

House Study Bill 1

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
JUDICIARY BILL BY
CHAIRPERSON SWAIM)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the hourly reimbursement rate of attorneys
2 representing indigent persons.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 1324HC 82
5 jm/gg/14

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1 1 Section 1. Section 815.7, Code 2007, is amended to read as
1 2 follows:

1 3 815.7 FEES TO ATTORNEYS.

1 4 1. An attorney who has not entered into a contract
1 5 authorized under section 13B.4 and who is appointed by the
1 6 court to represent any person pursuant to section 814.11 or
1 7 815.10 shall be entitled to reasonable compensation and
1 8 expenses.

1 9 2. For appointments made on or after July 1, 1999, through
1 10 June 30, 2006, the reasonable compensation shall be calculated
1 11 on the basis of sixty dollars per hour for class "A" felonies,
1 12 fifty-five dollars per hour for class "B" felonies, and fifty
1 13 dollars per hour for all other cases.

1 14 3. For appointments made on or after July 1, 2006, through
1 15 June 30, 2007, the reasonable compensation shall be calculated
1 16 on the basis of sixty-five dollars per hour for class "A"
1 17 felonies, sixty dollars per hour for all other felonies, sixty
1 18 dollars per hour for misdemeanors, and fifty-five dollars per
1 19 hour for all other cases.

1 20 4. For appointments made on or after July 1, 2007, the
1 21 reasonable compensation shall be calculated on the basis of
1 22 seventy dollars per hour for class "A" felonies, sixty-five
1 23 dollars per hour for class "B" felonies, and sixty dollars per
1 24 hour for all other cases.

1 25 5. The expenses shall include any sums as are necessary
1 26 for investigations in the interest of justice, and the cost of
1 27 obtaining the transcript of the trial record and briefs if an
1 28 appeal is filed. The attorney need not follow the case into
1 29 another county or into the appellate court unless so directed
1 30 by the court. If the attorney follows the case into another
1 31 county or into the appellate court, the attorney shall be
1 32 entitled to compensation as provided in this section. Only
1 33 one attorney fee shall be so awarded in any one case except
1 34 that in class "A" felony cases, two may be authorized.

1 35 EXPLANATION

2 1 This bill relates to the hourly reimbursement rate for an
2 2 attorney representing indigent persons.

2 3 The bill raises the hourly rate from \$65 to \$70 for class
2 4 "A" felonies, \$60 to \$65 for class "B" felonies, and maintains
2 5 the hourly rate for all other felonies and misdemeanors at
2 6 \$60. The bill also raises the hourly rate for all other cases
2 7 requiring attorney representation from \$55 to \$60.

2 8 LSB 1324HC 82

2 9 jm:rj/gg/14