

Verification or Request for Modification of Regulations for Appointment of Counsel in Cases under the Indigent Defense Services Act for a Non-Public Defender Judicial District

* Superior Court Judicial District

* Certification or Modification

- The Regulations for Appointment of Counsel in Cases under the Indigent Defense Services Act for the Judicial District are being certified as written; or
- A request is being made for modifications to the Regulations for Appointment of Counsel in Cases under the Indigent Defense Services Act for the Judicial District.

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Request for Modification

After much input and discussion, IDS has developed these revised indigent appointment regulations, including minimum qualification standards, with the intention that the regulations will foster effective representation of clients. However, IDS recognizes that there are aspects of local practice that may not have been anticipated that may enable the regulations to operate better in a given locality and further promote effective representation. As such, IDS will consider proposed modifications in the following areas to the extent that they do not eliminate or diminish the minimum qualifications reflected in the regulations:

- Regulations to cover county, not judicial district
- V.B. Committee Membership - Designated committee seats to be held or appointed by certain officials
- VII.A.2. - Additional availability requirements other than having an office in the jurisdiction (e.g., having a box in the courthouse)
- VII.C. Lists
 - Certain charges or matters that would be normally be included in one list to be moved to another related list (i.e., charges that would normally be covered by List 2 be covered by List 3)
 - Changes to qualification requirements
 - Additional lists (e.g., MAR, DWI)
- Other special provisions in regulations previously approved by IDS for any jurisdiction

If you have a concern that an area of the regulations other than those listed above should be changed to better accommodate local practice without affecting effective representation, please contact Susan Brooks at Susan.E.Brooks@nccourts.org.

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Regulations to cover county, not judicial district

Do you want to request that the regulations cover a county rather than a judicial district?

- Yes
- No

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Regulations to cover county, not judicial district

Name of county(ies)

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V.B. Committee Membership - Designated committee seats

Do you want the regulations to designate committee seats that are appointed or held by certain court officials? (Note that the committee must comprise a majority of lawyers who are not court officials.)

Yes

No

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V.B. Committee Membership - Designated committee seats

Please describe the seats you would like to designate, using language as close as possible to what you want included in the regulations.

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VII.A.2. - Availability requirements

Do you want the regulations to require any additional requirements of availability, other than having an office in the jurisdiction? (Note: the regulations are intended as written to address access and confidentiality issues that office space serves to meet.)

Yes

No

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VII.A.2. - Availability requirements

Please describe any availability requirements to be added, using language as close as possible to what you want included in the regulations.

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VII.C. Lists - Moving certain charges/matters to another related list

Do you want to have certain charges or matters that would normally be covered by one list moved to a related list?

Yes

No

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VII.C. Lists - Moving certain charges/matters to another related list

Please describe the charges or matters and the list under which they are to be covered, using language as close as possible to what you want included in the regulations.

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VII.C. Lists - Changes to qualification requirements

Do you want to change any qualification requirements for a list(s) other than eliminating or diminishing any of the minimum requirements of a list?

Yes

No

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VII.C. Lists - Changes to qualification requirements

Please describe any qualifications to be added and the list to which they apply, using language as close as possible to what you want included in the regulations.

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VII.C. Lists - Additional lists

Do you want to request that the regulations include lists (e.g., MAR, DWI, or A1 misdemeanors) in addition to those in the regulations as written? (Keep in mind that there should be a sufficient number of attorneys and cases for the list to be maintainable.)

Yes

No

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VII.C. Lists - Additional lists

Please describe any lists to be added, including what cases will be covered and the qualifications to be approved for each list, using language as close as possible to what you want included in the regulations.

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Other special provisions in regulations previously approved by IDS

Do you want to request that the regulations contain other special provisions (e.g., who the administrator is) that have been previously approved by IDS for your jurisdiction or another jurisdiction, other than those that eliminate or diminish minimum qualifications? (Note that previously approved modifications may not be re-approved.)

Yes

No

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Other special provisions in regulations previously approved by IDS

Please describe the previously approved other provisions here, including the section and page numbers, the exact language previously approved, and, if from another jurisdiction, that county or district.

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Other category

Do you want to request a modification to a section of the regulations that is not reflected in any of the categories covered?

Yes

No

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Other category

Please describe the modification(s) you wish to request, including the section number(s) of the regulations to be changed, using language as close as possible to what you want included in the regulations.

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Certification

The Regulations for Appointment of Counsel in Cases under the Indigent Defense Services Act for the Judicial District are certified by the President of the Judicial District Bar as approved by the Judicial District Bar as a plan for the appointment of counsel in indigent cases in the Judicial District.

* Name of Bar President

* Date of certification

Date

* Bar President Email Address

Thank you for certifying the regulations. They will be posted on the IDS website under the judicial district number and will be emailed to the bar president, the clerk(s) of court for the county(ies) covered, and the senior resident superior court and chief district court judges in the district. If you have any questions regarding the regulations or this process, please contact Susan E. Brooks at Susan.E.Brooks@nccourts.org or (919) 354-7200.

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Submission of request for modification

The request for modification is hereby submitted for consideration by IDS.

* Contact information to discuss proposed changes with IDS

Name of person submitting

Position as it relates to indigent appointments

Other person to contact if not submitter

Position as it relates to indigent appointments

Email address for contact person

Phone number for contact person

Bar President Contact Information

Name of Bar President (if not listed above)

Email Address

Thank you for certifying the regulations. IDS will be in contact with the person specified above to discuss approval of the requested modifications and will work with that person on proposed language. Upon approval by IDS, the regulations will be posted on the IDS website under the judicial district number and will be emailed to the contact person, the bar president (if not the contact person), the clerk(s) of court for the county(ies) covered, and the senior resident superior court and chief district court judges in the district. If you have any questions regarding the regulations or this process, please contact Susan E. Brooks at Susan.E.Brooks@nccourts.org or (919) 354-7200.