

Senate Resolution 954

By: Senators Hamrick of the 30th and Smith of the 52nd

**ADOPTED SENATE**

**A RESOLUTION**

1 Ratifying the initial minimum standard promulgated by the Georgia Public Defender  
2 Standards Council, hereinafter referred to as the "Standards Council," entitled "State of  
3 Georgia Performance Standards for Criminal Defense Representation in Indigent Criminal  
4 Cases," hereinafter referred to as the "Performance Standard"; to provide for an effective  
5 date; and for other purposes.

6 WHEREAS, Code Section 17-12-8 of the O.C.G.A. provides that the initial minimum  
7 standards promulgated by the Standards Council which are determined by the General  
8 Oversight Committee for the Georgia Public Defender Standards Council, hereinafter  
9 referred to as the "Legislative Oversight Committee," to have a fiscal impact shall be  
10 submitted by the Standards Council to the General Assembly and shall become effective only  
11 when ratified by joint resolution of the General Assembly and upon the approval of the  
12 resolution by the Governor or upon its becoming law without such approval; and

13 WHEREAS, the Standards Council adopted the Performance Standard on May 21, 2004; and

14 WHEREAS, the Legislative Oversight Committee at its meeting on March 23, 2005,  
15 reviewed and determined that the Performance Standard has a fiscal impact; and

16 WHEREAS, a copy of the original document containing the Performance Standard is  
17 attached to and made a part of this resolution; and

18 WHEREAS, the original document containing the Performance Standard is signed by the  
19 chairperson of the Standards Council and is on file in the official records maintained by the  
20 Standards Council; and

21 WHEREAS, the request for legislative ratification of the Performance Standard has been  
22 submitted to the General Assembly in accordance with subsection (c) of Code Section

1 17-12-8 of the O.C.G.A. and it is the desire of the General Assembly to ratify and approve  
2 such standard.

3 NOW, THEREFORE, BE IT RESOLVED BY THE GENERAL ASSEMBLY OF  
4 GEORGIA that the General Assembly hereby ratifies and approves the Performance  
5 Standard adopted by the Standards Council and approved by the Legislative Oversight  
6 Committee on March 23, 2005. A copy of the Performance Standard has been presented to  
7 the Legislative Oversight Committee and is attached to this resolution, and the original  
8 document is on file in the official records maintained by the Standards Council.

9 BE IT FURTHER RESOLVED that this resolution shall become effective upon its approval  
10 by the Governor or upon its becoming law without the Governor's approval.