

- (a) The appointment of counsel for criminal cases shall be at the discretion of each Judge of the Fifth Judicial District and shall require a written motion by the Office of the Public Defender of Allegheny County setting forth the basis for the conflict.
- (b) If, in any court case, prior to arraignment and the assignment of a Judge, the Office of the Public Defender of Allegheny County asserts a conflict in representation, the Office of the Public Defender shall refer a request to the Office of Conflict Counsel, which shall accept the case or if rejecting the case, refer the request to appoint to the Administrative Judge.
- (c) After a Judge has been assigned to a case, the Public Defender shall file a petition to withdraw. The court shall make a determination on the record as to whether a valid conflict exists precluding the Public Defender's representation. If the Judge grants the petition, the Office of Conflict Counsel shall accept the case or refer the case to the assigned Judge for the appointment of counsel.
- (d) In homicide cases and cases deemed by the Administrative Judge to be of a complex nature, the provisions of (b) and (c) shall not apply and, in those cases, the appointment of counsel shall be at the discretion of the Administrative Judge or his or her designee.
- (e) The Administrative Judge of the Criminal Division shall maintain a list of eligible attorneys available for appointments. Attorneys interested in appointments shall submit a request for consideration to the Administrative Judge.
- (f) Upon appointment by either the Administrative Judge or Trial Judge, private counsel will receive an appointment order with information concerning the date and time of the next court appearance. Counsel must be available on the next court appearance date.
- (g) Attorneys requesting and accepting court appointments should be familiar with the procedures for consideration and court appointed counsel, the Court Appointed Counsel Fee Schedule, Billing Guidelines and Billing Procedures set forth by the Administrative Judge of the Criminal Division which are available in the Department of Records Office and published on the website of the Fifth Judicial District of Pennsylvania at www.alleghencourts.us.