

A RESOLUTION IN SUPPORT OF INCREASED PUBLIC DEFENDER ACCESS AND PAY.

WHEREAS, the number of criminal cases continues to rise due to a variety of factors including increased drug trafficking; and,

WHEREAS, both the United States Constitution and the Wisconsin Constitution provide that persons accused of a crime have the right to an attorney; and,

WHEREAS, in Wisconsin, the Office of Public Defender provides counsel to those persons meeting income eligibility guidelines for services; and,

WHEREAS, a violation of an accused's right to counsel can result in the court having to dismiss the case against the accused; and,

WHEREAS, judges are being forced to appoint counsel at county expense for persons for whom the public defender cannot find a private attorney to take the case because of the low compensation of \$40.00 per hour; and,

WHEREAS, the low compensation of attorneys willing to take public defender cases results in cost to the county for the appointment of counsel, increased costs to jail defendants held pretrial pending the appointment of counsel, inefficiency of the courts and law enforcement and delay for victims in obtaining justice; and,

WHEREAS, the rate of compensation for private bar attorneys has not been increased since 1995 and currently is the lowest hourly rate in the nation; and,

WHEREAS, this has created a burden on the courts and the counties of Wisconsin.

NOW THEREFORE BE IT RESOLVED, that the Taylor County Board of Supervisors, duly assembled on this 28th day of January, 2019, hereby urges the State of Wisconsin to provide sufficient resources to the Office of the Public Defender to ensure that the criminal justice system operates effectively and efficiently; and,

BE IT FURTHER RESOLVED, that the State of Wisconsin increase the rate of reimbursement for assigned counsel attorneys to a market rate that will ensure the prompt appointment of counsel and that cases are handled in a timely and efficient manner; and an accused's Constitutional rights are not violated by the county; and,

BE IT FURTHER RESOLVED, that the County Clerk is directed to send a copy of this resolution to the Governor of the State of Wisconsin, the Wisconsin Counties Association, the Wisconsin Towns Association, the Wisconsin League of Municipalities and to the members of the state legislature who represent Taylor County.

RESPECTFULLY SUBMITTED:


Jim Metz, Chair
Taylor County Board of Supervisors