

SUBJECT	DATE
Administrative Order 1990-2	October 18, 1990

*Repealed
by 203-7*

IN RE: SELECTION AND APPOINTMENT OF LAWYERS IN FELONY CASES

Pursuant to MCR 6.005(I), the following plan is adopted by the 16th Judicial Circuit to govern the selection and appointment of lawyers to represent indigent defendants in felony cases. Effective January 1, 1991 only those attorneys who have been qualified by the qualification committee listed below shall be eligible for appointments.

1. Two judges of the 16th Judicial Circuit selected by the Chief Judge and three members of the Macomb County Bar Association selected by its president shall serve as a standing committee to determine the qualifications of attorneys applying to act as assigned counsel in any one or all of the following areas:

- A. Capital offenses - sentence of life.
- B. Major felony case offenses - sentence in excess of five years to less than life.
- C. Felony/Misdemeanor case offenses - those cases carrying up to and including five years imprisonment.

2. Eligibility to serve as assigned counsel shall be determined as follows:

- A. All attorneys applying for qualification as assigned counsel in criminal cases must be members of the Macomb County Bar Association and have their principal office in Macomb County.
- B. All members seeking to be qualified as assigned counsel must complete and submit a panel attorney application which will be available at the Macomb County Bar Association offices as well as the office of the Judicial Aide.
- C. Completed applications will be submitted to the qualifications committee at the Macomb County Bar Association offices. The committee will review the applications and determine the applicant's qualification to serve as assigned counsel in any one or all of the above-listed categories of criminal cases.

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D. Based upon the committee's assessment, a list of counsel approved by category shall be compiled and submitted to the office of the Circuit Court Judicial Aide, who shall make appointments of counsel in accordance thereto.

3. Upon receiving a request for appointed counsel, the office of the Judicial Aide shall investigate the indigence of the defendant. When the indigent status is confirmed, the Judicial Aide shall refer to the list of attorneys eligible to handle the type of offense with which the defendant is charged. Upon confirming the availability of the next attorney on that list, notice of that appointment shall be submitted to the court in which the appointment has been requested as well as to the appointed attorney. Counsel on all lists shall be appointed in rotation according to the date of their last appointment.

4. Requests for payment for services rendered shall be submitted to the Judicial Aide within six months of the completion of the matter. Billings must be in conformance with the fee schedule adopted by the Court and available at the office of the Judicial Aide.

5. To maintain eligibility to remain on the roster of counsel for indigent defendants, all attorneys must annually present evidence of their attendance at a recognized criminal law seminar.

This Administrative Order shall be published in the official publication of the Macomb County Bar Association.