



Legislation Details (With Text)

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**File created:**      **In control:** Budget and Fiscal Management Committee

**On agenda:** 11/4/2013      **Final action:** 11/4/2013

**Enactment date:** 11/14/2013      **Enactment #:** 17683

**Title:** AN ORDINANCE repealing a processing fee for defendants requesting counsel at public expense; amending Ordinance 10167, Section 1, as amended, and K.C.C. 2.60.054 and repealing Ordinance 17588, Section 9 and K.C.C. 4A.65.110.

**Sponsors:** Joe McDermott

**Indexes:** Fees, Public Defense

**Code sections:**

**Attachments:** 1. Ordinance 17683.pdf, 2. 2013-0429 checklist of criteria 25 Reg Note - 2014 DPD Indigence Screening Fee.doc, 3. 2013-0429 transmittal letter.pdf, 4. 2013-0429 24 Fiscal Note - 2014 DPD Indigence Screening Fee.xls, 5. 2013-0428-0429-0430-0431-0432 fee notice draft an edits.doc, 6. 2013-0429--affidavit of publication Seattle Times.pdf, 7. 2013-0429 DPD wagner FINAL.doc

Date	Ver.	Action By	Action	Result
11/4/2013	1	Metropolitan King County Council	Passed	
11/4/2013	1	Metropolitan King County Council	Hearing Held	
10/30/2013	1	Budget and Fiscal Management Committee	Recommended Do Pass Consent	Pass
10/29/2013	1	Budget and Fiscal Management Committee	Deferred	
10/23/2013	1	Budget and Fiscal Management Committee	Deferred	
10/22/2013	1	Budget and Fiscal Management Committee	Deferred	
9/30/2013	1	Metropolitan King County Council	Introduced and Referred	

Clerk 09/23/2013

AN ORDINANCE repealing a processing fee for defendants requesting counsel at public expense; amending Ordinance 10167, Section 1, as amended, and K.C.C. 2.60.054 and repealing Ordinance 17588, Section 9 and K.C.C. 4A.65.110.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 17588, Section 9, and K.C.C. 4A.65.010 are each hereby repealed.

SECTION 2. Ordinance 10167, Section 1, as amended, and K.C.C. 2.60.054 are each hereby amended to read as follows:

~~((A. A defendant requesting counsel at public expense shall pay a processing fee, as specified in K.C.C. 4A.645.010, as reimbursement to King County for the administrative costs and expenses incurred in the processing of the application. The processing fees is payable at the time the request for counsel is made to the department of public defense. Processing fees are not refundable, even if the defendant is determined to be not eligible for counsel at public expense. A defendant shall not be denied counsel because the defendant cannot pay the processing fee.~~

B.)) To be eligible to receive legal defense services through the public defense program at no cost, the person must be financially unable to obtain adequate representation without substantial hardship to the person and the person's family and there must be some factual likelihood that the person will be deprived of his or her liberty. If a person has some resources available that can be used to secure representation but not sufficient resources to pay the entire costs of private legal services without substantial hardship to the person and the person's family, the department of public defense shall determine how much the person shall pay for the legal defense services provided through the department of public defense.

10 days prior, official paper

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Public Hearing: 11/4/13