

House Study Bill 565 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED STATE PUBLIC
DEFENDER BILL)

A BILL FOR

1 An Act relating to the appointment of counsel by the court for an
2 indigent person, and including effective date provisions.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

1 Section 1. Section 815.10, subsection 3, Code 2026, is
2 amended to read as follows:

3 3. If the court determines that no contract attorney is
4 available to represent the person, the court ~~may~~ shall appoint
5 a noncontract attorney. The order of appointment shall include a
6 specific finding that no contract attorney was available.

7 Sec. 2. EFFECTIVE DATE. This Act, being deemed of immediate
8 importance, takes effect upon enactment.

9 EXPLANATION

10 The inclusion of this explanation does not constitute agreement with
11 the explanation's substance by the members of the general assembly.

12 This bill relates to the appointment of counsel by the court
13 for an indigent person.

14 Current law provides that if no contract attorney is available
15 for appointment by the court, the court may appoint a noncontract
16 attorney.

17 The bill provides that if the court determines that no
18 contract attorney is available to represent the person, the court
19 is required to appoint a noncontract attorney.

20 The bill takes effect upon enactment.