

CHAPTER 481. INDIGENT DEFENSE**Subchapter A. Indigent Defense Advisory Committee
Preliminary Standards for Delivery of Effective
Indigent Defense Services**

Sec.

481.21. Standard 1: Funding, structure and oversight.

481.22. Standard 2: Essential components of effective representation.

Source

The provisions of this Chapter 481 added May 29, 2024, effective immediately, 54 Pa.B. 3151.

§ 481.21. Standard 1: Funding, structure and oversight.

Where county case volume allows, indigent defense should be a mixed system: primarily dedicated public defender offices, augmented by additional court appointed/conflict counsel to handle overflow and conflict of interest cases. The compensation for lawyers working for public defender offices should be appropriate for and comparable to other publicly funded lawyers. Court appointed/conflict counsel should be paid a reasonable fee, in a timely manner, that reflects the cost of overhead and other office expenses, as well as payment for work. Investigators, social workers, experts and other staff and service providers necessary to indigent defense for all indigent defense providers should also be compensated in a manner consistent with this principle.

§ 481.22. Standard 2: Essential components of effective representation.

Indigent defense providers should adopt a client-centered approach to representation based around a client's needs and working with them to achieve their goals. Indigent defense providers should have the assistance of investigators, social workers, mitigation specialists, experts and other specialized professionals necessary to meet indigent defense needs. Funding for such services should be provided to and controlled by indigent defense providers. Indigent defense providers should address collateral issues that are relevant to their clients' cases. Indigent defense providers can offer direct assistance with such issues or establish collaborations with, or provide referrals to civil legal services organizations, social services providers and other lawyers and non-lawyer professionals.

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