

MAHONING COUNTY DOMESTIC RELATIONS COURT
PROPOSED LOCAL RULE
COURT APPOINTMENTS

RULE 12.04 COURT APPOINTMENTS

12.04(A) Appointment in Contempt Cases

The Mahoning County Domestic Relations Court may appoint counsel in contempt cases to an indigent party in accordance with Rule 8 of the Rules of Superintendence for the Courts of Ohio. Appointment of counsel for an indigent party alleged to be in contempt may be made upon request and is subject to the party's completion of the requisite Financial Disclosure/Affidavit of Indigency form and a finding of inability to pay attorney fees.

12.04(B) Procedures for Appointment of Counsel

The Mahoning County Domestic Relations Court shall maintain a list of all available attorneys that are willing and qualified to act as court appointed as counsel in contempt cases. Selection of an attorney to act as court appointed counsel shall be made on a rotating basis from the list of qualified attorneys on an equitable basis. The attorney list shall be reviewed by the Court periodically to ensure there is an equitable distribution of appointments. In making appointments, the Court shall take into account all of the following:

1. The anticipated complexity of the case in which appointment will be made;
2. Any educational, mental health, language, or other challenges facing the party for whom the appointment is made;
3. The relevant experience of those persons available to accept the appointment, including proficiency in a foreign language, familiarity with mental health issues, and scientific or other evidence issues;
4. The avoidance of conflicts of interest or other situations that may potentially delay timely completion of the case; and
5. Intangible factors, including the Court's view of a potential appointee's commitment to providing timely, cost-effective, quality representation to each prospective client.

12.04(C) Payment of Fees

Court appointed counsel fees shall be limited to the fee limit set by the Mahoning County Common Pleas Court. In accepting the appointment, the attorney shall accept no compensation beyond that awarded by the Court. Within fourteen (14) days of the conclusion of the case, the appointed attorney shall submit the required form for payment of fees.