

52nd JUDICIAL DISTRICT COURT
ADMINISTRATIVE ORDER 2003-10

APPOINTMENT OF INDIGENT COUNSEL

This administrative order is in compliance with MCR 8.123.

IT IS ORDERED that the following policies and procedure apply to the selection, appointment and compensation of counsel who represent indigent parties in the 52nd District Court.

Each Division of the 52nd District Court will maintain a list of eligible attorneys to appoint for misdemeanor cases where the party is deemed indigent. Misdemeanor cases consist of public defender appearances at pre-trials, bench and jury trials and sentencings and other hearings scheduled by the Court. Attorneys must be a member in good standing of the State Bar of Michigan to be placed on the list. All attorneys requesting placement who meet the above mentioned qualifications will be considered.

The Judges of the 52nd District Court will be responsible for routinely evaluating an attorney's performance using factors such as knowledge and application of law, courtroom conduct and availability. Removal from the appointment list will be based on the performance standards above and determined by the Judges of the 52nd District Court.

The court's administrative staff and/or judicial staff will be responsible for appointing attorneys for each case or public defender day. The court's administrative staff will be responsible for coordination and paperwork processing. Appearances for the types of cases mentioned above are eligible for compensation. Attorneys must submit their request for compensation within five (5) business days of the appearance date to the designated administrative staff of each Division for processing. The Court Administrator or designee will be responsible for compensating the attorneys through Oakland County's Accounts Payable Process.

The Court Administrator or his/her designee is responsible for compensating the attorneys through Oakland County's Accounts Payable Process. Appearances for the types of cases mentioned above are eligible for compensation. Attorneys must submit their request for compensation to the administrative staff of each Division for processing within five (5) days of appearance.

Each Division of the 52nd District Court will maintain a list as follows:

1. Number of appointments given to each attorney by each Division;
2. Number of appointments given to each attorney by each judge of each Division;
3. Total amount of public funds paid to each attorney by each Division; and
4. Total amount of public funds paid to each attorney for assignments by each judge of each Division.

Records will be maintained pursuant to SCAO General Schedule 16. Pursuant to MCR 8.123 and MCR 8.119, the Court Administrator will be responsible to make available to the public a summary of totals of the above records. The information provided to the public will consist of attorney name, number of appointments and compensation by Division and per Judge. Requests to provide this information will be subject to the following guidelines:

1. Requests must be written or in person; and
2. Information will be provided within a reasonable time, but no longer than 10 business days from the date of the request.

12/1/03

Date



Honorable Julie A. Nicholson
Chief Judge



Michigan Supreme Court
State Court Administrative Office
Trial Court Services Division
Michigan Hall of Justice
P.O. Box 30048
Lansing, Michigan 48909
Phone (517) 373-4835

December 15, 2003

Hon. Julie A. Nicholson
Chief Judge
52nd District Court
135 Barclay Circle
Rochester Hills, MI 48307-5800

Re: Administrative Order D52 2003-10
Appointment of Indigent Counsel

Dear Judge Nicholson:

This is to advise that we have reviewed the above- referenced administrative order and find that it conforms with the requirements of MCR 8.112(B). This order is being accepted and filed until advised by your court of any change.

Sincerely,

A handwritten signature in black ink, appearing to read "Nial Raaen".

Nial Raaen
Director, Trial Court Services

NR/dmm

cc: Ms. Lynda A. Hammerstein
Ms. Deborah Green, Region 1 Administrator

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