

Dane County Court Appointment of Counsel Process for Criminal Cases

INSTRUCTIONS FOR APPLICATION PROCESS - READ CAREFULLY STEPS 1 THROUGH 5 MUST BE COMPLETED PRIOR TO THE APPLICATION PROCESS

1. **Complete and sign the Petition for Appointment of Counsel and Affidavit of Indigency Form.** The Petition and Affidavit of Indigency must be truthful and complete. Failure to provide truthful and complete information could be grounds for a false swearing charge, §946.32(1) (a). Your signature must be notarized.
2. **Defendants must provide documentation of income, (e.g. recent pay stub-within 30 days, benefit letter).**
3. **If not paying the full cost of your attorney at time of appointment and you are employed, you will be required to enter into an income assignment. Bring with you the name, address and phone number of the location in which your payroll is processed.** (That may be at a different location than where you actually work.)
4. **Provide the Financial Eligibility Worksheet completed by the State Public Defender's Office.**
5. **Be prepared to make a minimum payment at time of application (down payment \$75 or \$100 plus \$15 fee to set-up a payment plan if you cannot pay the full cost of your attorney at the time of appointment).**
6. **STANDARD HOURS FOR INDIGENCY DETERMINATIONS ARE MONDAY THROUGH FRIDAY FROM 7:45 AM TO 4:00 PM IN THE CLERK OF COURT'S OFFICE, ROOM 1000, COLLECTION WINDOW.** If the collection clerk is not available during those hours, inquire about an indigency determination at another window in Room 1000.
Unless you are incarcerated or you live outside of Dane County and other arrangements have been made, a personal appearance is required.
7. **Incarcerated defendants should submit the above required paperwork to the Collection Clerk at the Dane County Clerk of Court's Office via inter-d mail or through the US Postal Service to the below address:**

Dane County Clerk of Court's Office
Attn: Collection Clerk
215 S. Hamilton St., Room 1000
Madison, WI 53703-3285

8. Eligibility for an attorney will be determined according to guidelines approved by the criminal division judges.

COSTS INVOLVED: Base cost of representation:

- CM/CT cases – The per file rate is \$1,000 for up to 12 hours of work performed. Additional time exceeding 12 hours will be paid at a rate of \$100/hour.
- Class F, G, H and I felonies – The per file rate is \$1,500 for up to 17 hours of work performed. Additional time exceeding 17 hours will be paid at a rate of \$100/hour.
- Class C, D and E felonies – The per file rate is \$2,000 for up to 20 hours of work performed. Additional time exceeding 20 hours will be paid at a rate of \$100/hour.

In addition to the base cost of representation, you will be billed for, and responsible for paying, special expenses incurred by your court appointed counsel.

If you cannot afford to pay in full for the base cost of representation (see above) at the time of the appointment, you can enter into a deferred payment agreement with the Dane County Clerk of Court's Office and the following would apply:

1. \$15.00 fee due at the time a payment plan is set-up.
2. Minimum down payment (\$75 or \$100) based on Dane County Appointment of Counsel Guidelines. Counsel will not be appointed until the down payment is made.
3. Minimum monthly payment (\$75 or \$100) based on Dane County Appointment of Counsel Guidelines.
4. If you fail to make the minimum monthly payments, collection methods for non-payment may include referral of past due amounts to a collection agency, entry of civil judgment which accrues interest, tax intercept and future orders for income assignment.

To pay by phone with Credit/Debit card, call Toll Free 888-604-7888; minimum service fee of \$5 or 4.75% whichever is greater. To pay online with Credit/Debit card, go to www.allpaid.com; minimum service fee or \$3.50 or 3.5% whichever is greater. Pay Location Code is #5479.