



LAWS OF ALASKA

1974

Source

HB 777 am S

Chapter No.

16

AN ACT

Relating to indigent defendants.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

* Section 1. AS 18.85.100(b) is amended to read:

(b) The attorney services and facilities and the court costs shall be provided at public expense to the extent that the person, at the time the court determines indigency, is unable to provide for payment without undue hardship.

* Sec. 2. AS 18.85.120(d) is amended to read:

(d) As a condition of receiving services under this chapter, a person shall affirm his indigency under oath to the court and execute a general waiver authorizing the release to the court of income information regarding any income source the person has had for a period of three years immediately preceding his first court appearance in connection with each cause. At the conclusion of all services by the public defender to the person, the court shall upon request release to the attorney general all information received under this subsection except information that might incriminate or tend to incriminate the person.

* Sec. 3. AS 18.85.130(a) is amended to read:

(a) For cause, the court may, on its own motion or upon the application of the public defender, appoint an attorney other than the public defender to represent the indigent person at any stage of the proceedings or on appeal. The attorney shall be awarded reasonable compensation according to a schedule of fees promulgated by the supreme court and reimbursement for expenses necessarily incurred. This shall be paid by the court system.

Chapter 16

* Sec. 4. AS 18.85.150(a) is amended to read:

(a) A person who has received assistance under this chapter shall pay the state for the assistance if he was not entitled to it at the time indigency was determined.

* Sec. 5. AS 18.85.150(c) is repealed.