

3.4 **SCHEDULE OF COURT-APPOINTED ATTORNEY FEES**

Effective 3/19/08

In order to comply with the fee limits for juvenile cases as set forth by the Ohio Public Defender Office, the Court hereby establishes the following schedule of attorney fees for court-appointed counsel:

All services shall be billed at \$50 per hour for in-court appearances and \$40 per hour for out-of-court services, with the maximum amount as listed below:

Traffic (from appointment to disposition)	\$ 500.00
Delinquency (from appointment to disposition)	\$1,000.00
Adult Criminal (from appointment to sentencing)	\$1,000.00
Ongoing Probation	
Annually (from time of disposition/sentencing)	\$1,000.00
Abuse, Dependency, Neglect	
From complaint until original disposition	\$1,000.00
From original disposition to <u>first annual review</u>	\$1,000.00
Annually (ongoing)	
from <u>annual review</u> to <u>annual review</u>	\$1,000.00

The Court shall not reimburse for preparation of invoices, mileage or routine office expenses such as postage, phone charges or support staff time. Motions for extraordinary fees shall not be granted on a routine basis.

Applications for fees must be submitted within thirty (30) days of the last in-court action for the billing period as set forth in the above schedule. For ongoing cases, applications may be submitted on an annual or bi-annual basis, but no more frequently than on a quarterly basis.

All applications for fees in ongoing cases shall include an itemized statement of services performed, listing date of service, a brief description of service performed or hearing attended and time worked, as well as a motion and entry for extraordinary fees, if applicable.

3.5 **DUTIES OF THE GUARDIAN AD LITEM/ATTORNEY FOR THE CHILD**

Amended 3/1/09

The Guardian Ad Litem shall comply with all requirements set forth in Rule 48(D), (E) and (F) of the Rules of Superintendence for the Courts of Ohio, in addition to the following:

A. Before Adjudication and Disposition

- (1) Meet the child. If the child is of sufficient age to have communicative ability, interview the child.
- (2) Interview both parents if permitted by their counsel.

- (3) When possible, observe each parent with the child. Observe the interaction between parent and child, and be aware of the appropriateness of discipline, conversations, and activities.
- (4) Perform home visits of each parent to determine living conditions.
- (5) If child is not residing with a parent, perform a home visit of child's current living conditions. Ask the child's care givers for their assessment of the child's overall condition.
- (6) Determine whether there is a conflict in the dual appointment as Guardian Ad Litem and Attorney for the child. If there is a conflict, contact the Court immediately in writing.
- (7) Be prepared to summarize the extent as to which you have performed these duties if asked by the Court or any party.

B. If a Post-Dispositional Motion has been filed

- (1) Interview the child again to determine whether there is a conflict in the dual appointment now that a post-dispositional motion has been filed. If there is a conflict, contact the Court at least thirty days before the date of the hearing on the post-dispositional motion.
- (2) If a motion for permanent custody has been filed, comply with Ohio Revised Code Section 2151.414 (C) which states that the written report of the Guardian Ad Litem shall be submitted to the Court prior to or at the time of the permanent custody hearing.

C. General Duties

- (1) The Guardian Ad Litem shall attend all court hearings, court reviews, and semi-annual reviews. If possible, the Guardian Ad Litem should attend all meetings at Fairfield County Children Services regarding the child.
- (2) The Guardian Ad Litem will continue to serve as the Guardian Ad Litem until the case is dismissed, terminated, or until specifically ordered by the Court.

Counsel shall comply with the above duties unless specifically excused by the Court.

3.6 REQUIREMENTS & PROCEDURE REGARDING COURT-APPOINTED COUNSEL

Effective 8/24/10

All counsel placed on this Court's appointed counsel list must meet the requirements of Rule 48 of the Ohio Rules of Superintendence. All new counsel shall meet the initial requirements prior to being given appointments. Counsel active on said list shall have until February 1st to

provide the Court with an annual statement and proof of continuing legal education for the preceding year.

The Court shall appoint the Court Administrator to coordinate the application and appointment process, maintain the files and records as required and receive written comments and complaints regarding selection and service of counsel.

Counsel shall be appointed on a rotation basis, unless (a) specific counsel is requested by a party, (b) counsel has previously been appointed for a party or has a companion case or (c) other appointment is necessary for judicial economy.

All complaints or comments regarding appointed counsel shall be made in writing, and a copy shall be provided to counsel for response, and both shall be submitted to the Court for a determination of action, if any. A written response shall be issued by the Court and sent to all parties.