

48 <sup>th</sup> Judicial Circuit County of Allegan State of Michigan	<b>ADMINISTRATIVE ORDER APPOINTMENT OF COUNSEL FOR INDIGENT PARTIES</b>	Order No.: 2003-2
113 Chestnut Street, Allegan, Michigan 49010		Telephone: 269-673-0300

**IT IS SO ORDERED:**

**I. Delinquency/Neglect and Abuse Matters.**

1. The Court will enter into a contractual agreement with individual attorneys and/or firms to provide representation to qualifying minors, parents and others as provided by rule or statute.
2. Attorneys providing representation shall demonstrate a level of knowledge and experience sufficient in the opinion of the Court to allow for adequate representation of the client's interests.
3. The judges of the Court will regularly review the performance of each appointed attorney as they appear before said judges on a case. The Court reserves the right to amend the contract for services to remove any attorney at the direction of the Chief Judge. Any attorney so removed may request a meeting with the Chief Judge to review the reasons for the removal. The final decision shall be in writing.

**II. Felony Matters.**

1. The Court shall establish a roster of qualified attorneys to provide representation to indigent felony defendants.
2. Attorneys wanting to be included on the roster shall submit a written request with qualifications to the Chief Circuit Judge for review. Attorneys shall be added to the roster at the direction of the Chief Judge.
3. Primary consideration for inclusion on the roster shall be based upon the competency, availability and experience of the attorney.
4. The judges of the Court will regularly review the performance of each appointed attorney as they appear before said judges on a case. The Chief Judge may remove an attorney from the roster. The attorney may request a meeting with the Chief Judge to review the reasons for removal. The final decision will be in writing.

**III. Appointment.**

1. Delinquency/Neglect and Abuse Matters.
  - A. The appointment process will be defined by the terms of the contract, but will generally result in an equal number of appointments to each attorney and/or firm participating in the contract.
2. Felony Matters.
  - A. Appointments will be made from the established attorney roster on a rotational basis. Attorneys will be added to the bottom of the roster in the order in which they are approved.
3. Whether by contract or roster appointment, the court reserves the right to limit both eligibility for and the number of appointments based on, but not limited to, the attorney's availability for court appearances.

**IV. Compensation.**

1. Delinquency/Neglect Abuse Matters.

- A. The rate of compensation will be a fixed annual sum to be paid in quarterly installments to the attorneys and/or firms participating, at a rate to be established through a competitive bid process.
2. Felony Matters.
  - A. Attorneys determined by the Court to be qualified for and who are assigned to capital cases shall be compensated at the hourly rate of \$55.00 per hour. All other attorneys appointed shall be compensated at the hourly rate of \$47.50 per hour. Payment shall be made monthly based upon detailed billings submitted to and reviewed by the Chief Judge.
- V. Maintenance of Records.
  1. The Court will maintain complete and accurate records reflecting all appointments given to each attorney and/or firm and the total amount of public funds paid to each attorney and/or firm for assignments.
  2. These records will be maintained in the office of the Court Administrator, the official responsible for administration of the program. Said records shall be available for public inspection without charge upon written request to the Court Administrator.
  3. The Court reserves the right to limit the number and duration of inspectors based upon available resources.
  4. The Court may charge a reasonable fee for any copies of records requested.

11/12/03  
Date:

  
Honorable George R. Coriglia  
Chief Circuit Judge