

CHAPTER 114
SB 14 – FINAL VERSION

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2015 SESSION

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SENATE BILL **14**

AN ACT making technical corrections to the laws relative to the judicial council and repealing a limitation on compensation of counsel for indigent defendants.

SPONSORS: Sen. Carson, Dist 14; Sen. Lasky, Dist 13; Sen. Cataldo, Dist 6; Rep. Rowe, Hills 22; Rep. M. Smith, Straf 6

COMMITTEE: Judiciary

ANALYSIS

This bill makes technical corrections to the laws relative to the judicial council. The bill also repeals a limitation on compensation for counsel for indigent defendants.

This bill was requested by the judicial council.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears [~~in brackets and struck through~~].
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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1 house judiciary [~~and family law~~] committee shall be for 3 years and until a successor is appointed
2 and qualified. Vacancies shall be filled for the remainder of the term in the same manner and from
3 the same group as the original appointment. Each member of the judicial branch administrative
4 council, the attorney general, the president-elect of the New Hampshire Bar Association, and the
5 chairpersons of the senate judiciary and house judiciary [~~and family law~~] committees shall be ex
6 officio members and shall serve during their term of office.

7 114:3 Duties of the Council. Amend RSA 494:3, IV-VI to read as follows:

8 494:3 Duties of the Council. It shall be the duty of the judicial council:

9 IV. To recommend and provide general information to the general court, to the supreme
10 court, to the superior court, to the [~~probate~~] *circuit* court[~~, and to the district and municipal courts~~],
11 to any public official, department or agency or to the state bar association, either upon request or
12 upon the council's own motion, such changes in the law or in the rules, organization, operation or
13 methods of conducting the business of the courts, or with respect to any other matter pertaining to
14 the administration of justice, as it may deem desirable.

15 V. [~~To collect, compile, analyze and publish statistics pertaining to the judicial system as~~
16 ~~prepared and provided by the administrative office of the courts.~~

17 ~~VI.] To serve as a catalyst for the discussion of legal and judicial issues through seminars,~~
18 forums and special studies, and any other means, within the limits of available state and private
19 funding.

20 **VI. To administer the indigent defense delivery system and ensure its quality and**
21 **cost effectiveness, pursuant to RSA 604-A and RSA 604-B.**

22 **VII. To provide legal and guardian-ad-litem services in child protection cases,**
23 **pursuant to RSA 169-C:10, RSA 604-A, and RSA 170-C:13.**

24 **VIII. To provide legal services for indigent proposed wards in guardianship**
25 **proceedings brought under RSA 463 and RSA 464-A.**

26 114:4 Organization of Council; Expenses. Amend RSA 494:7 to read as follows:

27 494:7 Organization of Council; Expenses. The council shall elect a chairperson and a vice
28 chairperson from among its members. **The council shall appoint an executive director who**
29 **shall be qualified by reason of education and experience and who shall serve at the**
30 **pleasure of the council. The executive director's annual salary shall be that prescribed by**
31 **RSA 94:1-a.** The executive director shall serve as a secretary when the council is meeting. The
32 council may make all necessary rules and regulations for its own procedures and the conduct of its
33 meetings. The meetings of the council shall be held in compliance with the provisions of RSA 91-A,
34 the right-to-know law. Members of the council shall receive no compensation for their services, but
35 shall be allowed their actual expenses while attending to the business of the council, and the council
36 shall be allowed its expenses to be paid out of any funds appropriated for that purpose.

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1 114:5 Repeal. RSA 604-A:5, relative to compensation limited, is repealed.

2 114:6 Effective Date. This act shall take effect 60 days after its passage.

3

4 Approved: June 8, 2015

5 Effective Date: August 7, 2015