

1 **RESOLUTION NO. 43-18**

2 **SYNOPSIS: Support Increasing the Compensation for Defense Counsel Appointed**
3 **by the Wisconsin Public Defender's Office**
4 **INTRODUCED BY: Judiciary Committee**
5

6 **To the Honorable Board of Supervisors of Columbia County:**

7
8 WHEREAS, both the United States Constitution and the Wisconsin State Constitution
9 provide that persons accused of a crime have the right to counsel; and,

10 WHEREAS, the Wisconsin State Public Defender's Office ("SPD") provides legal
11 representation to the indigent, utilizing staff attorneys as well as (about 40% of the time)
12 private attorneys certified to take SPD appointments to handle conflict and overflow cases;
13 and,

14 WHEREAS, in May, 2018, the Wisconsin Supreme Court increased, effective January,
15 2020, the hourly rate of pay for county-funded, court-appointed, attorneys from \$70 to
16 \$100 per hour; and,

17 WHEREAS, the rate of pay for State-funded SPD appointments is \$40 per hour, has
18 not been increased since 1995, and is the lowest in the nation; and,

19 WHEREAS, the pay for State-funded SPD appointments is so low that it has been and
20 is hard to find private attorneys willing to accept such appointments in many counties,
21 resulting in some persons charged with crimes sitting in jail for weeks while they waited for
22 legal representation; and,

23 WHEREAS, the disparity in pay (i.e., the decision to increase pay for county-funded
24 attorneys, but not State-funded SPD appointments) will lead private attorneys to refuse
25 State-funded SPD assignments and instead hold out for county-funded, court-appointed,
26 assignments; and,

27 WHEREAS, a greater share of the cost of indigent defense is going to fall on the
28 counties, resulting in (what may reasonably be viewed as) an unfunded mandate.

29 NOW, THEREFORE, BE IT RESOLVED THAT, the Columbia County Board of
30 Supervisors does hereby urge the State of Wisconsin to provide sufficient resources to the
31 Wisconsin State Public Defender's Office to ensure the criminal justice system operates
32 effectively and efficiently, including increasing the rate of pay for State-funded SPD
33 appointments to \$100 per hour and tie future increases to the rate of inflation; and,

34 BE IT FURTHER RESOLVED that the County Clerk is directed to send a copy of this
35 Resolution to Governor Scott Walker, the Wisconsin Counties Association, the Wisconsin
36 Towns Association, the League of Wisconsin Municipalities, all members of the State
37 Legislature representing Columbia County, and to each Wisconsin County.
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39 Fiscal Note: None.

40 Fiscal Impact: None.
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42
43
44 STATE OF WISCONSIN
45 COUNTY OF COLUMBIA
46 CERTIFIED COPY

47 I certify that this is a true and exact copy
48 of the original of which I am legal custodian
49 for the County Clerk of Columbia County.

50 Signed by

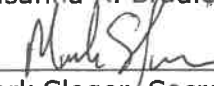
51 
52 County Clerk or Deputy County Clerk
53

Date

12/19/18


Bob Koch


Susanna R. Bradley


Mark Sleger, Secretary


Craig Robson, Vice Chair