

# APPOINTED COUNSEL FEE SCHEDULE

Adopted October 19, 2007

## Basic Legal Services:

Payment will be made for actual time accrued in any case up to a maximum of \$400 per case for the following basic services:

1. **Prosecutor's Pretrial & Related Activities:** All pretrials and calls with prosecutor assigned to the case, the client or client's family concerning plea negotiations, and conferences or calls with co-counsel.
2. **Interview & Related Activities:** All interviews and conferences with client following each event. Events in this category include status and scheduling conferences, forensic hearings, ILC reports, pleas, sentencing, and sexual classification hearings.
3. **Status/Scheduling Conferences & Related Activities:** All scheduling conferences, continuance, status reports and eligibility reports in relations to Intervention in Lieu of Conviction.
4. **Case Review:** Reviewing the indictments, review of case with the client or client's family, review of case for each scheduled event and review of all files related to case or charge.
5. **Discovery:** Obtaining Discovery Packet, review of Discovery Packet, review of Discovery Packet with the client or client's family, and all motions for Discovery.
6. **Case Research:** Legal and factual research covering charges and new or past cases in other courts.
7. **Final Disposition & Related Activities:** All calls, letters or interviews with the client or client's family or with Criminal Justice Services, Community Corrections Officer, Parole Officer, and assigned Judge or Bailiff. Included in this category is the court appearance for the plea, sentencing hearing, and sexual classification hearing and filing of a Notice of Appeal.

If a client is indicted on multiple cases, payment will be made on those services that are NOT PERFORMED AT THE SAME TIME.

Any time accrued in any case prior to appointment by this Court must be billed to the proper lower court.

If a case has a break (absconder) prior to termination and an appointed counsel fee application is submitted for the maximum payment of basic services and the case then goes forward at a later date, all additional basic services will have been covered under the original billing.

Anything billed over the \$400 flat fee must include a letter outlining what special activity(s) is being billed and the number of hours required to complete the activity(s).

## **Special Legal Services:**

Payment will be made at the hourly rate for actual time accrued in any case for the following “extra” services. (Please attach a brief note indicating the nature of the special services.)

1. **Special Legal Research & Writing:** Research for all motions that require extra court hearings. Some examples of research are as follows:
  - a. Researching and drafting non-boilerplate motion to suppress
  - b. Researching and drafting motion in limine
2. **Court Hearings:** Hearing required on all motions and sanity plea. Some examples are as follows:
  - a. To Dismiss
  - b. To Suppress
  - c. To Quash
  - d. For New Trial
  - e. For Change of Venue
  - f. For Directed Verdict or Acquittal
  - g. For Disqualification
  - h. For Sanity or Competency Pleas – Forensic
  - i. Revocation requiring a hearing

***Some examples of motions NOT included as special services:***

  - j. For Shock
  - k. For Continuances
  - l. Filing of Notice of Appeal
  - m. Intervention in Lieu of Conviction
  - n. Pleas and Sentencing
  - o. Revocation not requiring a hearing
3. **Trial Preparation & Field Investigations:** Examples would be viewing a scene for trial preparation, interviewing and preparing witnesses for trial, preparing voir dire, opening statement, etc.
4. **Jury or Court Trial:** Actual time spent in trial and related activities.

Total fees may not exceed attached schedule.

**Expenses:**

The following expenses will be paid when submitted with an approved court order with the bill:

1. Expert witness fees approved in advance. Examples of expert witness fees are:
  - a. Special investigators
  - b. Psychologists
  - c. Psychiatrists
  - d. Forensic experts
2. Polygraph examination cost approved in advance.
3. Long distance telephone calls (must have copy of the bill.)
4. Photocopying (invoice must be attached, in office \$.05 a page.)
5. Certain travel expenses that are approved IN ADVANCE by the assigned Judge before submitting the bill. Reimbursement will NOT be made for mileage.
6. The Court cannot reimburse for legal research expenses such as LEXIS or WestLaw or for any travel expenses.

**Time:**

1. Time should be recorded in tenths of an hour. Time involved in going to and from court for a conference or any travel time is not reimbursed by the Court.

WBL/tlh  
10/23/07

## ASSIGNED COUNSEL FEE SCHEDULE

- I. A basic legal services rate up to \$400.00 per felony case for:
  - A. Arraignment, Prosecutor Pretrial, Initial Client Interview, Scheduling Conference, and Final Disposition; PLUS all telephone calls related to the above; all appearances for continuances of any of the above; all basic legal research and review of the nature of charge, routine criminal procedures, the information packet, etc;
  - B. An hourly rate of \$50.00 (out-of-court) and \$60.00 (in-court) for:
    - 1. Special Research and Writing, Field Investigation, Other Court Hearings and Trials, and Other Court and Witnesses Conferences.
  - C. Payment shall not exceed the maximum fee permitted in trial level proceedings:

Aggravated Murder (w/ specs) 1 Attorney	\$75,000.00
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\*Ohio Supreme Court Rule 20 of the Rules of Superintendence for the Courts of Ohio requires the appointment of two (2) attorneys in capital offense cases. This fee is the maximum that will be paid on the combined bills of both attorneys appointed to the case. Reimbursement for representation in trial level cases involving death penalty specification will be made based on the maximum rate of \$95.00 per hour for both in-court and out-of-court services.

Aggravated Murder (w/o specs) 1 Attorney	\$8,000.00
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Aggravated Murder (w/o specs) 2 Attorneys	\$10,000.00
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Murder	\$5,000.00
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Felony with possible life sentence/repeat violent offender/major drug offender	\$5,000.00
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Felonies (Degrees 1 – 3)	\$3,000.00
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Felonies (Degrees 4 – 5)	\$2,000.00
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Misdemeanors (Degrees 1 – 4)	\$1,000.00
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Parole, Probation, and all other proceedings not elsewhere classified	\$500.00
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Contempt of Court	\$300.00
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- D. The prescribed maximum fees permitted in post-conviction and habeas corpus proceedings not involving :
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| Post-Conviction Proceeding with Evidentiary Hearing                            | \$1,500.00 |
| Post-Conviction Proceeding without Evidentiary Hearing                         | \$750.00   |
| Habeas Corpus with Evidentiary Hearing   | \$1,500.00 |
| Habeas Corpus without Evidentiary Hearing                                      | \$750.00   |
| Murder   | \$5,000.00 |
| Felony with possible life sentence/repeat violent offender/major drug offender | \$5,000.00 |
| Felonies (Degrees 1 – 3)   | \$3,000.00 |
| Felonies (Degrees 4 – 5)   | \$2,000.00 |
| Misdemeanors (Degrees 1 – 4)   | \$1,000.00 |
| Parole, Probation, and all other proceedings not elsewhere classified          | \$500.00   |
| Contempt of Court  | \$300.00   |
- E. Reimbursement for post conviction and state habeas corpus proceedings involving a death sentence shall be made based on the maximum rate of \$60.00 per hour for both out-of-court and in-court services to a maximum of \$12,500.00 for each stage of the post-conviction or habeas corpus proceeding.