

# HOUSE . . . . . No. 943

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## The Commonwealth of Massachusetts

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PRESENTED BY:

***David M. Rogers***

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*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to fees for indigent defendants.

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PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>David M. Rogers</i>	<i>24th Middlesex</i>	<i>1/18/2017</i>
<i>John W. Scibak</i>	<i>2nd Hampshire</i>	
<i>Denise Provost</i>	<i>27th Middlesex</i>	
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	
<i>Ruth B. Balser</i>	<i>12th Middlesex</i>	
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	
<i>Mike Connolly</i>	<i>26th Middlesex</i>	
<i>Dylan Fernandes</i>	<i>Barnstable, Dukes and Nantucket</i>	
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>	
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>	
<i>Paul Brodeur</i>	<i>32nd Middlesex</i>	

# HOUSE . . . . . No. 943

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By Mr. Rogers of Cambridge, a petition (accompanied by bill, House, No. 943) of David M. Rogers and others relative to fees for indigent defendants and the verification of indigency. The Judiciary.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 3448 OF 2015-2016.]

## The Commonwealth of Massachusetts

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In the One Hundred and Ninetieth General Court  
(2017-2018)  
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An Act relative to fees for indigent defendants.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           SECTION 1. Section 2 of chapter 211D of the General Laws, as appearing in the 2012  
2   Official Edition, is hereby amended by striking out the first sentence and inserting in place  
3   thereof the following sentence:- The committee for public counsel services shall establish a  
4   definition of “indigency” for the purposes of this chapter and uniform standards and procedures  
5   for the determination by the courts of the commonwealth that a person is indigent and is unable  
6   to obtain counsel.

7           SECTION 2. Section 2A of said chapter 211D, as so appearing, is hereby amended by  
8   striking out subsections (f), (g), (h) and (i) and inserting in place thereof the following  
9   subsection:-

(f) The office of the commissioner of probation shall submit quarterly reports to the house and senate committees on ways and means that shall include, but not be limited to: (1) the number of individuals claiming indigency who are determined to be indigent; (2) the number of individuals claiming indigency who are determined not to be indigent; (3) the number of individuals found to have misrepresented wage, tax or asset information; (4) the number of individuals found to no longer qualify for appointment of counsel upon any re-assessment of indigency required by this section; (5) the total number of times an indigent misrepresentation fee was collected and the aggregate amount of indigent misrepresentation fees collected; and (6) other pertinent information to ascertain the effectiveness of indigency verification procedures. The information within such reports shall be delineated by court division, and delineated further by month.