

RHODE ISLAND FAMILY COURT

ADMINISTRATIVE ORDER

94-3

RE: INDIGENT DEFENSE

In order to reduce the cost of indigent defense and maintain a high quality of service, the Supreme Court has entered into an agreement with the Public Defender to provide representation to indigent parents who have been charged with dependency, neglect or abuse in Kent, Washington and Newport Counties. This agreement will take effect on May 30, 1994.

Pursuant to this agreement, the Public Defender will be assigned all dependency, neglect and abuse petitions filed on and after May 30, 1994 in Kent, Washington and Newport Counties. The Public Defender will be assigned all pending dependency, neglect and abuse petitions filed before May 30, 1994, if there has not been a pretrial conference and no pretrial conference is scheduled to occur before June 13, 1994. The Public Defender will be assigned all petitions to terminate parental rights filed on and after May 30, 1994, in Kent, Washington and Newport Counties if no attorney has been previously court-appointed to represent the respondent in a related proceeding.

As to all other matters pending as of May 30, 1994, and all petitions to terminate parental rights where an attorney had been previously court-appointed in a related matter, the previously court-appointed attorney will continue to represent the respondent.

Notwithstanding this Order, if an attorney appointed by the court wants to continue with a case pro bono that would otherwise be reassigned to the Public Defender, s/he should send a letter to that effect to the Chief Judge of the Rhode Island Family Court on or before June 3, 1994. If not, s/he should prepare a transmittal memo of the activity in the case(s) to date and transmit the memo(s) and case file(s) to the Office of the Public Defender no later than June 3, 1994. All clients must be notified by the appointed attorney as to whether s/he will retain the case pro bono or transfer the case to the Public Defender.

If an attorney believes there is a compelling reason why the case should not be assigned to the Office of the Public Defender, or if the attorney believes there is a conflict with the Public Defender representing a client the attorney may request continuing appointment from the Chief Judge.

When attorneys transmit files to the Public Defender, they should submit a final voucher for reimbursement to the court.

5/2/94
Date

Jeremiah S. Jeremiah, Jr.
Chief Judge