

FIRST REGULAR SESSION

HOUSE BILL NO. 862

95TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES CALLOWAY (Sponsor), CARTER, TILLEY, LOW, HOSKINS (80), BURNETT, FRAME, HOLSMAN, NASHEED, WEBBER, OXFORD, TALBOY, KANDER, NIEVES, BROWN (50), YAEGER, STILL, ATKINS, STEVENSON, BROWN (73) AND JONES (89) (Co-sponsors).

1887L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 600.021, RSMo, and to enact in lieu thereof one new section relating to public defenders' caseload.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 600.021, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 600.021, to read as follows:

600.021. 1. The commission shall employ persons to be public defenders for a term of four years. A public defender shall employ such persons to be assistant public defenders, deputy public defenders, investigators, and any other employees as are necessary to discharge the function of the office, all of whom shall serve at the pleasure of the employing public defender. Circuit and regional public defenders holding office on April 1, 1982, shall continue to hold such office until the expiration of their terms under the direction of the director as otherwise described in this chapter. Public defenders may be appointed to serve additional terms by the commission.

2. Public defenders, assistant public defenders, and deputy public defenders shall be attorneys, licensed to practice law in this state, and shall not otherwise engage in the practice of law except as authorized by this chapter or by commission rule. Public defenders, assistant public defenders and deputy public defenders may be employed on a full- or part-time basis.

3. The compensation of persons appointed under this section shall be fixed by the commission.

4. The commission may establish such local or regional offices as it deems necessary to properly carry out purposes of this chapter.

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16 5. The commission may appoint, on recommendation of the director, and fix the
17 compensation of all other personnel necessary to the operation of the state public defender
18 system.

19 6. The commission may contract with private attorneys to provide defense services in
20 such areas of the state and on such terms as it deems appropriate.

21 **7. The number of cases assigned to any public defender, assistant public defender,**
22 **or deputy public defender at any one time shall not exceed one hundred cases. Beyond this**
23 **caseload, the state shall be obligated to contract with private attorneys as provided in**
24 **subsection 6 of this section.**

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