

Amendments to Senate Bill No. 146  
1st Reading Copy

Requested by the Department of Justice  
and the ACLU

Jackie's  
"technical"  
amendments

For the Senate Judiciary Subcommittee on SB 146

Prepared by Valencia Lane  
(originally prepared by Jackie Lenmark)  
February 1, 2005 (2:39pm)

1. Page 2, line 29.

Following: "that"

Insert: "adequate"

2. Page 3, line 26.

Following: line 25

Insert: "(iv) for an applicant for sentence review pursuant to  
Title 46, chapter 18, part 9;"

Renumber: subsequent subsections

3. Page 6, line 24.

Following: line 23

Insert: "(e) practice standards;"

Renumber: subsequent subsections

4. Page 6, line 28.

Following: "to"

Strike: "hire"

Insert: "create"

Following: "staff"

Insert: "positions"

5. Page 7, line 3.

Following: "policies"

Insert: "and procedures"

6. Page 7, line 9.

Following: "must"

Insert: "cover the preceding biennium and"

7. Page 7, line 9 through line 10.

Following: "include" on line 9

Strike: remainder of line 9 through "type and" on line 10

Insert: "

(a) all policies or procedures in effect for the operation  
and administration of the statewide public defender system;

(b) all standards established or being considered by the  
commission or the chief public defender;

(OVER)

- (c) the number of deputy public defenders and the region supervised by each;
- (d) the number of public defenders employed or contracted in the system, identified by region;
- (e) the number of attorney and nonattorney staff supervised by each deputy public defender;
- (f) the number of new cases in which counsel was assigned to represent a party, identified by region, court, and case type;
- (g) the total number of persons represented by the office, identified by region, court, and case type;
- (h) the annual caseload and workload of each public defender, identified by region, court, and case type;
- (i) the training programs conducted by the office and the number of attorney and nonattorney staff who attended each program;
- (j) the continuing education on criminal defense or criminal procedure attended by each public defender employed or contracted in the system;
- (k) detailed expenditure data by court and case type; and
- (l) "

8. Page 7, line 22.

**Following:** "(3)"

**Strike:** "Subject to the commission's approval, the"

**Insert:** "The"

9. Page 9, line 3.

**Following:** "experience"

**Insert:** ", "

**Strike:** "and"

**Following:** "training"

**Insert:** ", and manageable caseloads"

10. Page 9, line 6.

**Following:** line 5

**Insert:** "(8) establish policies and procedures for assigning counsel in capital cases that are consistent with standards issued by the Montana supreme court for counsel for indigent persons in capital cases;"

**Renumber:** subsequent subsections

11. Page 9, line 6.

**Following:** "for"

**Insert:** "attorneys and"

12. Page 9, line 21 through line 22.

**Following:** "coordinator" on line 21

**Strike:** remainder of line 21 through "Montana" on line 22

13. Page 11, line 13.

**Following:** line 12

**Insert:** "(b) attorney qualifications necessary to provide effective assistance of counsel that meet the standards issued by the Montana supreme court for counsel for indigent persons in capital cases;"

**Renumber:** subsequent subsections

- END -

