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 pay a minimum of $65 at time of application ($50 down payment and $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:
$ 750.00 per case for criminal misdemeanor (CM) or criminal traffic (CT)
$1,000.00 per case for criminal felony - Class C and below (CF)
$1,500.00 per case for criminal felony - Class B (CF)
$2,500.00 per case for criminal felony - Class A (CF)

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 your case goes to trial, your attorney will be compensated at $70/hr for the duration of the trial in addition to the base cost. That is an expense you will be responsible for paying.

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 of $50 based on Dane County Appointment of Counsel Guidelines. Counsel will not be appointed until the down payment is made.
3. Minimum monthly payment of $50.
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.