

An Act relating to the Oklahoma Indigent Defense System; amending 22 O.S. 1991, Section 1355, as last amended by Section 3, Chapter 301, O.S.L. 1996 (22 O.S. Supp. 2000, Section 1355), which relates to creation of the Indigent Defense System; modifying reference; amending 22 O.S. 1991, Section 1355.1, as last amended by Section 1, Chapter 201, O.S.L. 1998 (22 O.S. Supp. 2000, Section 1355.1), which relates to the Oklahoma Indigent Defense System Board; changing frequency of meetings; amending 22 O.S. 1991, Section 1355.2, as amended by Section 3, Chapter 303, O.S.L. 1992 (22 O.S. Supp. 2000, Section 1355.2), which relates to definitions; clarifying language; modifying reference; amending 22 O.S. 1991, Section 1355.3, as last amended by Section 2, Chapter 328, O.S.L. 1994 (22 O.S. Supp. 2000, Section 1355.3), which relates to powers and duties of the Board; requiring Board to appoint an Executive Director and set the salary; requiring adoption of salary schedules; modifying duties of the Board; providing for vacancy in office of Executive Director; amending 22 O.S. 1991, Section 1355.4, as last amended by Section 1, Chapter 197, O.S.L. 1999 (22 O.S. Supp. 2000, Section 1355.4), which relates to Executive Director; modifying qualifications; modifying powers and duties of the Executive Director; providing for contracts; directing the Executive Director to set certain salaries; modifying language; providing for certain lists to include certain experts available to provide services; requiring fee schedule be submitted; requiring approval for excess fee; deleting certain provisions for requesting expert services; providing procedure for expert services; construing effect of certain action; deleting language; requiring application for certain representation; providing penalty of perjury for false statement; providing procedure for applying for representation while under bond; setting nonrefundable application fee; allowing for deferred payment of application fee under certain circumstances; providing for deposit of fee to certain account; requiring the Court of Criminal Appeals to promulgate rules for indigency; directing Chief Judge to make initial determination of indigency; providing for review of indigency determination; requiring copy of certain application be sent to district attorney or Attorney General; allowing hearing of indigency upon request; establishing certain rebuttable facts; prohibiting certain representation without completed application; amending 22 O.S. 1991, Section 1355.6, as last amended by Section 2, Chapter 326, O.S.L. 1997 (22 O.S. Supp. 2000, Section 1355.6), which relates to responsibility of System to defendant; clarifying language; deleting certain language; excluding certain civil proceedings; allowing representation in certain other proceedings when related to original case; prohibiting civil rights cases; providing an exception; authorizing selection of attorney from certain list; requiring certain proof and qualification for certain attorneys; providing for payment for representation; authorizing representation for Constitutional or other purpose when required; amending 22 O.S. 1991, Section 1355.7, as last amended by Section 3, Chapter 326, O.S.L. 1997 (22 O.S. Supp. 2000, Section 1355.7), which relates to conflicts of interest; allowing the Executive Director to determine whether a conflict exists; modifying language; amending 22 O.S. 1991, Section 1355.8, as last amended by Section 2, Chapter 201, O.S.L. 1998 (22 O.S. Supp. 2000, Section 1355.8), which relates to selection of attorneys and contracts; authorizing the Board to award contracts in noncapital trial cases; authorizing renewal of contracts; allowing selection of private attorneys when no offers for contracts exist; requiring attorneys meet certain qualifications; allowing for representation by attorneys of the System in certain instance; providing procedure for fiscal year contract that is terminated; allowing replacement contracts; prohibiting renewal; including representation for defendants under the Youthful Offender Act; clarifying language; allowing the court

to appoint certain representation under certain instance; deleting pilot program in certain district; deleting language; amending 22 O.S. 1991, Section 1355.9, as amended by Section 9, Chapter 303, O.S.L. 1992 (22 O.S. Supp. 2000, Section 1355.9), which relates to main office and satellite offices; clarifying language; amending 22 O.S. 1991, Section 1355.13, as last amended by Section 3, Chapter 201, O.S.L. 1998 (22 O.S. Supp. 2000, Section 1355.13), which relates to death penalty cases; deleting language for details of compensation; requiring certain claim form to be filed as required by the System; amending Section 5, Chapter 229, O.S.L. 1994, as amended by Section 8, Chapter 301, O.S.L. 1996 (22 O.S. Supp. 2000, Section 1355.15), which relates to contempt citations and court costs; prohibiting the System from paying claims for contempt of court; amending 22 O.S. 1991, Section 1356, as last amended by Section 9, Chapter 301, O.S.L. 1996 (22 O.S. Supp. 2000, Section 1356), which relates to appeals and post-conviction; requiring representation in all appointed capital cases; providing for representation of appeals when defendant was not represented by county indigent defender; prohibiting the System from representing certain appeals when county indigent defender was used at trial; providing procedure for conflict of interest; limiting number of defendants to be represented by the System in conflict; deleting language; requiring judges to appoint the System in certain cases; amending 22 O.S. 1991, Section 1358, as last amended by Section 10, Chapter 301, O.S.L. 1996 (22 O.S. Supp. 2000, Section 1358), which relates to assignment of cases; deleting language relating to appeals; providing for reassignment of a case when conflict exists; allowing the Executive Director to determine whether conflict exists; providing procedure to appoint and reassign cases when conflict exists; amending 22 O.S. 1991, Section 1360, as last amended by Section 4, Chapter 201, O.S.L. 1998 (22 O.S. Supp. 2000, Section 1360), which relates to post-conviction; requiring the System to represent indigents on post-conviction proceedings in capital cases; prohibiting System representation in noncapital cases; providing certain exception for related cases; deleting language relating to issues and merits to be raised; amending 22 O.S. 1991, Section 1363, as last amended by Section 5, Chapter 326, O.S.L. 1997 (22 O.S. Supp. 2000, Section 1363), which relates to filing jurisdictional documents; including filings required in the Court of Criminal Appeals; amending 22 O.S. 1991, Section 1365, which relates to costs and fees; requiring payment of certain costs and fees by System; amending Section 4, Chapter 381, O.S.L. 1998 (22 O.S. Supp. 2000, Section 1370), which relates to the Alfred P. Murrah Federal Building Revolving Fund; abolishing fund on certain date; transferring funds and obligations to certain fund; repealing Section 4, Chapter 381, O.S.L. 1998 (22 O.S. Supp. 2000, Section 1370), which relates to the Alfred P. Murrah Federal Building Revolving Fund; providing for codification; providing effective dates; and declaring an emergency.