
ADMINISTRATIVE ORDER 1998-04

STATE OF MICHIGAN
THIRD JUDICIAL CIRCUIT

SUBJECT: ASSIGNED COUNSEL FEES FOR FAMILY DIVISION CASES


IT IS ORDERED:

The attached fee schedule representing fees for assigned counsel 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.

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Joint Administrative Order 1993-01 and associated fee schedule are rescinded and replaced by this Order and Administrative Order 1998-03.



Michael F. Szpala
Chief Judge
Third Judicial Circuit of Michigan

Date: 3/24/98

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

DOMESTIC RELATIONS SECTION

I. PATERNITY CASE ACTIVITY

Preparation, Non-trial Court Appearance(s),
Trials and All Other Trial Court Proceedings related to
the same hearing: \$150

II. SPOUSE ABUSE CASES

Preparation, Non-trial Court Appearance(s),
Trials and All Other Trial Court Proceedings relation to
the same hearing: 150

III. SHOW CAUSE ACTIVITY

Preparation, Non-trial Court Appearance(s),
Trials and All Other Trial Court Proceedings related to
the same hearing: 150

IV. PERSONAL PROTECTION ORDER VIOLATION ACTIVITY

Preparation, Non-trial Court Appearance(s),
Trials and All Other Trial Court Proceedings related to
the same hearing: 150

EXCEPTIONS

1. Multiple Cases with Same Defendant:
100% of activity fee for the first case
50% of activity fee for each other case

2. House Counsel:
Flat rate per 1/2 day for all assignments including
subsequent hearings deemed necessary by the
judge or judges: 350

COURT APPOINTED ATTORNEY/GUARDIAN AD LITEM FEE SCHEDULE
JUVENILE SECTION
 Effective March 30, 1998

PHASE	PHASE AT WHICH CASE IS DISPOSED/DISMISSED	DESCRIPTION	MODIFIED PHASE FEE	
			IN CUSTODY	NOT IN CUSTODY
I	Preliminary Phase (Preliminary and Probable Cause Hearings)	Paid if matter is dismissed at this stage, without regard to the number of hearings held. Phase I hearings include preliminary and probable cause hearings.	\$125	N/A
II	Pretrial/Disposition Phase (First Pretrial/Disposition Hearing)	Payment is made if matter is adjudicated and disposed or dismissed at first pretrial/disposition hearing.	\$200	\$125
III	Pretrial/Disposition Phase (Multiple Pretrial and/or Disposition Hearings)	Payment is made if matter is adjudicated and disposed or dismissed at any stage following the initial pretrial (Phase II) prior to the first day of trial (Phase IV).	\$325	\$250
IV	Trial Phase (Bench or Jury)	Paid if matter requires bench or jury trial at which testimony is given. Fee includes first 1/2 day of trial and disposition hearing. Each additional 1/2 day of trial will be compensated at a rate of \$125 per 1/2 day.	\$575	\$500

Fees listed above reflect the total amount paid for each case assigned through disposition or dismissal. Fees are not cumulative.

COURT APPOINTED ATTORNEY/ GUARDIAN AD LITEM FEE SCHEDULE
JUVENILE SECTION CONTINUED
 Effective March 30, 1998

HOUSE COUNSEL/OTHER	DESCRIPTION	BASIC FEE
HOUSE COUNSEL- Preliminary Hearing, Pretrial Hearing, and Emergency Needs	Attorneys assigned to attend preliminary hearings; the first pretrial for not-in-custody matters; or to be available as emergency house counsel (EHC). Compensation is determined by the number of assignments received at preliminary hearing.	\$150 - No Assignments \$ 75 - One Assignment \$ 0 - 2 or more Assign
HOUSE COUNSEL- Post Termination Review	Attorney assigned to attend half day session.	\$150 per 1/2 Day
Stand-By Counsel	Utilize available attorneys in building for emergency needs when EHC is not available. Hourly rate applies only to rendered attorney services, not hours of availability.	\$ 60 per Hour
Fee for Plea	One time payment (per petition) to attorney attending hearing in which plea is taken.	\$ 75 per plea
Multiple Petition Fee	One time payment when more than one petition is included in assignment.	\$ 75 per assignment
Appeals	\$500 - Full Appeal (\$250 Partial Appeal) + \$250 - Oral Argument + Transcript Review	\$1,000 Maximum
Showup	Payment based on number of witness attending showup; (1) - \$50; (2 or more) - \$100	\$50 or \$100
FEEES PAID BY HEARING	DESCRIPTION	PER HEARING FEES
Disposition Review	Paid for each hearing attended.	\$100
Adoption Hearings	Paid for each 1/2 day session attended.	\$125
Guardian Ad Litem	Paid for each hearing attended.	\$150
Delinquency Review	Paid for each hearing attended.	\$ 50