

MONTANA PUBLIC DEFENDER COMMISSION  
**LEGISLATIVE COMMITTEE MEETING**

Goodkind Building  
139 N. Last Chance Gulch, Helena MT 59601

**August 8, 2012**

**MINUTES**

*(Approved at the March 27, 2014 Meeting)*

**Committee Members Present**

Fritz Gillespie, Helena

**Committee Members Absent**

Ann Sherwood, Pablo; Majel Russell, Billings

**Agency Team Members Present**

Wade Zolynski, Chief Appellate Defender; Bill Hooks, Chief Public Defender; Harry Freebourn, Administrative Director

**Interested Parties**

Niki Zupanic, Public Policy Director, American Civil Liberties Union of Montana

**Call to Order**

Chairman Fritz Gillespie began the meeting of the Legislative Committee at 9:30 without a quorum.

**Approval of Minutes of March 12, 2012 Meeting**

This item was deferred due to the lack of a quorum.

**Draft Legislation for 2013 Session**

A. Summary of All Drafted Legislation

Supreme Court Administrator Beth McLaughlin has a proposal to amend OPD's draft legislation regarding right to counsel in DN cases. She will meet with Chief Hooks in the near future.

New definitions of household and indigency to improve the eligibility process are still pending.

Mr. Freebourn reviewed the possible fiscal impact of the proposed legislation.

B. Legislation Approved by the Governor's Office

The governor's office supports the proposals for flat fee contracts, eliminating jail time for certain offenses, specialty courts, and postconviction relief. They will not support the

current draft of the GAL bill, pending the outcome of Ms. McLaughlin's discussion with Chief Hooks. The case dumping and deputy chief proposals have been withdrawn. The public defender fee collection proposal was recently submitted for review.

### **Legislative Timeline**

Bill sponsors will be recruited after the election. Some of the continuing senators will be invited to the next Commission meeting.

### **Potential Outside Legislation of Note**

Judges may propose a bill eliminating the ability to substitute judges because they believe it is subject to abuse.

### **Public Comment**

There was no public comment.

### **Old Business/New Business**

#### **A. Recommendations to Full Commission (\*Action Item)**

- The current draft legislation will be presented to the full Commission for approval.

### **Adjourn**

The meeting adjourned at 10:00 a.m.