
OLR Bill Analysis

SB 1230

AN ACT EXPANDING ACCESS TO PUBLIC DEFENDER SERVICES.

SUMMARY

This bill requires the Public Defender Services Commission to annually establish guidelines that public defenders, assistant public defenders, and deputy assistant public defenders must use when determining whether a person (1) has the financial ability to secure competent legal representation and meet other necessary related expenses or (2) qualifies for representation as an indigent defendant.

Under the bill, the guidelines must make a person eligible for public defender services if his or her income, when calculated based on the guidelines, is 250% or less of the federal poverty level (currently at or below \$36,450 for an individual).

The bill requires the commission to publish the guidelines on the Division of Public Defender Service's web site. (It does not establish a deadline by which the commission must do so.)

The bill also makes conforming changes.

EFFECTIVE DATE: October 1, 2023

BACKGROUND

Indigent Defendant

By law, for public defender services, an "indigent defender" is any of the following persons who, at the time of his or her request for representation, does not have the financial ability to secure competent legal representation and meet other necessary related expenses:

1. a person formally charged with a crime punishable by imprisonment,

2. a child at the beginning of any proceeding regarding an alleged delinquency, or
3. a child in a proceeding on a juvenile matter.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable

Yea 37 Nay 0 (03/27/2023)