

113.09 INDIGENT LEGAL REPRESENTATION FEES FOR LEGAL REPRESENTATION OF INDIGENT DEFENDANTS BY ASSIGNED APPOINTED PRIVATE COUNSEL.

The legal service fees and expenses schedule for representation by assigned appointed private counsel of indigent defendants charged with felonies in the General Division of the County of Summit in the Common Pleas Court, the Ninth District Court of Appeals, the Supreme Court of the State of Ohio and the Municipal Courts of Akron, Barberton and Cuyahoga Falls Stow, and of indigent defendants in proceedings in the Juvenile Division and in contempt proceedings in the Domestic Relations Division of the Common Pleas Court, is as follows:

(a) Aggravated murder with specifications, Sections 2929.04(A) and 2941.14(B) of the Ohio Revised Code ("R.C.").

(1)	Maximum per case (2 attorneys)	\$35,000
(2)	Expenses	As approved by Court
(b)	Aggravated murder, R.C. §2903.01.	
(1)	Maximum per attorney	\$6,000.
(2)	Maximum per case (2 attorneys)	\$8,000.
(3)	Expenses	As approved by Court
(c)	Murder, R.C. §2903.02.	
(1)	Maximum per case	\$3,000.
(2)	Expenses	As approved by Court
(d)	Felony 4, Felony 5 and Felony 5 Non-Support.	
(1)	Felony 4 (plea) Maximum per case	\$500.
(2)	Felony 5 (plea) Maximum per case	\$500.
(3)	Felony 5 Non-Support (plea)	\$350.
(4)	Maximum per case - Trial	\$1,250.
(5)	Expenses	As approved by Court
(e)	Felony other than above.	
(1)	Maximum per case - Trial	\$1,250.
(2)	Maximum per case - Plea	\$575.
(3)	Expenses	As approved by Court
(f)	All misdemeanors.	
(1)	Maximum per case per trial	\$750.
(2)	Expenses	As approved by Court
(g)	Post-Conviction.	
(1)	Maximum per case	\$250.
(2)	Expenses	As approved by Court
(h)	Sexual predator hearing.	
(1)	Maximum	\$300.
(2)	No additional fees for agreed designation.	
(i)	Hourly reimbursement rates.	
(1)	In court	\$50.00
(2)	Out of court	\$40.00
(j)	Appellate representation	\$1,250-
(k)	Juvenile proceedings	
(1)	Maximum	\$1,000
(2)	Additional fees	As approved by Court

(l) Domestic Relations contempt proceedings

(1) Maximum \$300

(2) Additional fees As approved by Court.

~~(k)~~ (m) Payment of Fees. Payment and/or reimbursement for expenses associated with providing representation shall be made upon submission of the Motion, Entry and Certification for Appointed Counsel Fees OPD-1026 and Affidavit of Indigency which has been approved by the assigned judge.

~~(h)~~ (n) Calculation of Fees. Reimbursement for attorney fees for indigent defense will be calculated utilizing the charges for which the defendant was originally indicted.

~~(m)~~ (n) Post Conviction Matters/Multiple Billing. Any attorney requesting fees for postconviction matters (judicial release, probation violation, etc.) or subsequent billing on an active case shall indicate so on the form OPD-1026 within the Summary of Charges, Hours, Expenses and Billing section. Attorneys shall clearly identify the type of post-conviction matter involved with the fees request within said section and utilize the date the assigned judge set forth a decision on the matter as the termination date.

~~(n)~~ (o) Reduction and Non-Payment of Late Requests for Payment. Fees will not be paid if the request for payment in Section 113.09 (i) is submitted to the County Fiscal officer more than sixty (60) days after termination of said case except upon approval of the Administrative Judge. All other fees will be reduced fifty percent (50%) if the request for indigent defendant is submitted to the assigned judge more than thirty (30) days after the termination of the case.

~~(o)~~ (p) Additional Compensation in Excess of Maximum. Approval for additional compensation for felony or misdemeanor cases in excess of the maximum, as indicated, will only be made by the assigned judge in extraordinary cases. The additional fees paid may not exceed fifty percent (50%) of the maximum scheduled fees and are subject to the hourly rates of Section 113.09(i). The limit of fifty percent (50%) of maximum scheduled fees shall not apply to additional fees in proceedings in the Juvenile Division.

~~(p)~~ (q) Random Audits. All requests for documentation for attorney fees shall be subject to random audits by the County Fiscal office.