

# Clearinghouse Rule 96-161

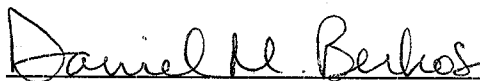
## STATE OF WISCONSIN

### OFFICE OF THE STATE PUBLIC DEFENDER

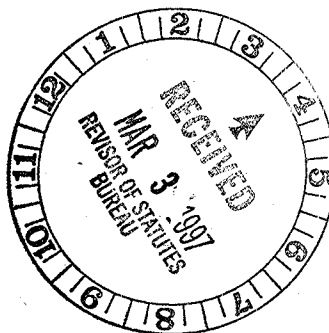
I, Daniel M. Berkos, Chair of the State Public Defender Board and custodian of the official records, certify that the annexed rule related to partial indigency was duly approved and adopted by this board on September 20, 1996.

I certify that this copy has been compared by me with the original on file in this Office and that the same is a true copy thereof, and of the whole of the original.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name in the City of Madison, State of Wisconsin, this 3rd day of March 1997.



DANIEL M. BERKOS, Chair  
State Public Defender Board



96-161

5-1-97

**PROPOSED ORDER OF THE STATE PUBLIC DEFENDER  
CREATING A RULE**

The Wisconsin state public defender board proposes an order to repeal PD 3.04, relating to partial indigency.

**Analysis By Agency:**

The proposed repeal of PD 3.04 eliminates references to previous law and SPD practice regarding clients determined to be partially indigent. Previously, the SPD sought reimbursement only from clients determined to be partially indigent. Presently, the SPD assesses reimbursement fees pursuant to section 977.075, Stats., and chapter PD 6, Wis. Adm. Code. The SPD assesses fees for clients who have the ability to pay some amount toward the costs of representation, regardless of whether the clients meet the definition of partially indigent.

Statutory authority: ss. 977.02 (3), (4) and (4m), Stats.

Statutes interpreted: ss. 977.06, 977.07 and 977.075, Stats.

**Section 1.**

PD 3.04 is repealed.

This rule shall take effect on the first day of the month commencing after the date of publication in the Wisconsin administrative register, pursuant to s. 227.22 (2) (intro.), Stats.

Dated: 3/3/97

Wisconsin State Public Defender Board

By: Daniel M. Berkos  
DANIEL M. BERKOS, Chair

