

TO BE RESCINDED

120-1-05 Recoupment, contribution, partial payment, and marginally indigent programs.

Any such program should not jeopardize the quality of defense provided or act to deny representation to qualified defendants. Examples of such programs will be available through the office of the Ohio public defender.

- (A) Those counties that appoint counsel for persons with incomes between one hundred twenty-five per cent and 187.5 per cent or more of the current poverty threshold shall establish a reimbursement, recoupment, contribution, or partial payment program that includes a fee for the cost of income verification. All programs developed to seek reimbursement for the cost of assigned/appointed counsel from the defendant shall be subject to review and approval by the Ohio public defender.
- (B) Courts may order non-indigent applicants to pay for the necessary costs of representation. Courts may also order non-indigent parents to pay for the necessary costs of representation of a juvenile applicant.
- (C) In no case shall such a program require or include direct payment(s) from the applicant to appointed counsel. No payments, compensation, or in-kind services shall be required from an applicant or client whose annual income is equal or less than one hundred twenty-five per cent of the federal poverty guidelines.
- (D) Verification procedures. All counties shall develop and use an income verification procedure that seeks to monitor and test the integrity of applications for appointed counsel through random or periodic auditing as prescribed by the Ohio public defender standards and guidelines for reimbursement.

Effective:

Five Year Review (FYR) Dates: 06/22/2015

Certification

Date

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