

1 TO THE HONORABLE SENATE:

2 The Committee on Judiciary to which was referred Senate Bill No. 237
3 entitled “An act relating to providing representation to needy persons
4 concerning immigration matters” respectfully reports that it has considered the
5 same and recommends that the bill be amended by striking out all after the
6 enacting clause and inserting in lieu thereof the following:

7 Sec. 1. 13 V.S.A. § 5203 is amended to read:

8 § 5203. FEDERAL COURTS

9 This chapter applies only to representation in or with respect to the courts of
10 this ~~state~~ State. It does not prohibit the ~~defender general~~ Defender General, the
11 ~~deputy defender general~~ Deputy Defender General, or public defenders from
12 representing a needy person in a federal court of the United States, if:

13 (1) ~~The~~ the matter arises out of or is related to an action pending or
14 recently pending in a court of criminal jurisdiction of the ~~state~~ State; ~~or~~

15 (2) ~~Representation~~ representation is under a plan of the ~~United States~~
16 U.S. District Court as required by the Criminal Justice Act of 1964 (18 U.S.C.
17 § 3006A); ~~or~~

18 (3) representation is in or with respect to a matter arising out of or
19 relating to immigration status.

1 Sec. 2. 13 V.S.A. § 5241 is amended to read:

2 § 5241. INEFFECTIVE ASSISTANCE CLAIM

3 * * *

4 (b) In the performance of duties pursuant to a contract with or providing ad
5 hoc legal services to the Office of the Defender General, an attorney shall have
6 the benefit of ~~sovereign~~ immunity to the same extent as an attorney employed
7 by the Defender General.

8 Sec. 3. EFFECTIVE DATE

9 This act shall take effect on July 1, 2018.

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12 (Committee vote: _____)

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Senator _____

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FOR THE COMMITTEE