent defendants in cases requiring court appointment of private counsel, and are willing to abide by the terms of the contract for services. To be included on a registry, an attorney also must enter into a contract for services with the Justice Administrative

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1 Commission. Failure to comply with the terms of the contract  
2 for services may result in termination of the contract and  
3 removal from the registry. Each attorney on the registry shall  
4 be responsible for notifying the circuit Article V indigent  
5 services committee and the Justice Administrative Commission  
6 of any change in his or her status. Failure to comply with  
7 this requirement shall be cause for termination of the  
8 contract for services and removal from the registry until the  
9 requirement is fulfilled.

10 (b) The court shall appoint attorneys in rotating  
11 order in the order in which names appear on the applicable  
12 registry, unless the court makes a finding of good cause on  
13 the record for appointing an attorney out of order. An  
14 attorney not appointed in the order in which his or her name  
15 appears on the list shall remain next in order.

16 (c) If it finds the number of attorneys on the  
17 registry in a county or circuit for a particular category of  
18 cases is inadequate, the circuit Article V indigent services  
19 committee shall notify the chief judge of the particular  
20 circuit in writing. The chief judge shall submit the names of  
21 at least three private attorneys with relevant experience. The  
22 clerk of court shall send an application to each of these  
23 attorneys to register for appointment.

24 (d) Quarterly, ~~beginning no later than October 1,~~  
25 ~~2004,~~ each circuit Article V indigent services committee shall  
26 provide a current copy of each registry to the Chief Justice  
27 of the Supreme Court, the chief judge, the state attorney and  
28 public defender in each judicial circuit, ~~and~~ the clerk of  
29 court in each county, the Justice Administrative Commission,  
30 and the Indigent Services Advisory Board ~~with a current copy~~  
31 ~~of each registry. In the eleventh judicial circuit for the~~

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1 2005-2006 and 2006-2007 fiscal years, the registry shall  
 2 identify the race, sex, and ethnicity of each attorney listed  
 3 in the registry.

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6 ===== T I T L E    A M E N D M E N T =====

7 And the title is amended as follows:

8            On page 1, lines 7-11, delete those lines

9

10 and insert:

11            revising requirements for private  
 12            court-appointed counsel; requiring that data be  
 13            compiled on the race, sex, and ethnicity of  
 14            attorneys within a specified circuit for a  
 15            limited time; requiring the

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