

## **Chapter 6 – Counsel Issues**

### **Rule 6.01 – Appointed Counsel**

#### **A. Appointments and Qualifications**

Appointment of either the Public Defender Office or a private attorney shall be made by the Court. When the Public Defender's Office cannot represent a particular defendant, the Court will appoint a private attorney. The Court maintains a list of private attorneys who wish to serve on the appointed counsel list.

The Court will conduct a periodic review to ensure an equitable distribution of appointments among the attorneys on the list. The selection of a private attorney will be from the alphabetic list, in order, unless there are special circumstances that dictate a different selection, e.g., prior appointment to represent a defendant in a municipal or county court proceeding involving the same or related matter, limitations related to jurisdiction, or felony level.

#### **B. Affidavit of Indigency**

Before counsel is appointed, the alleged indigent defendant must **file a completed** affidavit of indigency with the Clerk of Courts. No counsel who has received compensation or has been promised compensation from any source shall be appointed to represent that indigent defendant.

#### **C. Compensation and Expenses**

Requests for compensation for payment shall be made by completing the Ohio Public Defender forms and submitting them to the Court.

### **Rule 6.02 – Pro Hac Vice**

Attorneys who wish to appear pro hac vice must comply with Gov. Bar R. XII regarding pro hac vice certification and familiarize themselves with these Local Rules.

### **Rule 6.03 – Withdrawal of Counsel**

An attorney may not withdraw from representation without the permission of the Court. An attorney who desires to withdraw from representation of a party shall file a written motion and Order with the Court. An attorney is not deemed to have withdrawn from the representation until it is reflected in a judgment entry.