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**RESOLUTION No. 504-18**

**RESOLUTION TO URGE THE STATE TO INCREASE FUNDING AND  
COMPENSATION FOR PUBLIC DEFENDER APPOINTMENTS**

WHEREAS, criminal cases continue to rise due to a variety of factors including increased drug crimes; and

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

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

WHEREAS, counsel appointed to represent these indigent defendants are often private bar attorneys that have agreed to take Public Defender appointments; and

WHEREAS, almost 40% of State Public Defender cases are appointed to private bar attorneys statewide; and

WHEREAS, the of State Public Defender cases are appointed to private bar attorneys statewide; and

WHEREAS, the rate of compensation for private bar attorneys is \$40 per hour for court time and \$25 per hour for travel time; and

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

WHEREAS, judges are increasingly being forced to appoint counsel at county expense for persons for whom the public defender cannot find representation due to a lack of available counsel, as a result of the low compensation rate; and

WHEREAS, this results in costs to counties if judges appoint private counsel, increased costs to jail persons held before trial pending appointment of counsel, and a delay in obtaining justice for victims; and

WHEREAS, this shortage of attorneys willing to accept Public Defender appointments at the current rate of compensation has created a burden on the courts and Wisconsin counties;

NOW, THEREFORE BE IT RESOLVED, that the Marinette County Board of Supervisors does hereby urge 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

1 BE IT FURTHER RESOLVED, that the Marinette County Board of Supervisors  
2 does hereby support increasing the rate of reimbursement for private bar attorneys  
3 appointed by the Public Defender's Office to a market rate that will ensure the prompt  
4 appointment of counsel and will ensure that cases are handled in a timely and efficient  
5 manner; and

6  
7 BE IT FURTHER RESOLVED; that the Marinette County Clerk is directed to  
8 forward a copy of this resolution to the Office of Governor Scott Walker, the Wisconsin  
9 Counties Association, and the state legislators that represent the citizens of Marinette  
10 County.

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12 Approved this 13th day of November 2018 by a majority vote of a quorum of the  
13 Marinette County Board.

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17 Mark Anderson, Chairperson

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19 \_\_\_\_\_  
20 Kathy Brandt, County Clerk

21 Submitted by: Administrative Committee – 11/08/18  
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