



COURT OF COMMON PLEAS
JUVENILE COURT DIVISION

COUNTY OF CUYAHOGA
9300 QUINCY AVENUE
CLEVELAND, OHIO 44106
(216) 443-8400
FAX: (216) 443-3507
OHIO RELAY SERVICE 711

KRISTIN W. SWEENEY
ADMINISTRATIVE JUDGE

TEREASE Z. NEFF
COURT ADMINISTRATOR

JUDGES

PATRICK F. CORRIGAN
ALISON L. FLOYD
THOMAS F. O'MALLEY
MICHAEL J. RYAN
DENISE N. RINI

September 20, 2016

Assigned Counsel List Attorneys

Re: Modifications to the Juvenile Court's Assigned Counsel Process

Dear Attorneys:

This communication is to apprise you of significant changes that will soon be made to the Juvenile Court's Assigned Counsel process.

The Ohio Public Defender Commission spent nearly two years reviewing and revising Ohio Administrative Code Chapter (OAC) [120-1](#). The Commission consulted national experts, considered other states' standards, created work groups of public defenders and appointed counsel and surveyed all Ohio judges. Issues scrutinized included minimum caseload standards for public defender offices and minimum qualifications of appointed counsel. Significant time was spent fashioning appointed counsel qualification standards.

Effective December 1, 2015, several amendments to Chapter [120-1](#) of the Ohio Administrative Code were made. The modifications to [OAC 120-1-10](#) significantly impact juvenile courts in Ohio. As we move forward, in order to be eligible for assigned counsel appointment reimbursements from the State Public Defender, in addition to other things, the court will be required to make substantial changes to the process of approving attorneys to be added to the assigned counsel list. A quick summary of new requirements includes the following:

Appointment systems and attorney qualifications: Appointment systems must have a written application process for inclusion, review, advancement in qualifications, and removal from the list; and maintain a record of all appointments of counsel, the qualification of counsel, and record of attorneys' refusal to accept appointments. Specific training and experience-based qualifications are outlined for attorneys being appointed to misdemeanor, OVI, felony, and juvenile cases.

The Juvenile Court did not seek these changes to the Ohio Administrative Code, but we must do everything possible to comply with the new requirements.

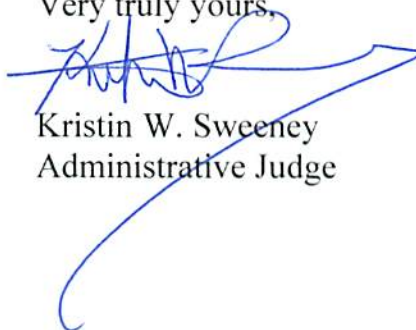
A work group has been established and began working in June, 2016 on a recommendation to be presented to the Judges that will include a bolstered assigned counsel application process and all of new elements mandated by [OAC 120-1-10](#). Along with others, the group includes court administrative personnel, magistrates and two attorneys who are members of the assigned counsel list. The recommendation being developed will be available before the end of this year.

It will be compulsory that attorneys currently on the court's assigned counsel list must reapply. Depending on the types of cases with respect to which the attorneys desire to represent clients, varying levels of continuing legal education hours and / or in-court experience will be required. When completing the newly developed Assigned Counsel List Application, attorneys will be required to demonstrate that they meet the minimum requirements to be appointed to different case types. (Please see the "Attorney Qualifications for County Reimbursement, Juvenile Cases" included with this letter.)

The court plans to sponsor several informational sessions on Friday afternoons in the very near future. During the meetings, attorneys who are interested in applying to be included in the new assigned counsel list will have the opportunity to ask questions regarding the new process and its requirements. You will soon begin seeing notices prominently displayed around the court offering opportunities to attend one of the gatherings. Prior to attending a session, we strongly recommend you access your CLE transcript at: <https://www.supremecourt.ohio.gov/attorneyportal> to determine whether you have attended any continuing legal education seminars that will satisfy [OAC 120-1-10](#) mandates and that you collect any other records you have related to case assignments that will aid you in your efforts to satisfy the new mandates of [OAC 120-1-10](#).

If you have questions, please contact Deputy Court Administrator Dana Chavers at dchavers@cuyahogacounty.us or 216.443.3370.

Very truly yours,



Kristin W. Sweeney
Administrative Judge