

**13B.2A Indigent defense advisory commission.**

1. An indigent defense advisory commission is established within the department to advise and make recommendations to the legislature and the state public defender regarding the hourly rates paid to court-appointed counsel and per case fee limitations. These recommendations shall be consistent with the constitutional requirement to provide effective assistance of counsel to those indigent persons for whom the state is required to provide counsel.

2. The advisory commission shall consist of seven members. The governor shall appoint three members, including one member from nominations by the Iowa state bar association and one member from nominations by the supreme court. Four members, two from each chamber of the general assembly, shall be appointed, with no more than one appointed from the same political party from each chamber. The majority leader of the senate, the minority leader of the senate, the speaker of the house of representatives, and the minority leader of the house of representatives shall each appoint one legislative member. Each member shall serve a three-year term, with initial terms to be staggered, except that legislative members shall serve for terms as provided in [section 69.16B](#). No more than three members shall be licensed to practice law in Iowa. The state public defender shall serve as an ex officio member of the commission and shall serve as the nonvoting chair of the commission.

3. The members of the commission are entitled to receive reimbursement for actual expenses incurred as provided for in [section 7E.6, subsection 2](#), while engaged in the performance of the duties of the commission. A legislative member is eligible for per diem and expenses as provided in [section 2.10](#).

4. The advisory commission shall file a written report every three years with the governor and the general assembly by January 1 of a year in which a report is due regarding the recommendations and activities of the commission. The first such report shall be due on January 1, 2003.

99 Acts, ch 135, §2; 2008 Acts, ch 1156, §15, 58