

Local Rule 30 - Assignment and Compensation of Appointed Counsel

30.01 Request for appointment

- A. A party may request appointed counsel by filing a motion with the Court. An affidavit of indigency must be attached to such motion.
- B. When it appears to the Court that a litigant is indigent and seeks to have the Court assign counsel, the litigant must execute an Affidavit of Indigency upon the form provided by the Ohio Public Defender (OPD-1026R). Within seven days of submitting the affidavit to the Court, the litigant shall pay a \$25 non-refundable application fee to the Clerk of Court.

30.02 Selection of Counsel

- A. The Court will maintain a list of qualified attorneys who have notified the Court of their interest in serving as appointed counsel in domestic cases. The Court, in its discretion, may also solicit applications to serve as appointed counsel, from qualified attorneys.
- B. Attorneys accepting assignments for indigent representation are responsible for ensuring that they meet the qualifications set forth in Ohio Administrative Code 120-1-10. Failure to maintain qualifications or acceptance of cases without sufficient qualification may result in non-payment of fees and removal from assigned counsel list.
- C. In selecting counsel, the Court may consider the experience and expertise of counsel and counsel's management of his/her current caseload.
- D. The Court will keep a record of all counsel appointments made in a given calendar year and shall review the record periodically to assure that appointments are equitably distributed among counsel on the appointment list.

30.03 Appointed Counsel Fees

- A. Commissioner Maximum Fees: Payment of fees at or under the limitation set in domestic cases pursuant to Medina County Resolution Number 20-0596 (or subsequently adopted county resolution), Motion-Entry-Certification form ODP-1026R (rev 11/19) shall be filed with the Clerk of Courts with a time stamped copy of order appointing counsel and a time stamped copy of the indigent party's Financial Disclosure Form ODP-206R (rev 07/2021).
- B. Extraordinary Fees: For fees in excess of the commissioner maximum,
 - i. counsel complete subsection a., and
 - ii. file a motion for extraordinary fees and attach to the motion a billing statement (page 2 of ODP-1026R is not sufficient). The billing statement must have a full description of each activity and the time/expense associated.
 - iii. Counsel shall submit a proposed order to the Court.
 - iv. Cases eligible for extraordinary fees are ones which involve complex issues, multiple hearings, or other reasons, warrant compensation at a rate which exceeds maximums established by the County Commissioners.

C. The Court, after due consideration, shall determine the amount of compensation and may either approve, modify, or deny the requested compensation.