

1 A bill to be entitled
 2 An act relating to public defenders and other court-
 3 appointed counsel; amending s. 27.42, F.S.; requiring a
 4 designee from the office of the public defender to serve
 5 as chair of the indigent services committee in each
 6 judicial circuit; requiring the public defender to appoint
 7 one private criminal defense attorney and one civil trial
 8 attorney to serve specified terms of office on the
 9 committee; authorizing the committee to include agreements
 10 for cross-circuit conflict representation as part of any
 11 alternate models for the provision of criminal and civil
 12 due process services and representation of indigents;
 13 requiring the Justice Administrative Commission to review
 14 such agreements and to transfer funds for the purpose of
 15 tracking and reporting expenditures; providing an
 16 effective date.

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 18 Be It Enacted by the Legislature of the State of Florida:

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 20 Section 1. Subsections (1) and (3) of section 27.42,
 21 Florida Statutes, are amended to read:

22 27.42 Circuit Article V indigent services committees;
 23 composition; staff; responsibilities; funding.--

24 (1) In each judicial circuit a circuit Article V indigent
 25 services committee shall be established. The committee shall
 26 consist of the following:

27 ~~(a) The chief judge of the judicial circuit or the chief~~
 28 ~~judge's designee, who shall serve as the chair.~~

29 ~~(a)-(b)~~ The public defender of the judicial circuit, or
 30 designee from within the office of the public defender, who
 31 shall serve as chair.

32 ~~(b)-(e)~~ One experienced private criminal defense attorney
 33 appointed by the public defender, ~~chief judge~~ to serve a 2-year
 34 term with the first such appointment occurring at the end of the
 35 2-year term of any attorney appointed by the chief judge or if a
 36 vacancy occurs before the end of that 2-year term. During the 2-
 37 year term, the attorney is prohibited from serving as court-
 38 appointed counsel.

39 ~~(c)-(d)~~ One experienced civil trial attorney appointed by
 40 the public defender ~~chief judge~~, to serve a 2-year term with the
 41 first such appointment occurring at the end of the 2-year term
 42 of any attorney appointed by the chief judge or if a vacancy
 43 occurs before the end of that 2-year term. During the 2-year
 44 term, the attorney is prohibited from serving as court-appointed
 45 counsel.

46 (3) Notwithstanding any other provision of this section, a
 47 circuit Article V indigent services committee may approve, and
 48 the Justice Administrative Commission shall investigate and
 49 evaluate the use of funds for, alternate models for the
 50 provision of criminal and civil due process services and
 51 representation other than a model based on a per-case fee if a
 52 more cost-effective and efficient system can be provided. An
 53 alternate model may include court reporting services, ~~and~~ the
 54 provision of court-appointed counsel, and agreements between two
 55 or more circuit public defenders for cross-circuit conflict
 56 representation. The Justice Administrative Commission shall

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57 review these agreements and transfer funds allocated for
58 indigent services as required by these agreements to
59 appropriately track and report expenditures.

60 Section 2. This act shall take effect July 1, 2007.