

ADMINISTRATIVE ORDER 2003-02

Appointment of Counsel for Misdemeanant Indigent Parties

IT IS ORDERED:

This administrative order is issued in accordance with MCR 8.123, effective January 1, 2004. The purpose of this order is to adopt a plan for the appointment of counsel for misdemeanor indigent parties upon approval by the State Court Administrative Office.

1. Selection Criteria and Procedure

- a. The 12th District Court will enter into a contract with those attorneys selected to represent indigent defendants for misdemeanor filings in the district court and will administer such program.
- b. The 12th District Court will solicit interest from attorneys through advertisement prior to entering into such a contract.
- c. To qualify for consideration an attorney must maintain a law office in Jackson County and must be in good standing with the State Bar of Michigan.
- d. The performance of the attorneys selected by the court will be reviewed by the judges of the court and any attorney may be removed from the contract by a majority of the judges of the court upon a showing of good cause for doing so.

2. Appointment Process and Compensation

- a. An attorney will be appointed to represent indigent misdemeanants by random selection based upon the percentage of cases to be assigned to that attorney pursuant to the contract entered into between the court and the attorney.
- b. An attorney will be compensated on a per case basis at the rate agreed upon in the contract between the court and the attorney.

3. Maintenance of Records

- a. The court shall maintain a record of the number of appointments given to each attorney by the court and the number of appointments given to each attorney by each judge of the court.
- b. The court shall maintain a record of the amount of public funds paid to each attorney by the court and the amount of public funds paid to each attorney for assignments by each judge of the court.

- c. The contract and records as set forth in this order may be made available to the public through a written request to the Court Administrator of the court.
- d. The court shall maintain these records in accordance with General Schedule 16 as approved by the State Court Administrative Office.

Effective Date: 1/1/2004

Date _____

Hon. Charles Falahee, Jr.
Chief Judge