

Effective Date: April 1, 2003

The purpose of this order is to establish a new procedure for the appointment of counsel for indigent or partially indigent respondents in neglect and abuse and delinquency appellate proceedings.

1. Qualifications and Training

- a. To be eligible for appointment by the Court, attorneys must be licensed to practice law in Michigan, be a member in good standing of the Bar of Michigan and have appellate experience. Eligible attorneys requesting to be placed on the appointment list must submit a letter to the Court attesting to such standing and include a resume of educational and professional experience.
- b. Eligibility will be reviewed every three years from the date an attorney is added to the list.

2. Selection System

The Court will individually approve attorneys for placement on the appointment list. The Clerical office at the Juvenile Center will maintain the attorney appointment list. Attorneys will be offered appointments from the list in rotation. Attorneys will be added to the bottom of the list in the order in which they are approved for appointment. The appointment list will be maintained on the Trial Court website.

3. Fee Schedule

- a. The amount of the attorney fee for appellate representation shall be based on the number of hours spent by counsel in the proceedings and shall be computed at the rate of sixty-five dollars (\$65) per hour for time expended in court and fifty dollars (\$50) per hour for time reasonably expended in preparation of the proceedings. The total fees payable to counsel for the proceedings shall not exceed one thousand dollars (\$1,000).
- b. Counsel may also obtain reimbursement for items of expense which are necessary and reasonable in connection with the representation of a client including the following:
 - i. Travel: Mileage, tolls and parking expenses may be reimbursed. Travel by privately owned automobile should be claimed at the mileage rate currently prescribed for county employees and employees of the court, plus parking fees and tolls paid. Transportation other than by privately

owned automobile is to be claimed on an actual expense basis.

- ii. Other Reimbursable Expenses: Other reasonably necessary expenses such as copying and telephone may be reimbursed. If any single reimbursable cost exceeds \$300, the appointed attorney must secure court approval prior to incurring the cost.
- c. Notwithstanding the above, the court for good cause shown may approve an attorney fee in excess of the maximum amount allowed. Upon a written request in advance setting forth extraordinary circumstances which demonstrate the necessity for additional services.
- d. When a case has reached final adjudication or disposition, a court appointed attorney shall prepare a Statement of Service and Order for Payment of Court Appointed Representative, using the approved form which is attached to this order. In extraordinary circumstances, an attorney may submit a written request for interim compensation prior to the final adjudication or disposition of the case. The original Statement of Service and Order for Payment of Court Appointed Representative, plus supporting documentation, shall be submitted to the Clerk/Recorder Supervisor. Upon receipt of the statement the clerk shall process these documents and forward to the county's finance department. The county's finance department shall pay the court appointed attorney, pursuant to the court's order, usually within thirty days.

This order shall take effect on April 1, 2003. All services rendered and costs incurred after the effective date shall be reimbursed pursuant to this order.

IT IS SO ORDERED:

Dated:

Archie C. Brown
Chief Judge
Washtenaw County Trial Court.