Right to Counsel Legislative Updates

April 12, 2019

**IL HB 2935**
This bill, sponsored by Representatives Bob Morgan (D) and Andre Thapedi (D), amends the Juvenile Court Act and states that counsel appointed for the minor and any indigent party shall appear at all stages of the trial court proceeding, and the appointment shall continue through the permanency hearings and termination of parental rights proceedings subject to withdrawal, vacating of appointment, or substitution. The bill passed the house (112-0) on 3/28/2019 and was sent to the Senate Committee on Assignments on 3/28/2019.

**IN SB 488**
This bill, sponsored by Senators Michael Young (R), Eric Koch (R), Greg Taylor (D), Lonnie Randolph (D), John Young (R), Gregory Steuerwald (R), and Ryan Dvorak (D), establishes a public defender commission to create guidelines for a multicounty public defender’s office. The bill contains the following parts: (1) create a multicounty public defender’s office; and (2) provide legal services to indigent persons located in the areas subject to the interlocal agreement. It requires interlocal agreements concerning indigent criminal defense to be administered by a joint board and prohibits certain persons from acting as a member of a joint board. The state senate concurred with house amendments in a roll call on 4/1/19 and has been sent to the governor’s desk to be signed into law.

**MT SB 315**
This bill, sponsored by Senator Scott Sales (R), revises laws on public defense representation by requiring a local government to provide counsel to a defendant charged solely with a violation of a local ordinance if the ordinance includes the possibility of incarceration upon conviction for the violation. It also prohibits the Office of the State Public Defender from providing assistance of counsel to a defendant charged with a violation of a local ordinance. The bill has been tabled in the House Committee Local as of 4/2/2019.

**VT HB 342**
This bill, sponsored by Representative Selene Colburn (Progressive) and Nader Hashim (D), proposes to require that public defender services be available to any person charged with a crime, not just to those persons charged with serious crimes. The bill passed the House and was referred to the Senate Committee on Rules on of 3/29/19.