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**GOVERNMENT CODE - GOV**

**TITLE 2. GOVERNMENT OF THE STATE OF CALIFORNIA [8000 - 22980]** ( Title 2 enacted by Stats. 1943, Ch. 134. )

**DIVISION 3. EXECUTIVE DEPARTMENT [11000 - 15990.3]** ( Division 3 added by Stats. 1945, Ch. 111. )

**PART 7. STATE PUBLIC DEFENDER [15400 - 15425]** ( Part 7 added by Stats. 1975, Ch. 1125. )

**CHAPTER 1. General Provisions [15400 - 15404]** ( Chapter 1 added by Stats. 1975, Ch. 1125. )

**15400.** The Governor shall appoint a State Public Defender, subject to confirmation by the Senate. The State Public Defender shall be a member of the State Bar, shall have been a member of the State Bar during the five years preceding appointment, and shall have had substantial experience in the representation of accused or convicted persons in criminal or juvenile proceedings during that time.

(Added by Stats. 1975, Ch. 1125.)

**15401.** (a) The State Public Defender shall be appointed for a term of four years commencing on January 1, 1976, and shall serve until the appointment and qualification of their successor. Any vacancy shall be filled for the balance of the unexpired term.

(b) The State Public Defender shall receive the salary provided for by Chapter 6 (commencing with Section 11550) of Part 1 of Division 3 of Title 2.

(Amended by Stats. 2022, Ch. 197, Sec. 7. (SB 1493) Effective January 1, 2023.)

**15402.** The State Public Defender may employ deputies and other employees, contract with county public defenders, private attorneys, and nonprofit corporations, and establish and operate offices, as they may need for the proper performance of their duties. The State Public Defender may provide for participation by those attorneys and organizations in the performance of State Public Defender's duties. The attorneys and organizations shall serve under the supervision and control of the State Public Defender and shall be compensated for their services either under those contracts or in the manner provided in Section 1241 of the Penal Code.

The State Public Defender may also enter into reciprocal or mutual assistance agreements with the board of supervisors of one or more counties to provide for exchange of personnel for the purposes set forth in Section 27707.1.

(Amended by Stats. 2020, Ch. 29, Sec. 5. (SB 118) Effective August 6, 2020.)

**15403.** (a) Subject to an appropriation of funds by the Legislature in the annual Budget Act or other measure made for purposes of this section, the State Public Defender, in consultation with the California Public Defenders Association and other subject matter experts, shall undertake a study to assess appropriate workloads for public defenders and indigent defense attorneys and shall submit a report with their findings and recommendations to the Legislature no later than January 1, 2025.

(b) (1) A report to be submitted pursuant to subdivision (a) shall be submitted in compliance with Section 9795 of the Government Code.

(2) Pursuant to Section 10231.5 of the Government Code, this section is repealed on January 1, 2029.

(Amended by Stats. 2023, Ch. 311, Sec. 2. (SB 883) Effective January 1, 2024. Repealed as of January 1, 2029, by its own provisions.)

**15404.** The State Public Defender may issue any regulations and take any actions as may be necessary for proper implementation of this part.

(Added by Stats. 1975, Ch. 1125.)