



**BOARD OF COUNTY COMMISSIONERS
WARREN COUNTY, OHIO**

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***TOM GROSSMANN
SHANNON JONES
DAVID G. YOUNG***

**BOARD OF COUNTY COMMISSIONERS
WARREN COUNTY, OHIO**

MINUTES: Regular Session – May 17, 2022

The Board met in regular session pursuant to adjournment of the May 10, 2022, meeting.

Tom Grossmann – absent

David G. Young – present

Shannon Jones – present

Krystal Powell, Deputy Clerk – present

- 22-0699 A resolution was adopted to accept resignation of Justin Treadway, Service Worker II, within Warren County Facilities Management, effective May 20, 2022. Vote: Unanimous
- 22-0700 A resolution was adopted to authorize the posting for Service Worker I position, within the Facilities Management Department, in accordance with Warren County Personnel Policy Manual, Section 2.02 (A). Vote: Unanimous
- 22-0701 A resolution was adopted to accept resignation of Aryn Hinds, Eligibility Referral Specialist II, within Warren County Department of Job and Family Services, Human Services Division, effective May 5, 2022. Vote: Unanimous
- 22-0702 A resolution was adopted to hire Dannyell Colorado, Eligibility Referral Specialist II, within the Warren County Department of Job and Family Services, Human Services Division. Vote: Unanimous
- 22-0703 A resolution was adopted to hire Kamea Whitehead as Case Aide, within the Warren County Department of Job and Family Services, Children Services Division. Vote: Unanimous

- 22-0704 A resolution was adopted to approve lateral transfer of Jennifer Stacy from the position of Screener III to Foster Care Adoption Caseworker II, within the Warren County Department of Job and Family Services, Children Services Division. Vote: Unanimous
- 22-0705 A resolution was adopted to approve lateral transfer of Katherine Mullins from the position of Investigative Caseworker III to Screener III, within the Warren County Department of Job and Family Services, Children Services Division. Vote: Unanimous
- 22-0706 A resolution was adopted to adopt classification specifications and point factor assignments of Residential Building Official for Building and Zoning Department. Vote: Unanimous
- 22-0707 A resolution was adopted to approve pay increase for Jessica Johnson, Administrative Assistant, within the Telecommunications Department. Vote: Unanimous
- 22-0708 A resolution was adopted to set public hearing for rezoning application of RDJ Holdings LLC (Case #2022-04) to rezone approximately 19.971 acres from “B1 PUD” to Neighborhood Commercial Business “B-1” as a Planned Unit Development in Union Township to amend allowable uses. Vote: Unanimous
- 22-0709 A resolution was adopted to approve enrollment agreement with Professional Development Academy. Vote: Unanimous
- 22-0710 A resolution was adopted to authorize Vice- President of the Board to sign permit application from the Ohio Department of Commerce, Division of Liquor Control for an event at the Warren County Fairgrounds. Vote: Unanimous
- 22-0711 A resolution was adopted to authorize the Vice- President of the Board to sign the Fiscal Year 2023 Reclaim Application through the State of Ohio Department of Youth Services on behalf of the Warren County Juvenile Court. Vote: Unanimous
- 22-0712 A resolution was adopted to approve and authorize the Domestic Relations Judge to sign a lease and maintenance agreement with Millennium Business Systems on behalf of Warren County Court of Common Pleas, Domestic Relations Division. Vote: Unanimous
- 22-0713 A resolution was adopted to approve notice of intent to award bid to Aqua Hydration Solutions for the Ice and Water Machine Rental. Vote: Unanimous
- 22-0714 A resolution was adopted to authorize the Vice- President of the Board to sign software service agreement with D4H Technologies USA Inc. on behalf of Warren County Department of Emergency Services / Emergency Management Agency (EMA). Vote: Unanimous

- 22-0715 A resolution was adopted to authorize acceptance of Quote #001446 from Secure Cyber Defense on behalf of Warren County Telecommunications for EDR and SCD Agent Targeted Intelligence addition. Vote: Unanimous
- 22-0716 A resolution was adopted to authorize the Vice- President of the Board to sign Change Order #1 with DDK Construction, Inc. for the Union Road Bridges #33-4.92 and #3305.16 Rehabilitation Project. Vote: Unanimous
- 22-0717 A resolution was adopted to authorize the partial release of retainage in the Building Crafts, Inc. escrow account for the Richard A. Renneker Water Softening Project. Vote: Unanimous
- 22-0718 A resolution was adopted to acknowledge payment of bills. Vote: Unanimous
- 22-0719 A resolution was adopted to approve various record plats. Vote: Unanimous
- 22-0720 A resolution was adopted to approve a cash advance repayment from Human Services #2203 into Commissioners' #1101. Vote: Unanimous
- 22-0721 A resolution was adopted to approve supplemental appropriation into Local Fiscal Recovery Fund #2211. Vote: Unanimous
- 22-0722 A resolution was adopted to approve appropriation adjustment from Telecommunications Department Fund #11012812 into #11012810. Vote: Unanimous
- 22-0723 A resolution was adopted to approve appropriation adjustment within Emergency Services/ Emergency Management Fund #2264. Vote: Unanimous
- 22-0724 A resolution was adopted to approve appropriation adjustment within Mary Haven Fund #2270. Vote: Unanimous
- 22-0725 A resolution was adopted to approve requisitions and authorize County Administrator to sign documents relative thereto. Vote: Unanimous
- 22-0726 A resolution was adopted to amend Warren County assigned counsel fee schedule to increase the hourly rate for time in and out of court. Vote: Unanimous
- 22-0727 A resolution was adopted to approve software agreement with IWORQ Systems, Inc. on behalf of the Warren County Building and Zoning Department. Vote: Unanimous
- 22-0728 A resolution was adopted to set the public hearing to consider fee increases within the Warren County Building and Zoning Department. Vote: Unanimous

DISCUSSIONS

On motion, upon unanimous call of the roll, the Board accepted and approved the consent agenda.

Andrea Ostrowski, attorney and representative of the Warren County Bar Association, was present for a work session along with representatives from Warren County Common Pleas Court to discuss the indigent defense fee schedule.

Ms. Ostrowski stated she had originally requested the fee increase to the Board in 2020, however, a decision was never made. She stated that the rates have not increased since 2000, and that the Ohio Public Defender's Office currently reimburses the County at 90%. She then presented the attached information and requested the Board increase the rate to \$75/ hour Countywide for both in and out of court time, as well as increase the maximum allowable compensation.

There was discussion relative to the maximum allowable compensation under the current fee schedule.

Judge Oda stated that the maximum allowable amounts are more important to Judge Kirby than the Criminal Division. He believes the maximum amounts are an average to what a trial should cost. Judge Oda stated the concern in raising the maximum allowable amounts should be the tipping point for the price paid for defense.

Commissioner Jones and Commissioner Young agreed they would like Commissioner Grossmann to be present to express his opinion on increasing the maximum allowable amounts.

Prosecutor David Fornshell stated he was in support of increasing the hourly rate to \$75/ hour but did not feel it was appropriate for him to weigh in on the maximum allowable amount.

County Auditor Matt Nolan requested the hourly rate of \$75/hour be across the Board Countywide.

Upon further discussion, the Board resolved (Resolution #22-0726) to amend Warren County assigned counsel fee schedule to increase the hourly rate for time in and out of court to \$75 per hour effective June 1, 2022.

Michelle Tegtmeier, Director of the Warren County Building and Zoning Department, was present for a work to discuss amending the fee schedule within the Warren County Building and Zoning Department as well as the purchase of software for the building inspectors.

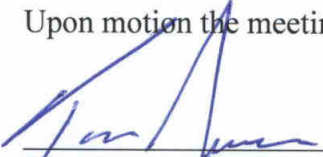
Ms. Tegtmeier discussed the need for software to use the tablets purchased a year and half ago to be used within the Building and Zoning Department. She stated a private company, IWORQ Systems, provides many local jurisdictions with the software needed to run the tablets. She requested to enter an agreement with IWORQ Systems.

Upon discussion, the Board resolved (Resolution #22-0727) to approve the software agreement with IWORQ Systems, Inc. on behalf of the Warren County Building and Zoning Department.

Ms. Tegtmeier then presented the proposed changes to the current fee schedule within the Building and Zoning Department and requested the Board to schedule a public hearing to consider the proposed changes.

Upon discussion, the Board resolved (Resolution #22-0728) to set the public hearing to consider amendments to the fee schedule to consider increases and additional classifications within the Warren County Building and Zoning Department.

Upon motion the meeting was adjourned.



Tom Grossmann, President

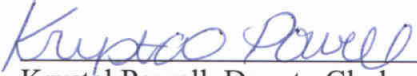


Shannon Jones



David G. Young

I hereby certify that the foregoing is a true and correct copy of the minutes of the meeting of the Board of County Commissioners held on May 17, 2022, in compliance with Section 121.22 O.R.C.



Krystal Powell, Deputy Clerk
Board of County Commissioners
Warren County, Ohio



Office of the Ohio Public Defender

Timothy Young, State Public Defender

MEMORANDUM

DATE: April 18, 2022
TO: County Commissioners, County Public Defenders, Court Appointed Counsel, Judges, Auditors
FROM: State Public Defender Tim Young
RE: Indigent Defense Reimbursement Rate Periodic Update

I write today with a periodic update on the indigent defense reimbursement rate. As shared in our prior memorandums, Governor DeWine and the Ohio General Assembly allocated approximately \$336 million dollars in the Biennial State Budget to reimburse counties for indigent defense costs for Fiscal Year 2022 and 2023 (July 1, 2021 – June 30, 2023). This level of funding for indigent defense is unprecedented in Ohio. In July 2021, the OPD estimated that the allocated funding would permit the state to reimburse counties at a reimbursement rate approaching 100%, based on projected reimbursement submissions of \$13mil/per month in FY22 and \$13.5mil/per month in FY23. As we approach FY23, county submissions are exceeding projections.

The OPD is committed to keeping all system parties and stakeholders apprised of the reimbursement rate throughout the fiscal year with periodic updates on the total costs submitted and remaining appropriated funds. The OPD has thus far processed nine months of regular reimbursement submissions in Fiscal Year 2022 (May 2021 – April 2022 reimbursement submissions are processed during July 2021 – June 2022), in addition to extension submissions¹ (for those counties that have elected to utilize the extension option) that were available earlier this fiscal year. All payments were made with a reimbursement rate of 100%.

The OPD will continue to monitor changes to appointed counsel and public defender submissions but taking into account the submissions received thus far during FY22, the OPD continues to project a reimbursement rate approaching 100% for FY22.

It is important to note that some counties are in the process of increasing appointed counsel rates, increasing public defender salaries, and funding necessary public defender facility expenses. Those increases in spending are in excess of any projections and well beyond the normal projected growth rates. While all of these improvements are vitally needed and supported by the OPD as necessary expenditures, these overdue system improvements are occurring in one fiscal cycle. **The OPD's best**

¹ In response to the COVID-19 pandemic, the OPD made several options available to counties to provide support and assistance with their reimbursement submissions during the pandemic. One of those options was an extension process whereby counties could have an additional 60 days to submit indigent defense expenses for reimbursement. The extension provision ended with the month of October 2021 and any extensions for that month were due by the end of December 2021.

estimate at this juncture is the reimbursement rate for FY23 will approach 90%. This estimate is certainly subject to change based on the respective expenditures and reimbursement submissions from all 88 counties. We will keep you apprised of any updates via future periodic updates.

If you have any questions, or if county officials have planned expenditures for FY22/FY23 that they wish to apprise the OPD of – please feel free to reach out to the OPD by emailing Laura Austen, Deputy Director of Policy & Outreach via email at outreach@opd.ohio.gov or by calling 614.466.5394. Thank you.



From: Oda, Jdg Donald E.
Sent: Wednesday, May 11, 2022 11:53 AM
To: Jones, Shannon W.; Grossmann, Tom E.; Young, David G.; Russell, Martin T.; Zindel, Tiffany M.
Cc: Tepe, Jdg Timothy N.; Peeler, Jdg Robert W.; Kirby, Jdg Joseph W.; Kirby, Jdg Jeffrey T.; 'Andrea Ostrowski - Attorney (aostrowskilaw@gmail.com)'; Burnside, Jennifer M.; Prewitt, Cindy; 'Thomas Kidd'; 'Mary Martin'; 'Joe Auciello'; 'Marcelina Woods'; 'brookelogsdoneq@outlook.com'
Subject: Court Appointed Fees for Common Pleas Court Criminal Division
Attachments: fee schedule (proposed).pdf; Maximum Fee Schedule Court Appointed Counsel.pdf

The General Division Judges (Oda, Peeler & Tepe) met this morning and voted unanimously to recommend to the County Commissioners the adoption of a raise for court appointed attorney fees. Our recommendation applies to both the hourly rate and the maximum fee schedule for felony, misdemeanor and appellate cases in connection with the Criminal Division of the Common Pleas Court. We make no recommendations with regard to county court, probate court, juvenile court or domestic relations court.

While the judges are mindful of remaining a good steward of taxpayer dollars, we believe this pay raise is in the best interest of the County. I have said many times before that the attorneys who serve on our court appointment list provide the Warren County taxpayers, by far, the best value for their dollar – even with this proposed raise. This fee schedule is in line with surrounding counties and the recommendations made by the Ohio Public Defender's office. At the current rate of reimbursement by the State, this should have zero impact on our budget (we are currently being reimbursed at 100%). However, this reimbursement rate is subject to change at the discretion of the Ohio Public Defender.

I have attached our proposal for your review in advance of the meeting next week. I have also attached the old fee schedule, adopted over 20 years ago, for your reference.

If you have any questions or concerns in the interim, please do not hesitate to contact me.

DEO II

Donald E. Oda II

Administrative Judge

Warren County Common Pleas Court

500 Justice Drive

Lebanon, OH 45036

513.695.1231

Donald.Oda@co.warren.oh.us

WARREN COUNTY ASSIGNED COUNSEL FEE SCHEDULE

Counsel shall be compensated at the hourly rate of \$60.00 for time in court and the rate of \$50.00 for time spent out of court. Death Penalty trial level \$60.00 per hour for both in and out of court services.

Maximum fee at the above stated hourly rates for the types of cases listed below are as follows:

(1.) Aggravated Murder (capital cases)	two attorneys	\$ 40,000.00
(2.) Aggravated Murder (non capital case)	one attorney	\$ 7,000.00
	two attorneys	\$ 9,000.00
(3.) Murder		\$ 4,000.00
Felony with possible sentence / Repeat violent offender		
Major Drug defender		\$ 5,000.00
(4.) Felony 1, 2 and 3		\$ 2,500.00
(5.) Felonies 4, 5		\$ 2,000.00
(6.) Misdemeanors / pre-indictment felony		\$ 1,000.00
(7.) Probation, parole violations, etc.		\$ 500.00
(8.) Contempt proceedings		\$ 500.00
(9.) Juvenile proceedings – felony		\$ 1,000.00
(10.) Juvenile proceedings – misdemeanor		\$ 1,000.00
(11.) Juvenile proceedings – abuse, dependency & neglect		
Per 12 month period		\$ 1,000.00
(12.) Juvenile proceedings (guardian as litem)		
Per 12 month period		\$ 1,000.00
(13.) Appeals		
(A) Aggravated Murder (death sentence imposed)		
Two attorneys		\$ 11,000.00
(B) Aggravated Murder (sentence other than death)		\$ 4,500.00
(C) Murder (or any felony with life sentence)		\$ 2,000.00
(D) Felony		\$ 1,500.00
(E) Misdemeanor		\$ 1,000.00

All fees are subject to review and approval by the courts of Warren County.

Proposed

COURT APPOINTED FEE SCHEDULE
Common Pleas Court - Criminal Division Only
Effective June 1, 2022

HOURLY RATE

Hourly rate \$75 *(in and out of court)*

MAXIMUM FEE SCHEDULE

1) Aggravated Murder (capital cases)		<i>(unlimited)*</i>
2) Aggravated Murder	one attorney	\$15,000.00
	two attorneys (per attorney)	\$10,000.00
3) Murder / Offense that carries life sentence		\$10,000.00
4) Felony 1 or 2		\$4,000.00
5) Felony 3		\$3,125.00
6) Felony 4 or 5		\$2,500.00
7) Misdemeanors/pre-indictment felony		\$1,250.00
8) Probation, parole violations, etc.		\$625.00
9) Appeals		
Aggravated Murder (capital cases)		<i>(unlimited)*</i>
Aggravated Murder		\$6,000.00
Murder / Offense that carries life sentence		\$4,000.00
Felony		\$3,000.00
Misdemeanors		\$1,500.00

All attorney fee requests are subject to review and approval of the Court.

NOTES:

A request for compensation that exceeds the established fee schedule may be granted in extraordinary cases.

Per local rule, when the case is resolved without a trial, compensation for more than 10 hours of work must be accompanied by a written explanation for the fees.

** Attorney fees for Aggravated Murder with Capital Specifications are set by the Capital Fee Council*

From: Burnside, Jennifer M.
Sent: Wednesday, May 11, 2022 2:16 PM
To: Zindel, Tiffany M.
Cc: Russell, Martin T.; Osborne, Tina
Subject: RE: Court Appointed Fees for Common Pleas Court Criminal Division
Attachments: Copy of Indigent Attorney Fees 2020 2021 2022 small jb.xlsx; Copy of Indigent Attorney Payments Capital Non Capital 2020 2021 revisedjb.xlsx

Here is some info:

Also, I did some research yesterday and updated the fees by county:

Warren County: Last revision 2000, except for new mandatory rate for capital cases adopted **10/26/21**. Current rate \$60.00 in court, \$50.00 out of court

Butler County: adopted OPD max fee schedule - Hourly rate \$75.00 in and out of court.

Clinton County: last fees updated 2019 - Hourly rate \$75.00 in and out of court

Hamilton County: adopted OPD max fee schedule - \$75.00 in and out of court

Montgomery County: adopted OPD max fee schedule - Hourly rate \$75.00 in and out of court

Franklin County: adopted OPD max fee schedule - Hourly rate \$75.00 in and out of court

Cuyahoga County: last fees updated 2014 for most cases. Hourly rate \$60.00 in court and \$50.00 out of court.

Greene County: adopted OPD max fee schedule - Hourly rate \$75.00 in and out of court

Clermont County: last updated fee schedule 2011- Hourly rate \$ 60.00 in court and \$50.00 out of court.

Based on my notes **the last time we met**, (for the 2021 tax budget) in order to adopt 75/75, we estimated we would need to increase our annual appropriation by 36%. That is if the attorney bills stayed around the same. That was based on an estimate of 460K for the year, so it would need increased by \$165,600 for a new appropriation of \$625,000

Thanks,
Jennifer

Jennifer Burnside, Court Administrator, CCM
Warren County Court of Common Pleas
500 Justice Drive
Lebanon, Ohio 45036
(513) 695 -1570 Office
(513) 678-2628 Cell
Jennifer.Burnside@co.warren.oh.us



Indigent Attorney Expenses

11011220 5415 (General) & 11011221 5415 (Capital)

Year	County Expenses	OPD Reimbursement	Reimbursement Rate
2020	\$ 628,835.74	\$ 484,203.52	85% (Jan-Apr) 70% (May-Oct), 80% (Nov-Dec)
2021	\$ 409,809.27	\$ 386,616.23	80% (Jan-Apr) 100% (May-Dec)
2022	\$ 157,270.71	\$ 15,270.71	100%
	\$ 1,195,915.72	\$ 886,090.46	

	Non Capital		Capital		
2020	\$	427,721.95	\$	201,113.79	\$ 628,835.74
2021	\$	389,247.56	\$	20,561.71	\$ 409,809.27
2022	\$	157,270.71	\$	-	\$ 157,270.71

From: Schneckner, Laura
Sent: Friday, May 13, 2022 8:14 AM
To: Jones, Shannon W.; Grossmann, Tom E.; Young, David G.; Russell, Martin T.; Zindel, Tiffany M.
Cc: Kirby, Jdg Joseph W.; Tepe, Jdg Timothy N.; Peeler, Jdg Robert W.; Kirby, Jdg Jeffrey T.; Burnside, Jennifer M.; Prewitt, Cindy; 'Thomas Kidd'; 'Mary Martin'; 'Joe Auciello'; 'Marcelina Woods'; 'brookelogsdoneq@outlook.com'; Oda, Jdg Donald E.; Andrea G. Ostrowski (ostrowskilaw@yahoo.com)
Subject: Court Appointed Fees
Attachments: COURT APPOINTED FEE SCHEDULE PROPOSAL 6-1-22.pdf; WARREN COUNTY ASSIGNED COUNSEL FEE SCHEDULE.pdf

Good morning, I am aware that the General Division Judges are recommending to the County Commissioners the adoption of a raise for court appointed attorney fees. The Probate/Juvenile Division is supportive of the recommendation to raise court appointed fees. Please find attached a proposal for your review that outlines a new proposed counsel fee schedule for Probate/Juvenile Court cases. The active adopted fee schedule is attached as well for reference.

If you have any questions or concerns in the interim, please do not hesitate to contact me.



**Joseph W. Kirby,
Judge**

Warren County Probate-Juvenile Court



900 Memorial Drive | Lebanon, OH 45036
513.695.2686 | Fax: 513.695.2345
JdgJoseph.Kirby@co.warren.oh.us | www.co.warren.oh.us/probate_juvenile

"Nothing you do for children is ever wasted."

- Garrison Keillor

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COURT APPOINTED FEE SCHEDULE PROPOSAL

Common Pleas Court—Probate/Juvenile Division

Effective June 1, 2022

HOURLY Rate \$75 (in and out of Court)

MAXIMUM FEE SCHEDULE

- | | |
|---|------------|
| 1. Probation, parole violations | \$ 650.00 |
| 2. Contempt proceedings | \$ 650.00 |
| 3. Juvenile proceedings-felony | \$ 1500.00 |
| 4. Juvenile proceedings-misdemeanor | \$ 1500.00 |
| 5. Juvenile proceedings-abuse/neglect/dependency
(Per 12-month period) | \$ 1500.00 |
| 6. Juvenile proceedings (guardian ad litem)
(Per 12-month period) | \$ 1500.00 |
| 7. Probate proceedings-termination of parental rights | \$ 1500.00 |

WARREN COUNTY ASSIGNED COUNSEL FEE SCHEDULE

Counsel shall be compensated at the hourly rate of \$60.00 for time in court and the rate of \$50.00 for time spent out of court. Death Penalty trial level \$60.00 per hour for both in and out of court services.

Maximum fee at the above stated hourly rates for the types of cases listed below are as follows:

(1.) Aggravated Murder (capital cases)	two attorneys	\$40,000.00
(2.) Aggravated Murder (non-capital case)	one attorney	\$ 7,000.00
	two attorneys	\$ 9,000.00
(3.) Murder		\$ 4,000.00
Felony with possible sentence / Repeat violent offender		
Major Drug defender		\$ 5,000.00
(4.) Felony 1, 2 and 3		\$ 2,500.00
(5.) Felonies 4, 5		\$ 2,000.00
(6.) Misdemeanors / pre-indictment felony		\$ 1,000.00
(7.) Probation, parole violations, etc.		\$ 500.00
(8.) Contempt proceedings		\$ 500.00
(9.) Juvenile proceedings-felony		\$ 1,000.00
(10.) Juvenile proceedings-misdemeanor		\$ 1,000.00
(11.) Juvenile proceedings-abuse, dependency & neglect		
Per 12-month period		\$ 1,000.00
(12.) Juvenile proceedings (guardian ad litem)		
Per 12-month period		\$ 1,000.00
(13.) Probate proceedings-termination of parental rights		\$ 1,000.00
(14.) Appeals		
(A) Aggravated Murder (death sentence imposed)		
Two attorneys		\$ 11,000.00
(B) Aggravated Murder (sentence other than death)		\$ 4,500.00
(C) Murder (or any felony with life sentence)		\$ 2,000.00
(D) Felony		\$ 1,500.00
(E) Misdemeanor		\$ 1,000.00

All fees are subject to review and approval by the courts of Warren County.



Office of the Ohio Public Defender

Timothy Young, State Public Defender

**STANDARDS AND GUIDELINES
FOR APPOINTED COUNSEL REIMBURSEMENT**
Revised September 2021

**STATE MAXIMUM FEE SCHEDULE
FOR APPOINTED COUNSEL REIMBURSEMENT**
Revised September 2021

**COUNTY PUBLIC DEFENDER OFFICE
REIMBURSEMENT STANDARDS**
Revised September 2021

**STATE PUBLIC DEFENDER BILLING,
PAYMENT, AND REIMBURSEMENT**
Revised September 2021

Promulgated pursuant to Chapter 120 of the Ohio Revised Code

SECTION II

STATE MAXIMUM FEE SCHEDULE FOR APPOINTED COUNSEL REIMBURSEMENT

A. General provisions

1. The Ohio Public Defender State Maximum Fee Schedule for Appointed Counsel Reimbursement contains the hourly rates and maximum amounts the OPD will reimburse counties for representation of indigent persons in criminal cases.
2. Pursuant to R.C. 120.33(A)(3), to receive reimbursement, a board of county commissioners must adopt a resolution to pay counsel appointed by the court, and must establish a fee schedule. The county is responsible for filing an up-to-date fee schedule with the OPD. Reimbursement will be based on the latest fee schedule filed with the OPD.
3. Reimbursement to the counties shall be based on the most serious offense with which the defendant is charged and will be made at up to 100 percent of either the State or county rate, whichever is lower. Reimbursement shall not exceed the established hourly or maximum rates unless otherwise provided for by statute.

B. Trial Level Proceedings

1. Reimbursement for representation in trial level cases not involving a death penalty specification will be made based on the maximum rate of \$75.00 per hour for both in-court and out-of-court services.
2. Reimbursement for representation in trial level cases involving a death penalty specification will be made based on the maximum rate of \$125.00 per hour for both in-court and out-of-court services.
3. The prescribed maximum fees permitted in trial level proceedings are:

<u>Offense/Proceeding</u>	<u>Fee Maximum</u>
Aggravated murder (w/specs) per <u>R.C. 2929.04(A)</u> and <u>R.C. 2941.14(B)</u>	As set by Capital Fee Council - see <u>R.C. 120.33(D)</u> . The Council has currently set a rate of \$125 with no fee maximum.
Aggravated murder (w/o specs)	\$15,000/1 attorney \$25,000/2 attorneys
Murder	\$10,000
Felony with possible life sentence/ repeat violent offender/major drug offender	\$10,000
Felony (degrees 1-2)	\$8,000
Felony (degree 3)	\$5,000
Felony (degrees 4-5)	\$3,500
Misdemeanor (degrees 1-4)	\$2,000

<u>Offense/Proceeding (cont'd)</u>	<u>Fee Maximum</u>
Misdemeanor OVI/BAC	\$2,500
Contempt of court	\$500
Violation (Probation/Community Control)	\$750
Preliminary Hearings	\$300
Sex Offender Classification	\$750
Other	\$750

C. Juvenile proceedings

1. Reimbursement for representation in juvenile proceedings will be made based on the maximum rate of \$75.00 per hour for both in-court and out-of-court services.
2. Reimbursement will not be made for non-attorneys appointed as a guardian ad litem.
3. In abuse, dependency, and neglect cases, both the attorney and the guardian ad litem may bill up to the maximum fee allowed by the county for the initial dispositional hearing and each subsequent annual review hearing before the court.
4. The prescribed maximum fees permitted in juvenile level proceedings are:

<u>Offense/Proceeding</u>	<u>Fee Maximum</u>
Aggravated murder (w/specs) per <u>R.C. 2929.04(A)</u> and <u>R.C. 2941.14(B)</u>	As set by Capital Fee Council - see <u>R.C. 120.33(D)</u> . The Council has currently set a rate of \$125 with no fee maximum.
Aggravated murder (w/o specs)	\$7,500/1 attorney \$12,500/2 attorneys
Murder	\$6,000
Felony adjudication (degrees 1-2)	\$5,000
Felony adjudication (degrees 3-5)	\$3,500
Misdemeanor OVI/BAC	\$2,500
Misdemeanor	\$2,000
Traffic	\$300
Objections	\$750
Unruly	\$1,000
Bindover - Mandatory	\$750/1 attorney \$1,200/2 attorneys

<u>Offense/Proceeding (cont'd)</u>	<u>Fee Maximum</u>
Bindover - Discretionary	\$2,000/1 attorney \$3,000/2 attorneys
Reverse Bindover Amenability	\$1,500
SYO	Adult degree + 50%/2 attorneys
SYO Invocation	\$2,000/1 attorney \$3,000/2 attorneys
Adult in Juvenile Court	\$1,500
Violation (Probation/Community Control)	\$750
Violation (Parole/Supervised Release)	\$750
VCO	\$750
ADN Initial Custody	\$1,500
ADN Annual After Custody	\$1,500
Permanent Custody	\$2,500
Contempt of court	\$500
Purge Hearing	\$150
Sex Offender Classification/ Reclassification/Declassification	\$750
Expungement	\$300
Other	\$750
D. Probate proceedings	
Termination of parental rights	\$2,500
E. Appellate level proceedings	
1. Reimbursement for representation in appellate level proceedings not involving a death sentence shall be made based on the maximum rate of \$75.00 per hour for both in-court and out-of-court services.	
2. Reimbursement for representation in appellate level proceedings involving a death sentence will be made based on the maximum rate of \$125.00 per hour for both in-court and out-of-court services.	

3. The prescribed maximum fees permitted in appellate level proceedings are:

<u>Offense/Proceeding</u>	<u>Fee Maximum</u>
Death Sentence	As set by Capital Fee Council - see <u>R.C. 120.33(D)</u> . The Council has currently set a rate of \$125 with no fee maximum.
Cumulative Minimum Sentence exceeds 25 years	\$8,000
Felony (degrees 1-2) Trial	\$5,000
Felony (degree 3) Trial	\$3,500
Felony (degrees 4-5) Trial	\$2,500
Misdemeanor Trial	\$2,000
Felony Plea	\$1,500
Misdemeanor Plea	\$1,000
ADN Permanent Custody	\$3,500
Probate	\$3,500
Unruly	\$1,000
Other	\$1,000
26(B) Murnahan Felony (degrees 1-2) Trial	\$3,000
26(B) Murnahan Felony (degree 3) Trial	\$2,000
26(B) Murnahan Felony (degrees 4-5) Trial	\$1,000
OSC Jurisdiction Memorandum	\$1,500

F. Postconviction and habeas corpus proceedings

1. Reimbursement for postconviction and State habeas corpus proceedings not involving a death sentence will be made based on the maximum rate of \$75.00 per hour for both in-court and out-of-court services.
2. Reimbursement for representation in appellate level proceedings involving a death sentence will be made based on the maximum rate of \$125.00 per hour for both in-court and out-of-court services.

3. The prescribed maximum fees permitted in postconviction and habeas corpus proceedings are:

<u>Offense/Proceeding</u>	<u>Fee Maximum</u>
Death Sentence	As set by Capital Fee Council - see <u>R.C. 120.33(D)</u> . The Council has currently set a rate of \$125 with no fee maximum.
Felony (degrees 1-2) (<u>R.C. 2953.21</u> Petition/New Trial Mtn)	\$4,000
Felony (degree 3) (<u>R.C. 2953.21</u> Petition/New Trial Mtn)	\$2,500
Felony (degrees 4-5) (<u>R.C. 2953.21</u> Petition/New Trial Mtn)	\$1,750
Misdemeanor (60(B))	\$1,500
Juvenile	\$2,500
State Habeas	\$1,500
Expungement	\$300
Judicial Release	\$500
Revocation	\$750
Driving Privileges	\$150
NGRI/Comp Review	\$750
Jail Time Credit	\$300
Resentencing	\$500
Sex Offender Reclassification	\$750
Withdrawal of Guilty Plea	\$1,000

G. Amendments to the Fee Schedule

The OPD may amend this fee schedule at any time. Whenever the schedule is amended or revised, the OPD will give notice to the appropriate county offices including, but not limited to county commissioners, auditors, judges, and clerks of courts.