

**IN THE 17<sup>TH</sup> JUDICIAL CIRCUIT  
CASS AND JOHNSON COUNTIES**

**Administrative Order 2017-1005**

**IN THE MATTER OF THE CERTIFICATION  
OF LIMITED AVAILABILITY STATUS FOR  
PUBLIC DEFENDER SERVICES AND  
PROPOSED BUDGET CUTS**

**INTERIM ADMINISTRATIVE ORDER**

This Circuit has been notified that the Circuit, comprising of Cass and Johnson counties has limited availability for Public Defender Services. The Judges in each individual county conferred with the District Public Defender to formulate policy and procedures to address the availability status and caseload protocol. Based upon the information obtained from these meetings as well as the current limited availability status, it is necessary that an Interim Administrative Order be entered governing the appointment of the Public Defender as well as the priority of cases. Because each county has its own unique circumstances and needs, the Order contemplates general guidelines for both counties as well as specific procedures unique to each county.

**GENERAL GUIDELINES**


1. The Public Defender shall not accept an application for Public Defender services for any defendant until such defendant has appeared before and been screened by a Judge of the Circuit;
2. The District Public Defender's Office shall qualify all individuals who have applied for public defender services as indigent;
3. In all C, D, and E felony cases, as well as all misdemeanor cases, in which the defendant would qualify as indigent for Public Defender services, the Court shall appoint private counsel from a pool of attorneys willing to accept such appointment. These private attorneys shall be appointed and paid at a rate of three hundred and seventy-five dollars (\$375.00) for felony cases and one hundred and twenty-five dollars (\$125.00) for misdemeanor cases. The monies for payment of services shall be paid by the defendant and/or out of monies posted for bond. In all such cases, the Public Defender system shall, if requested, review cases for payment of litigation costs, including but not limited to investigation, deposition, mental examinations and if approved, make payment of same. The District Defender agrees to accept referral of said cases should it be deemed

necessary by the private attorney and the Court supervising the case based upon the initial determination of indigency and irrespective of the bond;

4. The Court shall establish bonds for criminal defendants, considering all factors required by Missouri law as well as the needs created due to the limited availability status of the Public Defender's Office and the necessity of appointment of private counsel;
5. Private counsel appointed by the Court shall receive compensation prior to the distribution of monies held by the Court for fines and court costs;
6. The Court shall institute policies for the intensive supervision of Probation cases for criminal non-support and driving while suspended or revoked in order to minimize the appointment of counsel and to assist compliance of probation conditions;
7. Pursuant to Section 600.063 RSMo and Section 600.064 RSMo the court may inquire about availability of Public Defenders and/or private counsel.

**IT IS ORDERED** that this Interim Administrative Order shall be effective 5th of October 2017.

10-05-17  
Date

  
Hon. William B. Collins