

The Florida Senate
PROFESSIONAL STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: Criminal and Civil Justice Appropriations Committee

BILL: CS/SB 1086

INTRODUCER: Criminal and Civil Justice Appropriations Committee and Senator Crist

SUBJECT: Criminal and Civil Justice

DATE: March 28, 2007

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Hendon</u>	<u>Sadberry</u>	<u>JA</u>	<u>Fav/CS</u>
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

The bill eliminates language authorizing a pilot project whereby the capital collateral cases assigned to the northern region of the state are handled by the private attorneys on the registry. This will have the effect of restoring the northern office of the Capital Collateral Regional Counsel.

This bill substantially amends section 27.701 of the Florida Statutes.

II. Present Situation:

Under section 27.701, F.S., the capital collateral cases in the northern region of the state have been assigned to private attorneys as a part of a pilot project begun in fiscal year 2003-04. Prior to the pilot, the cases were assigned to the state Capital Collateral Regional Counsel office in the northern region. The Office of the Auditor General reviewed the pilot and presented its findings to the Legislature in January of 2007 (see report number 2007-092).

III. Effect of Proposed Changes:

The bill strikes language authorizing the pilot project in paragraph (2) of section 27.701, F.S. This would restore the northern office of the Capital Collateral Regional Counsel established in paragraph (1) of section 27.701, F.S.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

During the pilot project, private registry attorneys provided the capital collateral defense for death row inmates assigned to the northern region. Under the bill, private attorneys would no longer provide the legal representation for cases assigned to the northern region and would no longer take these cases.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Summary of Amendments:

None.

This Senate Professional Staff Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
