

TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION

Control No. \_\_\_\_\_ Department or Agency: Office of Indigent Defense Services

Rule No. 355-9-1-.03

Rule Title: Availability of Records in the Custody and Control of OIDS

X New \_\_\_\_\_ Amend \_\_\_\_\_ Repeal \_\_\_\_\_ Adopt by Reference \_\_\_\_\_

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? NO

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? YES

Is there another, less restrictive method of regulation available that could adequately protect the public? NO

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? NO

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? NO

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? YES

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Does the proposed rule have an economic impact? NO

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

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Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer M. Matt

Date 9/16/15

(DATE FILED)  
(STAMP)

DEPARTMENT OF FINANCE  
Office of Indigent Defense Services

**NOTICE OF INTENDED ACTION**

AGENCY NAME: Department of Finance – Office of Indigent Defense Services

RULE NO. & TITLE:

- (1) 355-9-1-.01 – Creation of Office of Indigent Defense Services (“OIDS”)
- (2) 355-9-1-.02 – Director of OIDS
- (3) 355-9-1-.03 – Availability of Records in the Custody and Control of OIDS

INTENDED ACTION: New Rules for OIDS

SUBSTANCE OF PROPOSED ACTION: The new rules (1) set out the statutory basis for OIDS, (2) set out the statutory duties of the Director, (3) set out the location and process for obtaining public records in the custody and control of OIDS.

TIME, PLACE, MANNER OF PRESENTING VIEWS:


Views on this intended action may be presented by telephone to Mose Stuart at (334) 242-4516. Written views may be submitted to:

Mose Stuart  
Department of Finance -- Legal Division  
Third Floor, State Capitol Building  
Montgomery, Alabama 36130  
By email: [mose.stuart@finance.alabama.gov](mailto:mose.stuart@finance.alabama.gov)

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Thursday, November 5, 2015

CONTACT PERSON AT AGENCY: Mose Stuart

  
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Mose Stuart  
Senior Associate Counsel

**355-9-1-03** Availability of Records in the Custody and Control of OIDS. Requests for the inspection and copying of records maintained in the custody and control of OIDS may be made in person or by mail, addressed to the Director at 100 North Union Street, Suite 680, Montgomery, Alabama 36104. All rules promulgated by OIDS, as well as all final orders, decisions, and opinions issued, if any, shall be made available for public inspection and copying, at cost, at the address set out above. Documents posted on the OIDS website and available for download, may be downloaded and printed at no cost by the public.

**Author:** C. Roberts

**Authority:** Code of Ala. 1975, § 41-4-322(h).

**History:** Filed September 16, 2015