

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

IN RE: Court Appointed :
Attorney Fees for Criminal Cases : *AD-23-000181-PJ*
in the Fifth Judicial District of :
Pennsylvania :

ORDER OF COURT

AND NOW, this 28th day of June 2023, it is hereby **ORDERED, ADJUDGED, and DECREED** that the attached *Fifth Judicial District of Pennsylvania Criminal Case Court-Appointed Attorney Fee Policy* shall replace the current system for compensating Court-Appointed Attorneys who practice in the Criminal Division of the Allegheny County Court of Common Pleas or who represent defendants on criminal cases at the Magisterial District Courts in the Fifth Judicial District of Pennsylvania.

The new hourly billing rates under this policy shall be effective for work performed that occurs on or after the date of this Order. The new maximums shall be effective for all cases on which the Court-Appointed Attorney is still actively working as of the date of this Order.

The fee structure for the payment of Court-Appointed Attorneys in other Divisions of the court is currently under review. It is further **ORDERED**, however, that the hourly billing rate for Court-Appointed Attorneys representing clients in other Divisions of the Court shall be raised from \$75 an hour to \$80 an hour effective for work performed that occurs on or after the date of this Order. This Order does not affect or alter any other existing provisions or limitations regarding payment for Court-Appointed Attorneys in other divisions. This Order does not apply to attorneys acting pursuant to a contract with the Court or who are paid for services other than representing clients.

BY THE COURT:

Kim Berkeley Clark, P.J.
Kim Berkeley Clark
President Judge

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DEPT OF COURT RECORDS
CIVIL/FAMILY DIVISION
ALLEGHENY COUNTY PA

Fifth Judicial District of Pennsylvania

Criminal Division Court-Appointed Attorney Fee Policy

Introduction

The judges of the Fifth Judicial District of Allegheny County Court of Common Pleas would like to thank you for choosing to represent indigent clients in Allegheny County. Our objective is to provide efficient and effective representation for those who cannot afford an attorney.

We expect all appointed attorneys to represent their clients zealously, to the fullest extent of the law. Appointed attorneys are expected to meet with their clients before court appearances, be present and prepared for all court appearances, file pre-trial or post-trial motions when appropriate, and preserve their clients' appellate rights.

To be eligible for court appointment, you must be a licensed attorney actively practicing in the Criminal Division of the Allegheny County Court of Common Pleas and be in good standing with the court.

Generally, representation begins at the preliminary hearing. If you are appointed at this stage, you are expected to maintain your representation until the case concludes and an appeal, if appropriate, is filed. Appointment might also occur after the preliminary hearing - at formal arraignment, pretrial, trial, appeal, or PCRA. In such cases, we request that you file your Formal Praecipe for Appearance either at the time of the formal arraignment or within a week of receiving an appointment. Please select "Court Appointed Attorney--Court Pay" on the Praecipe. Attorneys who consistently fail to file their appearance with the court may experience delayed payment or removal from the court appointment list.

Attorneys are urged not to accept any case if they cannot fully commit. Those who are persistently late, absent, or unprepared risk removal from the court appointment list at the discretion of the Administrative Judge of the Criminal Division. In the event a postponement is necessary, you must be aware of the next court date and prepared to proceed.

Please note that if you need to withdraw from a case, you must prepare and present a motion to the court. You cannot simply return the case for reassignment. This policy remains in effect even after sentencing. From the time of appointment through trial, sentencing, and the filing of post-sentence motions, it is your responsibility to ensure that a client's appellate rights are preserved.