

CHAPTER 80

COURTS

SENATE BILL 07-108

BY SENATOR(S) Taylor, Isgar, Spence, and Takis;
also REPRESENTATIVE(S) Marshall, Butcher, Kerr J., Mitchell V., Carroll M., and Carroll T.

AN ACT**CONCERNING THE ALTERNATE DEFENSE COUNSEL COMMISSION.**

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. 21-2-101 (2), Colorado Revised Statutes, is amended, and the said 21-2-101 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

21-2-101. Alternate defense counsel - policy - commission. (2) The Colorado supreme court shall appoint a nine-member alternate defense counsel commission, referred to in this article as the "commission". No more than five members of the commission shall be from the same political party. Six members of the commission shall be attorneys admitted to practice law in this state who ~~are engaged~~ HAVE EXPERIENCE in the practice of criminal defense, and three members of the commission shall be citizens of Colorado not admitted to practice law in this state. There shall be one member from each of the congressional districts in the state. Members of the commission shall serve for terms of four years; except that, of the members first appointed, five shall serve for terms of two years. Vacancies on the commission shall be filled by the supreme court for the remainder of any unexpired term. In making appointments to the commission, the supreme court shall consider place of residence, sex, race, and ethnic background. No member of the commission shall be at any time a judge, prosecutor, public defender, or employee of a law enforcement agency. The supreme court shall establish procedures for the operation of the commission.

(3.5) NO LATER THAN SEPTEMBER 30, 2007, THE COMMISSION SHALL ADOPT WRITTEN PROCEDURES GOVERNING THE OFFICE OF THE ALTERNATE DEFENSE COUNSEL, INCLUDING BUT NOT LIMITED TO THE HIRING, EVALUATION, AND

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

TERMINATION OF THE ALTERNATE DEFENSE COUNSEL; THE RESOLUTION OF CONTRACTUAL DISPUTES INVOLVING THE OFFICE OF THE ALTERNATE DEFENSE COUNSEL; AND THE PROCESSING AND RESOLUTION OF COMPLAINTS INVOLVING THE OFFICE OF THE ALTERNATE DEFENSE COUNSEL.

SECTION 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: April 2, 2007