

LLS NO. 14-0213 AMENDMENT # 16  
INTERIM COMMITTEE AMENDMENT  
Committee on Juvenile Defense Attorney  
BY REPRESENTATIVE Levy  
LLS No. 14-0213 be amended as follows:

- 1 Amend LLS No. 14-0213, page 7, line 18, strike "BEFORE THE DETENTION  
2 HEARING, THE" and substitute "THE".
- 3 Page 7, line 19, after "SHALL" insert "PROMPTLY".
- 4 Page 7, line 22, after "SHALL" insert "PROMPTLY".
- 5 Page 9, line 7, strike "~~after the~~" and substitute "after the" and after  
6 "~~petition~~" insert "DETENTION HEARING OR AT THE FIRST APPEARANCE IF  
7 THE JUVENILE APPEARS ON A SUMMONS,".
- 8 Page 9, line 22, strike "counsel" and substitute "~~counsel~~ THE OFFICE OF  
9 THE STATE PUBLIC DEFENDER OR, IN THE CASE OF A CONFLICT, THE OFFICE  
10 OF THE ALTERNATE DEFENSE COUNSEL".
- 11 Page 10, strike lines 5 through 7 and substitute:  
12 "~~the court finds there was good cause for such refusal~~".
- 13 Page 10, strike lines 11 and 12 and substitute:  
14 "DETERMINED BY THE COURT NOT TO FALL WITHIN THE FISCAL STANDARDS  
15 OR GUIDELINES AS ESTABLISHED BY THE SUPREME COURT FOR THE  
16 APPOINTMENT OF PUBLIC DEFENDERS, THEN THE COURT WILL ORDER".
- 17 Page 10, line 13, strike "COURT" and substitute "STATE".
- 18 Page 10, line 14, strike "COUNSEL." and substitute "REPRESENTATION  
19 UNLESS THE COURT, FOR GOOD CAUSE, WAIVES THE REIMBURSEMENT  
20 REQUIREMENT.".
- 21 Page 10, line 16 and 17, strike "A DISPOSITION IS REACHED;" and substitute  
22 "COUNSEL IS APPOINTED;".
- 23 Page 10, line 18, strike "DETERMINED BY THE COURT" and substitute "SET  
24 BY THE SUPREME COURT".
- 25 Page 10, line 20, strike "COUNSEL." and substitute "COUNSEL AND  
26 INCLUDED IN THE CHIEF JUSTICE DIRECTIVE CONCERNING THE



1 APPOINTMENT OF STATE-FUNDED COUNSEL IN CRIMINAL AND JUVENILE  
2 DELINQUENCY CASES."

3 Page 10, strike lines 22 and 23 and substitute:  
4 "TO THE CONTRARY, THE COURT SHALL NOT ORDER A LEGAL CUSTODIAN  
5 OF A".

6 Page 10, strike line 27.

7 Page 11, strike lines 1 through 6.

8 Page 11, strike line 13 and substitute:  
9 "(I) THE JUVENILE IS OF A SUFFICIENT MATURITY LEVEL TO MAKE  
10 A VOLUNTARY, KNOWING, AND INTELLIGENT WAIVER OF THE RIGHT TO  
11 COUNSEL;"

12 Page 11, line 14, strike "HAS CONSULTED WITH COUNSEL AND".

13 Page 12, line 15, strike "OR".

14 Page 12, line 17, strike "OR".

15 Page 12, strike line 19 and substitute:  
16 "19-2-516 (4), OR AS A MANDATORY SENTENCE OFFENDER, AS DESCRIBED  
17 IN SECTION 19-2-908 (1) (a);

18 (E) IF THE PROSECUTING ATTORNEY HAS ANNOUNCED THAT HE OR  
19 SHE IS SEEKING DIRECT FILE PROCEEDINGS PURSUANT TO SECTION 19-2-  
20 518; OR

21 (F) IF THE PROSECUTING ATTORNEY HAS ANNOUNCED THAT HE OR  
22 SHE IS SEEKING A TRANSFER PROCEEDING PURSUANT TO SECTION 19-2-518.

23 Page 13 strike lines 18 through 27 and substitute:  
24 **21-1-103. Representation of indigent persons (5)** NOTHING IN  
25 THIS SECTION MAY BE CONSTRUED TO PREVENT THE PUBLIC DEFENDER,  
26 BEFORE DETERMINING INDIGENCY, FROM PROVIDING LIMITED  
27 REPRESENTATION TO JUVENILES IN DETENTION HEARINGS OR ADULT  
28 DEFENDANTS IN CUSTODY WHO CANNOT POST OR ARE NOT ALLOWED  
29 BOND".

30 Page 14, strike lines 1 through 4.

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