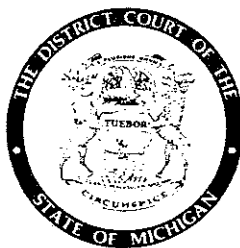


District Judges
FRANK R. DEL VERO
JOHN PIKKARAINEN
MICHAEL K. HEGARTY



Court Administrator
MARY ELLEN NYGREN
Magistrate
BRIAN V. BROWN

The Fifty-Third Judicial District

Administrative Order 2003-05 204 SOUTH HIGHLANDER WAY, SUITE 1, HOWELL, MI 48843
(517) 548-1000 • FAX (517) 548-9445

APPOINTMENT OF COUNSEL

IT IS SO ORDERED:

This administrative order is issued in accordance with MCR 8.123. The purpose of this order is to set forth the plan for the Court's appointment of counsel for indigent parties, upon approval by the State Court Administrative Office.

1. Selection Criteria and Procedure

The court will advertise for bids for a one/two/three year contract. The following guidelines will apply:

- A. The contractor must maintain own office, telephone and secretarial staff to be located in Livingston County. Attorney must be licensed to practice law in the State of Michigan and in good standing with the State Bar.
- B. The contractor shall not discriminate against a person to be represented because of race, color, religion, natural origin, age, sex, handicap, height, weight, marital status, political affiliation or beliefs or citizenship.
- C. The contractor will be considered an independent contractor. The employees and agents of the contractor shall, in no way, be deemed to be and shall not hold themselves out as employees or agents of the Court. The contractor's staff shall not be entitled to any fringe benefits of the Court.
- D. The court shall assume no responsibility for actions brought against the contractor for performance of services rendered.
- E. The contractor will give priority to assigned cases over retained cases.
- F. The contractor will provide representation on assigned cases through final disposition of a file. The contractor will prepare the CLAIM OF APPEAL for said defendants who wish to appeal in order to protect the time limits under the law.
- G. All bids are to include ALL misdemeanor cases filed at Howell and Brighton courts.
- H. Only sealed bids are accepted.
- I. The court reserves the right to accept or reject all bids. Acceptance of bids will be based on ability to perform, cost, quality of service and other matters in the discretion of the Chief Judge.
- J. Performance review will be conducted by the Chief Judge after consultation with the other judges of the Court and the Court Administrator on a "as needed" basis.

2. Appointment Process

Attorneys may submit bids as outlined above. The judges of the court will meet at the specified date/time to open and review all bids. The judges will determine the ability, cost and



quality of the bidder and make their selection.

3. Compensation

The contractor will submit monthly invoices to the District Court administrator with a listing of all case names/numbers appointed to the contractor for the previous month. The rate is based on "per case" (not per count). The contractor will be paid on a monthly basis.

4. Maintenance of Records

The following records will be maintained by the court:

Number of appointments made per month

Total number of public funds paid to contractor each month

These records will be made available to the public by submitting a request to the Court Administrator at 204 S. Highlander Way, Howell, Michigan without charge.

The Court Administrator, together with Public Defender Services will administrate the program.

These records are maintained by the court pursuant to SCAO General Schedule 16.

Effective date: January 1, 2004

Date: 12/16/03



A. John Pikkarainen, Chief Judge