

CHAPTER 1040

STATE PUBLIC DEFENDER PILOT PROJECT — CHILD WELFARE LEGAL REPRESENTATION

S.F. 2182

AN ACT relating to the state public defender pilot project and legal representation in child welfare cases.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. NEW SECTION. **13B.13 State public defender pilot project — child welfare legal representation.**

Notwithstanding any other provision of the law to the contrary, for each fiscal year for the period beginning July 1, 2020, and ending June 30, 2024, the state public defender may establish a pilot project to implement innovative models of legal representation in order to assist families involved in the child welfare system. The state public defender shall have sole discretion to establish and implement the pilot project. The state public defender may implement the new pilot project in up to six counties throughout the state. The purpose of the pilot project is to implement and study innovative ways, through a team approach or through other methods, to achieve positive outcomes for families, reduce trauma to young children, and deliver financial benefits to families and their communities. The state public defender may coordinate with other agencies and organizations to implement the pilot project, seek grant funding, and measure the results. The state public defender may appoint an attorney to represent an indigent person prior to initiation of formal proceedings, without court order, if such representation is deemed appropriate by the state public defender and relates to the purposes of the pilot project.

Sec. 2. [Section 815.11](#), Code 2020, is amended to read as follows:

815.11 Appropriations for indigent defense — fund created.

Costs incurred for legal representation by a court-appointed attorney under [chapter 229A](#), [665](#), [822](#), or [908](#), or [section 232.141, subsection 3](#), paragraph “d”, or [section 598.23A](#), [600A.6B](#), [814.9](#), [814.10](#), [814.11](#), [815.4](#), [815.7](#), or [815.10](#) on behalf of an indigent shall be paid from moneys appropriated by the general assembly to the office of the state public defender in the department of inspections and appeals and deposited in an account to be known as the indigent defense fund. Costs incurred representing an indigent defendant in a contempt action, or representing an indigent juvenile in a juvenile court proceeding, or representing a person pursuant to [section 13B.13](#) are also payable from the fund. However, costs incurred in any administrative proceeding or in any other proceeding under [this chapter](#) or [chapter 598](#), [600](#), [600A](#), [633](#), [633A](#), [814](#), or [915](#) or other provisions of the Code or administrative rules are not payable from the fund.

Approved June 17, 2020