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ADMINISTRATIVE ORDER 1998-03

STATE OF MICHIGAN  
THIRD JUDICIAL CIRCUIT

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SUBJECT: ASSIGNED COUNSEL FEES FOR CRIMINAL DIVISION CASES

IT IS ORDERED:

The attached fee schedule representing fees for assigned counsel on criminal division cases is adopted for all assignments made on or after March 30, 1998.

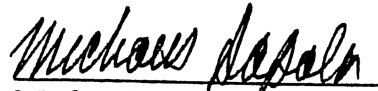
Counsel appointed for indigent defendants may make no expenditure, other than for subpoena fees, for which he or she expects reimbursement except upon prior approval and the order of the trial judge on motion for good cause shown.

In any case in which more than one criminal offense is charged, payment shall be made for only the charge carrying the greatest potential term of imprisonment.

Counsel is required to consult with the defendant prior to the preliminary exam. If the defendant is in jail, counsel must attach to the fee voucher evidence of a jail visit in order to secure payment for that visit.

Counsel may petition the Chief Judge of the Third Judicial Circuit for payment of extraordinary fees.

Joint Administrative Order 1993-01 and associated fee schedule are rescinded and replaced by this Order and Administrative Order 1998-04.

  
Michael F. Sapala  
Chief Judge  
Third Judicial Circuit of Michigan

Date: 3/24/98

THIRD JUDICIAL CIRCUIT COURT  
 FEE SCHEDULE FOR ASSIGNED COUNSEL - CRIMINAL DIVISION  
 (Effective for assignments made on or after March 30, 1998)

I. CRIMINAL CASES IN THE TRIAL COURT - GRADUATED, EVENT-BASED SCHEDULE

<u>EVENT</u>	<u>SENTENCE (MONTHS)</u>			<u>LIFE MAX</u>	<u>NATURAL LIFE</u>
	<u>24-60</u>	<u>84-120</u>	<u>168-240</u>		
Preliminary Examination	90	110	130	150	190
Arraignment on Information	40	50	60	70	90
Investigation & Prep.	110	140	170	200	250
Plea	110	140	170	200	250
Motion	60	70	90	100	130
Final Conference	40	50	60	70	90
Trial, Half Day	90	110	130	150	190
Trial, Full Day	180	220	260	300	380
Sentence	60	70	90	100	130

MISCELLANEOUS EVENTS

Jail Visits:	\$ 50	(One per non-capital and two per capital case unless more are approved by Chief Judge)
Calendar Conference:	\$ 50	
Evidentiary & Walker Hearings:	\$ 80 Half	\$160 Full
All Adjourned Hearings (Except those adjourned by Defense)	One half of regular fee	

The rates in the above table will be paid in all cases, except under those circumstances listed below.

EXCEPTIONS

1. Multiple Cases with Same Defendant:  
 100% of event fee for case with most serious charge  
 50% of event fee for each other case
  
2. Diversion:  
 Before preliminary exam \$100  
 After exam - paid per schedule
  
3. Probation Violation or Extradition Hearing \$ 75

II. ACTIVITY AT THE APPELLATE LEVEL

Non-frivolous Motion for New Trial together with  
Memorandum of Law by Trial Counsel after a Jury or  
Non-jury trial: \$ 125

Transcript:

Every 400 pages or major fraction thereof other  
than guilty plea cases 200  
Guilty plea cases 100

Claim of Appeal Brief and All Proceedings:

Other than guilty plea cases 500  
Guilty plea cases 350

Visit to Prison Facilities:

Wayne County facilities 75  
Camp Pellston and all Upper Peninsula facilities 400  
All others 200

Appeal to Higher Court for each one-half day spent in trial court: 75

Appearance at Habeas Corpus: 50

III. MISCELLANEOUS ACTIVITY

Show-ups:

Full day standby 200  
Per hour 50

Psychiatric cases in which the maximum penalty is life  
Imprisonment:

Interview and written evaluation 300  
Attendance in court 150

Other Experts:

Interview and written evaluation 200  
Attendance in court 150

Interpreters:

Per day 150  
Half day 75