

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003

A Bill

HOUSE BILL 1551

4
5 By: Representatives Jeffrey, Ledbetter
6
7

For An Act To Be Entitled

8
9 AN ACT CONCERNING THE SELECTION AND
10 QUALIFICATIONS OF PUBLIC DEFENDERS; AND FOR OTHER
11 PURPOSES.
12

Subtitle

13
14 AN ACT CONCERNING THE SELECTION AND
15 QUALIFICATIONS OF PUBLIC DEFENDERS.
16
17

18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
19

20 SECTION 1. Arkansas Code § 16-87-303 is amended to read as follows:

21 16-87-303. Selection and qualifications of public defenders.

22 (a) Each person selected as a public defender shall be:

23 (1) Licensed to practice law in the State of Arkansas; and

24 (2) ~~Experienced~~ Qualified in the defense of criminal cases.

25 (b)(1) Any person interested in being considered for appointment as a
26 chief public defender in a judicial district shall submit his or her name to
27 the Arkansas Public Defender Commission.

28 (2)(A) The commission shall evaluate and submit up to three (3)
29 names to the judges within the judicial district.

30 (B) By majority vote, the judges will select one of the
31 candidates whose name was submitted by the commission as the chief public
32 defender.

33 (C) If one of the candidates submitted does not receive a
34 majority vote from the judges, then the commission shall select the chief
35 public defender.

36 (c)(1) The chief public defender in each judicial district shall be



1 appointed for a term of two (2) years and shall be removed by the commission
2 before the expiration of his or her term only for just cause.

3 (2) Just cause for removal shall consist of permanent physical
4 or mental disability seriously interfering with the performance of duties,
5 willful misconduct in office, willful and persistent failure to perform
6 public defender duties, habitual intemperance, or conduct prejudicial to the
7 administration of justice.

8 (d) The chief public defender shall be eligible for reappointment.

9 (e) Vacancies in the office of chief public defender shall be filled
10 in the same manner as the initial appointment.

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36