

54-A DISTRICT COURT

124 W. Michigan Ave., 6th Floor City Hall, Lansing, MI 48933

DISTRICT JUDGES
PATRICK F. CHERRY
FRANK J. DELUCA
LOUISE ALDERSON
HUGH B. CLARKE, JR.



Court Administrator
ANETHIA BREWER

Magistrate
LAURA A. MILLMORE

Administrative Order 2016-2
Rescinds LAO 2015-4

PLAN FOR APPOINTMENT OF COUNSEL FOR INDIGENT PARTIES

IT IS ORDERED:

This Local Administrative Order is issued in accordance with MCR 8.123(B). The purpose of this order is to set forth the plan for the Court's Appointment of Counsel for Indigent Parties, upon approval by the State Court Administrative Office.

1. Selection Criteria and Procedure:

Subject to the approval of the Chief Judge, each judge of the court shall select an attorney to provide indigent defense services for qualifying criminal cases assigned to that judge. Selection shall be from the pool of attorneys who have requested consideration for appointment.

Attorneys may request consideration for appointment by submitting a letter and resume to the Court Administrator, who shall maintain all letters and related materials received for twelve months following submission. When a vacancy occurs, the Court Administrator will provide all resumes on file for the requesting judge. If no qualified attorneys are available, or at the request of the assigned judge, the court will solicit applications via posting on the court's webpage, the State Court Administrative Office webpage, and other available web-based legal employment opportunities job sites (i.e. Ingham County Bar Association).

Qualified attorneys must have demonstrated previous experience representing clients in criminal matters before a district court and be a member in good standing of the State Bar of Michigan. Each judge shall review the resume, other credentials, and references of the attorneys applying to determine their suitability for appointment. Questions regarding suitability shall be referred to the Chief Judge.

Each judge of the court shall monitor the performance of appointed attorneys on a continuing basis to insure that defendants are being adequately represented. Attorneys are required to arrive on time, be prepared to defend their client, present an adequate and proper defense, and be knowledgeable of the laws, court rules, facts and circumstances that pertain to each case. If a judge feels that the above standards are not being met, the judge shall counsel the attorney and, if the attorney does not improve his/her performance, the attorney's contract shall be terminated.

The Court Administrator is responsible for administration of the appointed counsel program.

2. Appointment Process:

Appointments are by six-month contract, with possible reappointment for an additional six months. Each appointed attorney shall accept all indigent criminal cases assigned to the selecting judge during the six-month contract period, until disposition at the District Court level.

3. Compensation:

Each appointed attorney will be paid a fixed monthly sum of \$2,000.00 (two thousand dollars), with the final payment made when all of the cases from the six month period have been substantially completed. The total paid is \$12,000.00 per contract.

In addition, each appointed attorney is subject to assignment of appeals to the circuit court of district court criminal cases. Appellate appointments are rotated through the roster of attorneys then under contract to provide indigent defense. Attorneys are paid \$250.00 (two hundred fifty dollars) per appeal. Payments are due at the conclusion of the appeal process.

4. Maintenance of Records:

The following records will be maintained by the court:

- A) The number of appointments given to each attorney by the court.
- B) The total number of appointments given to each attorney by each judge of the court.
- C) The total amount of public funds paid to each attorney by the court.
- D) The total amount of public funds paid to each attorney for assignments by each judge of the court.

These records are maintained by the court pursuant to SCAO General Schedule 16. The records are available to the public for inspection without charge upon request to the Court Administrator.

Effective: Upon approval of the State Court Administrative Office.

Date: 7/18/16 Chief Judge Signature: Louise Alderson P40151
Louise Alderson (P40151)