

## Department of Planning and Budget 2007 Fiscal Impact Statement

**1. Bill Number** SB1168ER

|                        |                                       |                                     |  |
|------------------------|---------------------------------------|-------------------------------------|--|
| <b>House of Origin</b> | <input type="checkbox"/> Introduced   | <input type="checkbox"/> Substitute | <input type="checkbox"/> Engrossed           |
| <b>Second House</b>    | <input type="checkbox"/> In Committee | <input type="checkbox"/> Substitute | <input checked="" type="checkbox"/> Enrolled |

**2. Patron** Stolle

**3. Committee** Passed Both Houses

**4. Title** Waiver on compensation cap for court-appointed attorneys.

**5. Summary/Purpose:** Provides that court-appointed counsel may request a waiver of the limitations on compensation by petitioning the trial judge in accordance with the guidelines established by the Executive Secretary of the Supreme Court.

**6. Fiscal Impact Estimates are:** Final (see Item 8)

**7. Budget amendment necessary:** No

**8. Fiscal implications:** The Governor's proposed budget contained \$9 million to allow for the waiver of statutory fee caps in atypical cases. In addition, the Governor proposed an executive amendment to allow up to \$150,000 of the \$9 million to support positions needed to administer the waiver program.

In the General Assembly budget conference report, \$8.2 million was provided to allow for increased reimbursements to non-public defender court appointed attorneys through the administration of a statutory fee waiver program. In addition, \$100,000 was provided to support positions to administer the waiver program.

**9. Specific agency or political subdivisions affected:** Courts

**10. Technical amendment necessary:** No

**11. Other comments:** Same as HB2361ER.

**Date:** 03/19/07 / RMT

**Document:** G:\FIS 2007\SB1168ER.Doc Reginald Thompson