



Wisconsin State Public Defender

315 N. Henry St. - 2nd Floor
PO Box 7923 Madison, WI 53707-7923
Office Number: 608-266-0087 / Fax Number: 608-267-0584
www.wisspd.org

Nicholas L. Chiarkas
State Public Defender

Kelli S. Thompson
Deputy State Public
Defender

**** PRESS RELEASE ****

FOR IMMEDIATE RELEASE
ISSUED: May 28, 2009
CONTACT: Randy Kraft (608) 267-3587

State Public Defender Chiarkas Applauds Joint Finance Action

SPD Eligibility Motion Addresses 22-Year Justice System Problem

(Madison) On Friday, May 22, 2009, the Wisconsin Joint Committee on Finance passed a motion to increase the State Public Defender (SPD) financial guidelines to model the guidelines of Wisconsin Works (W-2).

Wisconsin State Public Defender Nicholas Chiarkas, in reaction to the motion, stated:

“The action taken by the Joint Finance Committee speaks volumes about Wisconsin’s willingness to provide for our poorest citizens. In light of the fiscal challenges facing the state, I’m especially proud that we came together as a society to allocate a portion of our state’s finite resources to a group that has been disenfranchised. I also believe that this action will help energize a solution to disproportionate minority confinement because many minorities who are not currently receiving constitutionally required counsel will receive it under this updated standard. As we sadly know, Wisconsin has an abysmal record of disproportionate criminal justice contact with our minority population.

This action will also relieve Wisconsin counties that are currently appointing in these cases from this unfunded mandate. In fact the annualized cost of this initiative is less than what our counties are presently paying. And without this fix, the cost to counties would have continued to climb. So ultimately, it comes at a savings to our taxpayers. This is a true win-win.

Our agency has worked hard for this change for a number of years. We remained committed to the issue because we knew the difference it would make in the lives of our clients. As our current standards are based on outdated AFDC tables that have remained unchanged since 1987, this change was needed for some time.

On behalf of the agency, I wish to thank Wisconsin’s leaders who supported this much-needed fix. Wisconsin citizens should stand proud of this action, as it takes a giant step in moving the state back toward being a national leader in equal justice.”

The Joint Committee on Finance action represents a substantial modernization of the SPD’s current financial guidelines, which have remained stagnant since 1987. Currently, when a defendant has been charged with a crime and does not qualify for SPD representation yet is too poor to afford an attorney, Wisconsin counties are responsible for the cost of counsel. This motion provides that the SPD will be responsible for such cases. There will be no fiscal impact in the 2009-11 budget. The provision, which still requires approval of both legislative houses and of the Governor, was added to the 2009-11 Budget Bill and, if approved, will take effect on June 30, 2011.

###