

By: Senator(s) Wiggins

To: Judiciary, Division A

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 2260

1 AN ACT TO AMEND SECTION 99-18-13, MISSISSIPPI CODE OF 1972,
2 TO AUTHORIZE THE STATE DEFENDER TO PROVIDE LEGAL REPRESENTATION TO
3 CERTAIN PERSONS WHERE A CONSTITUTIONAL RIGHT TO COUNSEL EXISTS; TO
4 DIRECT THE STATE DEFENDER TO PROMULGATE AND IMPLEMENT STANDARDS
5 FOR SUCH COUNSEL; TO PROVIDE THAT SUCH STANDARDS SHALL BE SUBJECT
6 TO THE APPROVAL OF THE SUPREME COURT; AND FOR RELATED PURPOSES.

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

8 **SECTION 1.** Section 99-18-13, Mississippi Code of 1972, is
9 amended as follows:

10 99-18-13. (1) The State Defender is hereby empowered to pay
11 and disburse salaries, employment benefits and charges relating to
12 employment of division staff and to establish their salaries and
13 expenses of the office; to incur and pay travel expenses of staff
14 necessary for the performance of the duties of the office; to rent
15 or lease on such terms as he may think proper such office space as
16 is necessary in the City of Jackson to accommodate the staff; to
17 enter into and perform contracts and to purchase such necessary
18 office supplies and equipment as may be needed for the proper
19 administration of said offices within the funds appropriated for



20 such purpose; and to incur and pay such other expenses as are
21 appropriate and customary to the operation of the office.

22 (2) The State Defender may represent indigent persons in
23 legal proceedings where the person has a constitutional right to
24 appointed counsel and may provide representation to parents or
25 guardians who have been determined by the youth court judge to be
26 indigent and in need of representation in an abuse, neglect or
27 termination of parental rights proceeding or appeal therefrom.
28 The State Defender shall promulgate and implement standards that
29 define how effective indigent defense services should be provided
30 in all such cases. These standards shall be subject to approval
31 of the Supreme Court.

32 (3) Representation may be provided by staff or contract
33 counsel, including, but not limited to, by contract with legal
34 services organizations and/or county public defender programs.

35 **SECTION 2.** This act shall take effect and be in force from
36 and after July 1, 2024.

