

FORM SUMMARY

Name of Form:	Public Defender Response Concerning Recoupment
Form Number:	JD-1763A
Statutory Reference:	§§48.275, 938.275(2), Wisconsin Statutes, and State Public Defender administrative rule.
Benchbook Reference:	JV 8
Purpose of Form:	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.
Who Completes It:	State Public Defender
Distribution of Form:	Original is filed with the court. The SPD will maintain a copy for its records and provide copies to the parents.
Accompanying Forms:	Generally none.
New Form/Modification:	Modified; last update 11/99.
Modifications:	Gender-neutral parent's language.
Comments:	<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>
About this Form:	<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>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.</p>