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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 2. Duties and Powers [15420 - 15425]** ( Chapter 2 added by Stats. 1975, Ch. 1125. )

**15420.** The primary responsibilities of the State Public Defender are as follows:

- (a) To represent those persons who are entitled to representation at public expense in the proceedings listed in subdivisions (a) to (d), inclusive, of Section 15421.
- (b) To provide assistance and training to public defender offices established pursuant to Sections 27700 to 27712, inclusive, to counsel appointed pursuant to Sections 987 to 987.9, inclusive, of the Penal Code, and to counsel appointed pursuant to Sections 634, 634.3, and 634.6, inclusive, of the Welfare and Institutions Code, and to engage in related efforts for the purpose of improving the quality of indigent defense.

(Amended by Stats. 2020, Ch. 29, Sec. 7. (SB 118) Effective August 6, 2020.)

**15421.** The State Public Defender is authorized to represent any person who is not financially able to employ counsel in the following matters:

- (a) An automatic appeal to the Supreme Court under Section 11 of Article VI of the California Constitution and subdivision (b) of Section 1239 of the Penal Code.
- (b) A petition for a writ of certiorari to the United States Supreme Court with respect to a judgment on the automatic appeal to the Supreme Court under Section 11 of Article VI of the California Constitution and subdivision (b) of Section 1239 of the Penal Code.
- (c) An appeal in a noncapital, criminal case as long as the State Public Defender is fulfilling the responsibilities to provide representation imposed pursuant to subdivisions (a) and (b), or the State Public Defender determines that taking a limited number of those cases is necessary for staff training.
- (d) Any other proceeding in which a person is entitled to representation at public expense where providing this representation is in furtherance of the State Public Defender's primary responsibilities, as set forth in Section 15420, or to address legal claims that impact the resolution of death penalty cases.

(Amended by Stats. 2020, Ch. 29, Sec. 8. (SB 118) Effective August 6, 2020.)

**15421.1.** The State Public Defender is authorized to administer and award grants to improve indigent defense services.

(Added by Stats. 2022, Ch. 615, Sec. 1. (SB 1117) Effective January 1, 2023.)

**15422.** Where a county public defender has refused, or is otherwise reasonably unable, to represent a person because of conflict of interest or other reason, the State Public Defender is authorized to represent that person, pursuant to a contract with the county which provides for reimbursement of costs, where the person is not financially able to employ counsel and is charged with the commission of any contempt or offense triable in the superior court at all stages of any proceedings relating to that charge, including restrictions on liberty resulting from that charge. The State Public Defender may decline to represent the person by filing a letter with the appropriate court citing Section 15420.

(Amended by Stats. 2020, Ch. 29, Sec. 9. (SB 118) Effective August 6, 2020.)

**15423.** The State Public Defender is authorized to appear as a friend of the court and may appear in a legislative, administrative or other similar proceeding.

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

**15424.** A person requesting the appointment of counsel shall make a financial statement under oath in the manner provided in rules adopted by the Judicial Council.

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

**15425.** The duties prescribed for the State Public Defender by this chapter are not exclusive and they may perform any acts consistent with them in carrying out the functions of the office.

*(Amended by Stats. 2022, Ch. 197, Sec. 8. (SB 1493) Effective January 1, 2023.)*