

By: Farris

To: Judiciary;  
Appropriations

SENATE BILL NO. 3098

1 AN ACT TO CREATE THE MISSISSIPPI PUBLIC DEFENDERS SYSTEM TASK  
2 FORCE TO MAKE A COMPREHENSIVE STUDY OF THE EXISTING PUBLIC  
3 DEFENDER LAW IN MISSISSIPPI; TO EXAMINE AND STUDY APPROACHES TAKEN  
4 IN OTHER STATES REGARDING THE IMPLEMENTATION AND COST OF STATEWIDE  
5 PUBLIC DEFENDER SYSTEMS; TO MAKE RECOMMENDATIONS FOR ACTION BY THE  
6 LEGISLATURE TO STUDY THE RELATIONSHIP BETWEEN THE ESTABLISHMENT OF  
7 DISTRICT PUBLIC DEFENDERS AND CIRCUIT JUDGES; TO ANALYZE DISTRICT  
8 NEEDS; TO PROVIDE FOR THE COMPENSATION OF THE TASK FORCE; TO  
9 PROVIDE THAT THE TASK FORCE SHALL MAKE A REPORT OF ITS WORK; AND  
10 FOR RELATED PURPOSES.

11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

12 SECTION 1. (1) There is created the Mississippi Public  
13 Defender Task Force which shall be composed of eleven (11) members  
14 as follows:

15 (a) The President of the Mississippi Public Defender  
16 Association, or his designee;

17 (b) The President of the Mississippi Prosecutors  
18 Association, or his designee;

19 (c) A representative of the Administrative Office of  
20 Courts;

21 (d) A representative of the Mississippi Supreme Court;

22 (e) A representative of the Conference of Circuit  
23 Judges;

24 (f) A representative of the Mississippi Attorney  
25 General's Office;

26 (g) A representative of the Mississippi Association of  
27 Supervisors;

28 (h) The Chairman of the Senate Judiciary Committee, or  
29 his designee;

30 (i) The Chairman of the Appropriations Committee, or

31 his designee;

32 (j) The Chairman of the House Judiciary En Banc  
33 Committee, or his designee;

34 (k) The Chairman of the House Appropriations Committee,  
35 or his designee.

36 (2) At its first meeting, the task force shall elect a  
37 chairman and vice chairman from its membership and shall adopt  
38 rules for transacting its business and keeping records. Members  
39 of the task force shall receive a per diem in the amount provided  
40 in Section 25-3-69 for each day engaged in the business of the  
41 task force. Members of the task force other than the legislative  
42 members shall receive reimbursement for travel expenses incurred  
43 while engaged in official business of the task force in accordance  
44 with Section 25-3-41 and the legislative members of the task force  
45 shall receive the expense allowance provided for in Section  
46 5-1-47.

47 (3) The duties of the task force shall be to:

48 (a) Make a comprehensive study of the needs by circuit  
49 court districts for state-supported indigent defense counsel,  
50 examining existing public defender programs. This report shall be  
51 provided to the Legislature by July 1, 2001.

52 (b) Examine and study approaches taken by other states  
53 in the implementation and costs of state-supported indigent  
54 criminal cases.

55 (c) To study the relationship between presiding circuit  
56 court judges and the appointment of criminal indigent defense  
57 counsel.

58 SECTION 2. This act shall take effect and be in force from  
59 and after July 1, 2000.