

## ASSEMBLY THIRD READING

AB 625 (Arambula)

As Amended May 24, 2021

Majority vote

**SUMMARY**

Directs the State Public Defender, in consultation with the California Public Defenders Association and other subject matter experts, and subject to an appropriation of funds in the annual Budget Act, to undertake a study to assess appropriate workloads for public defenders and indigent defense attorneys and to submit a report with their findings and recommendations to the Legislature no later than January 1, 2024.

**Major Provisions****COMMENTS****According to the Author**

According to the author, "Despite the U.S. [United States] and California Constitutions guaranteeing the right to counsel, in many places economically disadvantaged defendants are not represented or are underrepresented. Indigent defendants are often forced to wait in jail for long periods of time before their sentencing. Public defenders or assigned counsel are too often forced to oversee countless numbers of cases at once, giving short shrift to investigation, case preparation, and legal research. They often meet their clients for the first time minutes before critical proceedings. Moreover, prosecutors are frequently equipped with greater resources and larger staffs than that of public defenders. Access to an attorney means little if they lack the time, resources, or skills to be an effective advocate. The absence of strong, well-resourced indigent defense systems offends the U.S. and California Constitutions, leads to deeply unfair results, and contributes to our overburdened jail and prison systems. AB 625 will improve California's indigent defense systems to ensure quality representation for all defendants, regardless of income or social status."

**Arguments in Support**

According to the *California Attorneys for Criminal Justice*, "AB 625 would direct the State Public Defender to study the indigent defendant caseloads of public defenders and defense attorney. The caseloads of public defenders and indigent defense attorneys are notoriously large. Attorneys handling caseloads of upwards of 100 cases at a time is not unheard of, prosecutors get all of the resources, putting public defenders in a position to do more with less. Public defenders must work day and night to protect the constitutional rights of the accused and deserve sufficient resources. CACJ believes that the responsibility and the work that a public defender does deserves full and adequate funding.

"AB 625 will further shed light on these issues by requiring to undertake a study to determine the appropriate ratio of public defenders and indigent defense attorneys to misdemeanor and felony indigent defendants. This study will hopefully lead to greater resources being devoted by the state to indigent defense."

**Arguments in Opposition**

None.

**FISCAL COMMENTS**

According to the Assembly Appropriations Committee, one-time cost pressure (General Fund) possibly in the upper hundreds of thousands of dollars for the Office of the State Public Defender in additional staff and resources to gather and analyze data regarding the appropriate ratio of attorneys to indigent clients and to submit a report to the Legislature..

**VOTES****ASM PUBLIC SAFETY: 8-0-0**

**YES:** Jones-Sawyer, Lackey, Bauer-Kahan, Quirk, Santiago, Seyarto, Wicks, Lee

**ASM APPROPRIATIONS: 16-0-0**

**YES:** Lorena Gonzalez, Bigelow, Calderon, Carrillo, Chau, Megan Dahle, Davies, Fong, Gabriel, Eduardo Garcia, Levine, Quirk, Robert Rivas, Akilah Weber, Holden, Luz Rivas

**UPDATED**

VERSION: May 24, 2021

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