CRIMINAL APPOINTMENTS APPLICATION

Please Print

Name _____

        Last   First   Middle

Office Address _____

              _____

Phone _____

Cell Phone _____

Beeper _____

Admission Date _____   **Attorney Code** _____

I wish to handle criminal cases on an appointed basis. I agree to:

- Attend the Basic Skills Seminar.
- Upon accepting an appointment, to make contact with the client as soon as possible, whether in jail or on bond.
- Notify the court in advance if I am going to be unavailable, or late for court.
- Submit my voucher in a timely manner after the case is completed. Keep the amount of the voucher as reasonable as possible.

_____   _____

Signature of Applicant   **Date**

10th JUDICIAL CIRCUIT OF JEFFERSON COUNTY, ALABAMA

AFFIDAVIT OF _____ **IN SUPPORT OF**

MOTION FOR APPROVAL OF EXTRAORDINARY EXPENSES

Before me the undersigned, a notary public, in and for Jefferson County, State of Alabama, personally appeared the undersigned, _____, who being known by me and duly sworn deposes and states as follows:

I have reviewed my overhead office expenses for the year 20____. I calculated my overhead by determining my costs for practicing law less whatever I have paid myself as salary. Based on the total figure of my annual overhead, I have calculated that my overhead hourly expense is $_____. I have done this by multiplying 50, being the weeks of the year that I have worked, times a 40 hour work week, and then dividing that figure into my total overhead expenses. I swear that the above information is true and correct to the best of my knowledge.

_____
Attorney Signature

_____
Date

_____
Notary Public

My Commission Expires: _____

ADMINISTRATIVE ORDER

The Court of Criminal Appeals has held that the office overhead expenses of a lawyer appointed to defend an indigent in a criminal case should be allowed as an extraordinary expense upon filing of an appropriate motion. In light of the many criminal cases pending in the **Tenth Judicial Circuit**, I find that the filing of individual motions in each case, and signing of orders will involve an excessive administrative burden on the Court, the Court's personnel, as well as increasing the cost of indigent defense. I have examined this attorney's affidavit and find it to be accurate.

1. Based upon the affidavit, the appropriate **hourly overhead expense rate** for him/her is _____; therefore, **effective the** _____ **day of** _____ , **20**____, without the need for the filing of individual motions on each case, _____ is hereby authorized to charge _____ **per hour**, whether in or out of court, as the cost of his/her overhead in each case.

2. The statutory cap on compensation for indigent counsel does not apply to the amount set forth above.

3. Should appointed counsel seek a change in the amount of his/her overhead expense set by this order, counsel shall submit a motion and affidavit to the presiding judge for consideration.

4. A copy of this order shall be spread upon the minutes of this court by the Circuit Clerk.

5. All attorneys shall attach a copy of this administrative order with their attorney fees claims whenever they claim overhead expenses.

6. The administrative order dated 3/16/98 is rescinded as of 12/01/01.

7. This order applies to all appointments made <u>on or after 12/01/01</u>.

_____
Alfred Bahakel, Presiding Circuit Court Judge
Criminal Division of Jefferson County, Alabama