



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-1263/1
EAW:wlj

2017 ASSEMBLY BILL 116

March 2, 2017 - Introduced by JOINT LEGISLATIVE COUNCIL. Referred to Committee on State Affairs.

AUTHORS SUBJECT TO CHANGE

- 1 **AN ACT to create** 15.107 (19) and 16.316 of the statutes; **relating to:** the creation
2 of the Interagency Legal Aid Coordinating Council.

Analysis by the Legislative Reference Bureau

This bill is explained in the NOTES provided by the Joint Legislative Council in the bill.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This bill was prepared for the Joint Legislative Council's Study Committee on Access to Civil Legal Services. The bill creates an Interagency Legal Aid Coordinating Council (council) in the Department of Administration for the purpose of facilitating discussion about how access to civil legal services may fit in to, serve, or further the missions, responsibilities, and goals of the agencies.

Membership

The council consists of the following ten members:

1. The Secretaries of the Departments of Administration, Children and Families, Health Services, and Workforce Development, or their designees.
2. The Attorney General, or his or her designee.
3. The executive director of Wisconsin Judicare, Inc.
4. The executive director of Legal Action of Wisconsin, Inc.

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5. One member who is also a member of the Wisconsin Access to Justice Commission, appointed by the Governor for a three-year term.

6. Two members who represent the public interest, appointed by the Governor for three-year terms.

All initial members of the council must be appointed or designated no later than 90 days after the effective date of the bill. The initial member who must also be a member of the Wisconsin Access to Justice Commission must be appointed to a term ending on July 1, 2020. One initial member who represents the public interest must be appointed to a term ending July 1, 2021, and one initial member who represents the public interest must be appointed to a term ending on July 1, 2022.

Powers, Duties, and Operations

Under current law, councils must meet at least annually and at the call of the head of the department in which it is created. Councils may meet at other times at the call of the chairperson or at the call of a majority of its members. At its initial meeting each year, the council must elect a chairperson, vice-chairperson, and secretary from among its members. A council must have a quorum, consisting of a majority of the membership, in order to conduct business.

Under the bill, the council must also do the following:

1. On an ongoing basis, evaluate the following: (1) how providing low-income, indigent, vulnerable, and at-risk populations with access to civil legal services may fit in to, serve or further the missions, responsibilities, and goals of the agencies; and (2) the use or potential use of federal grant money received by the agencies that may be used for the purposes of facilitating access to civil legal services for such populations.

2. Annually prepare a report that summarizes the evaluations discussed above. The report must include the amount of money spent, if any, by the agencies to facilitate access to civil legal service and must include any recommendations for policy alternatives that would facilitate access to civil legal services. The report must be submitted to the Governor, the Wisconsin Supreme Court, and the appropriate standing committees of the Legislature.

3. By January 1, 2020, the council must prepare and submit a report on the economic impact of funding access to civil legal services. The report must be submitted to the Governor, the Wisconsin Supreme Court, and the appropriate standing committees of the Legislature.

1 **SECTION 1.** 15.107 (19) of the statutes is created to read:

2 15.107 (19) INTERAGENCY LEGAL AID COORDINATING COUNCIL. (a) *Creation.* There
3 is created in the department of administration an interagency legal aid coordinating
4 council.

5 (b) *Membership.* The interagency legal aid coordinating council consists of the
6 following members:

7 1. The secretaries of administration, children and families, health services, and
8 workforce development, or their designees.

9 2. The attorney general, or his or her designee.

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1 3. The executive director of Wisconsin Judicare, Inc.

2 4. The executive director of Legal Action of Wisconsin, Inc.

3 5. One member who is also a member of the Wisconsin Access to Justice
4 Commission, created under SCR 14.02, appointed by the governor for a 3-year term.
5 A vacancy occurs for the member appointed under this subdivision if the member no
6 longer serves on the Wisconsin Access to Justice Commission.

7 6. Two members who represent the public interest, appointed by the governor
8 for 3-year terms.

9 **SECTION 2.** 16.316 of the statutes is created to read:

10 **16.316 Interagency legal aid coordinating council. (1)** In this section:

11 (a) "Council" means the interagency legal aid coordinating council created
12 under s. 15.107 (19).

13 (b) "Agencies" means the departments of administration, children and families,
14 health services, justice, and workforce development.

15 **(2)** The council shall do all of the following:

16 (a) On an ongoing basis, evaluate all of the following:

17 1. How providing low-income, indigent, vulnerable, and at-risk populations
18 with access to civil legal services may fit in to, serve, or further the missions,
19 responsibilities, and goals of the agencies.

20 2. The use or potential use of federal grant money received by the agencies that
21 may be used for the purposes described in subd. 1.

22 (b) Annually, prepare a report summarizing the evaluation required under par.
23 (a), including the amount of money spent, if any, by the agencies to facilitate access
24 to civil legal services and any recommendations for policy alternatives that would
25 facilitate access to civil legal services. The council shall submit the report to the

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1 governor, the supreme court, and the appropriate standing committees of the
2 legislature under s. 13.172 (3).

3 (c) No later than January 1, 2020, the council shall prepare and submit a report
4 to the governor, the supreme court, and the appropriate standing committees of the
5 legislature under s. 13.172 (3) on the economic impact of funding access to civil legal
6 services.

7 **SECTION 3. Nonstatutory provisions.**

8 (1) Notwithstanding the length of terms specified in section 15.107 (19) (b) 5.
9 and 6. of the statutes, the governor shall appoint the initial member of the
10 interagency legal aid coordinating council under section 15.107 (19) (b) 5. of the
11 statutes for a term ending on July 1, 2020, one initial member of the interagency legal
12 aid coordinating council under section 15.107 (19) (b) 6. of the statutes for a term
13 ending on July 1, 2021, and one initial member of the interagency legal aid
14 coordinating council under section 15.107 (19) (b) 6. of the statutes for a term ending
15 on July 1, 2022.

16 (2) All initial members of the interagency legal aid coordinating council shall
17 be appointed or designated under section 15.107 (19) (b) of the statutes no later than
18 90 days after the effective date of this subsection.

19 (END)