

## FORM SUMMARY

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<b>Name of Form:</b>	<b>Public Defender Response Concerning Recoupment</b>
<b>Form Number:</b>	<b>JD-1763A</b>
<b>Statutory Reference:</b>	§§48.275, 938.275(2), Wisconsin Statutes, and State Public Defender administrative rule.
<b>Benchbook Reference:</b>	JV 8
<b>Purpose of Form:</b>	A formal response by the State Public Defender to the court concerning a parental request for an indigency determination. Parents who are ordered by the court to reimburse the state for cost of legal services provided by a publicly paid attorney may request an indigency evaluation within 30 days of such an order.
<b>Who Completes It:</b>	State Public Defender.
<b>Distribution of Form:</b>	Court. The SPD will maintain a copy for its records and provide copies to the parents.
<b>Accompanying Forms:</b>	Generally none.
<b>New Form/Modification:</b>	Modified; last update 02/18.
<b>Modifications:</b>	Pursuant to 2019 WI Act 30, updated to add party/attorney address, email address and telephone number.
<b>Comments:</b>	<p>§§48.275 and 938.275, Wisconsin Statutes, require the parents to reimburse the state for cost of legal services expended by the state on behalf of their child/juvenile. The only exceptions to this requirement are if the parent(s) were the complaining party or if ordering reimbursement would be "unfair."</p> <p>Parents who believe they are indigent may seek a review by the State Public Defender but must do so within 30 days of the date of the order. The SPD makes a determination of the validity of the request and reports the results to the court.</p> <p>Depending on the SPD response, the court will complete the bottom portion retaining or amending the original order.</p>
<b>About this Form:</b>	<p>This form is the product of the Wisconsin Records Management Committee, a committee of the Director of State Court's Office and a mandate of the Wisconsin Judicial Conference.</p> <p><b>If you have additional information that does not change the meaning of the form, attach it on a separate page. The form itself shall not be altered.</b></p>