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## HOUSE BILL NO. 192

House Amendments in [ ] — February 1, 1994

A BILL to amend and reenact § 19.2-163.4 of the Code of Virginia, relating to public defenders; court appointed counsel.

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Patron—Reynolds

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Referred to Committee for Courts of Justice

**Be it enacted by the General Assembly of Virginia:****1. That § 19.2-163.4 of the Code of Virginia is amended and reenacted as follows:**

§ 19.2-163.4. Inapplicability of §§ 14.1-183 and 19.2-163 where public defender offices established; exception.

In counties and cities in which public defenders are appointed, the provisions of §§ 14.1-183 and 19.2-163 applicable to the compensation of attorneys shall not apply where public defender offices are established pursuant to § 19.2-163.2, defense services for indigents charged with jailable offenses shall be provided by the public defenders unless (i) the public defender is unable to represent the defendant or petitioner by reason of conflict of interest or otherwise, in which case the provisions of §§ 14.1-183 and 19.2-163 shall be in full force and effect, (ii) the public defender satisfactorily represents to the court other reasons for being unable to accept appointment, or (iii) the court finds that appointment of other counsel is necessary to attain the ends of justice [ or provide a timely trial ]. Except for the provisions of § 19.2-163 relating to reasonable expenses, §§ 14.1-183 and 19.2-163 shall not apply when defense services are provided by the public defenders.

ENGROSSED

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