



DEPARTMENT OF PUBLIC ADVOCACY

# PUBLIC DEFENDERS

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## Balanced Justice: Defender Reform Plan of 2026 (Organizational)

*A strategic plan to stabilize Kentucky's public defender system, retain experienced advocates, and ensure a fair and balanced justice system for all*

1. Focus DPA Representation on Criminal Prosecutions  
Authorize appointment of private counsel in:
  - a. Adult Family Court or Civil Court Contempt actions
  - b. Involuntary Hospitalization (KRS Chapter 202A)
  - c. Court-Ordered Assisted Outpatient Treatment (*Tim's Law*)
  - d. Involuntary Treatment for Substance Use Disorder (*Casey's Law*)
2. Define Circuit Advocates  
Attorneys who are responsible for ensuring adequate legal services in a judicial circuit
3. Authority to Establish Attorney Compensation with Flexibility  
Allow the Public Advocate, not the Personnel Cabinet, to set defender pay rates within DPA's budget
4. Clarify the Prohibition on Acceptance of Private Fees by Defenders  
Conflict attorneys were inadvertently removed in a 2023 amendment.
5. Language Cleanup  
Various non-policy semantic changes to reflect current practices (ex. "Attorneys providing representation under this chapter" ensures that conflict attorneys are covered by statutes)

*The Balanced Justice Plan Reforms the Existing Defender Program to Create a Strong, Stable, and Sustainable Indigent Defense System to Serve All Kentuckians*