

SENATOR PIRSCH: And these are only the indigent, these are only those who cannot pay for their own counsel?

SENATOR KRISTENSEN: That's right. That's correct.

SENATOR PIRSCH: And right now, what is happening then?

SENATOR KRISTENSEN: Well, Senator Pirsch, let's just take...

SENATOR PIRSCH: We, each county provides a public defender, and in capital cases many times we have volunteer attorneys who come in for...

SENATOR KRISTENSEN: Only on the appeal, Senator Pirsch. You don't have anybody volunteering to do trials. You don't have anybody volunteering to do postconvictions.

SENATOR PIRSCH: So these will do actual trials?

SENATOR KRISTENSEN: Yes, they will do trials.

SENATOR PIRSCH: The primary trial?

SENATOR KRISTENSEN: They can do trials. They can also do the postconviction.

SENATOR PIRSCH: And they will be called in by the...

SPEAKER WITHEM: Time.

SENATOR PIRSCH: ...county, by the attorney or...

SENATOR KRISTENSEN: By the county.

SPEAKER WITHEM: Senator Jones.

SENATOR JONES: Mr. Speaker, members of the body, could I ask Senator Beutler a question, please.

SPEAKER WITHEM: Senator Beutler.

SENATOR JONES: Yeah, I have got thirteen counties in my district and they are all probably pretty small. What if one of them would opt out, and then they'd have a big murder case and couldn't afford it, what would happen to that county under your