



RESOLUTION # 8-6/18

ITEM # 6-9  
BOARD ACTION

Adopted:   
For: 5  
Against: 0  
Abstain: 0  
Abs/Excd: 7  
Vote Req: \_\_\_\_\_  
Other Action: -

JUDICIARY & LAW COMMITTEE ACTION

Adopted:   
For: 4  
Against: 0  
Abstain: 0  
Abs/Excd: 1

EXECUTIVE COMMITTEE ACTION

Adopted:   
For: 9  
Against: 0  
Abstain: 0  
Abs/Excd: 0

TO: HONORABLE MEMBERS OF THE LA CROSSE COUNTY BOARD OF SUPERVISORS

**RE: SUPPORT FOR INCREASED PUBLIC DEFENDER ACCESS AND COMPENSATION**

**WHEREAS**, the Sixth Amendment to the United States Constitution guarantees those charged with crimes the right to a speedy, public trial by jury, the right to confront accusers, and the right to the assistance of counsel; and

**WHEREAS**, the United States Supreme Court in 1963 established that the government must provide counsel if a defendant cannot afford it and other cases have established that the assistance must be effective, not merely a lawyer appearing, unprepared, for a defendant; and

**WHEREAS**, the State Public Defender often provides representation to indigent defendants using certified private attorneys who are reimbursed at the nation's lowest hourly rate of \$40 which was set by the Legislature more than 20 years ago in 1995 when the rate was reduced from \$50; and

**WHEREAS**, a 2013 Wisconsin State Bar Association survey determined the average overhead rate in Wisconsin is \$41.79/hour to operate a small law firm, \$40 per hour does not fairly reimburse lawyers representing indigent clients, making it more difficult to procure representation; and

**WHEREAS**, lack of representation for indigent clients causes a backlog in the criminal justice system, leads to longer pre-trial periods of detention in county jails, inefficiency for courts, and slower justice for victims, creating a burden on the courts and Wisconsin Counties.

**NOW, THEREFORE BE IT RESOLVED** that the La Crosse County Board of Supervisors implores the Wisconsin legislature to provide adequate resources to the State Public Defender's Office for representation of indigent clients by increasing the rate of reimbursement for assigned attorneys to a market rate that will ensure the prompt appointment of counsel with the rate indexed to inflation.

**BE IT FURTHER RESOLVED** that a copy of this resolution shall be sent to Governor Walker, Senator Shilling, Representatives Doyle and Billings and the Wisconsin Counties Association for consideration at the Annual Business meeting to become a part of the WCA legislative platform.

**FISCAL NOTE:** The cost to La Crosse County is the prolonged detention of defendants in the County Jail at a cost of \$95/day.

Date: June 12, 2018

Kim Cahle  
JUDICIARY & LAW COMMITTEE CHAIR

Alice Krenson  
RECORDING CLERK

Date: June 14, 2018

Terri J. Parlic  
EXECUTIVE COMMITTEE CHAIR

Terri J. Parlic  
RECORDING CLERK

	Reviewed Only	Recommended	Not Recommended	
Co. Admin.	_____	<u>SO</u>	_____	Requested By: Steve O'Malley
Fin. Director	_____	_____	_____	Date Requested: June 4, 2018
Corp. Counsel	_____	_____	_____	Drafted By: Steve O'Malley
Board Chair	<u>[Signature]</u>	_____	_____	

Adopted by the La Crosse County Board this 21 Day of June, 2018

STATE OF WISCONSIN  
COUNTY OF LA CROSSE

I, Ginny Dankmeyer, County Clerk of La Crosse County do hereby certify that this document is a true and correct copy of the original resolution required by law to be in my custody and which the County Board of Supervisors of La Crosse County adopted at a meeting held on the 21<sup>st</sup> day of June 2018.

[Signature]  
Ginny Dankmeyer, La Crosse County Clerk