

VIRGINIA ACTS OF ASSEMBLY -- 1997 SESSION

CHAPTER 207

An Act to amend and reenact § 53.1-40 of the Code of Virginia, relating to appointed counsel for indigent prisoners.

[H 1971]

Approved March 9, 1997

Be it enacted by the General Assembly of Virginia:

1. That § 53.1-40 of the Code of Virginia is amended and reenacted as follows:

§ 53.1-40. Appointment of counsel for indigent prisoners.

The judge of a circuit court in whose county or city a state correctional facility is located shall, on motion of the attorney for the Commonwealth for such county or city, when he is requested so to do by the superintendent or warden of a state correctional facility, appoint, *for a period of no less than thirty days nor more than one year*, one or more discreet and competent attorneys-at-law to counsel and assist indigent prisoners therein confined regarding any legal matter relating to their incarceration.

An attorney so appointed shall be paid as directed by the court from the criminal fund reasonable compensation on an hourly basis and necessary expenses based upon monthly reports to be furnished the court by him.