

# The Juvenile Court of Fulton County

## Court Appointed Attorney Application and Indigent Defense Program Guidelines

Timothy Ezell, Chief Administrative Officer  
[timothy.ezell@fultoncountyga.gov](mailto:timothy.ezell@fultoncountyga.gov)

Brittany Jacks, Clerk of Court  
[brittany.jacks@fultoncountyga.gov](mailto:brittany.jacks@fultoncountyga.gov)

Romae T. Powell Juvenile Justice Center  
395 Pryor Street SW  
Atlanta, Georgia 30312

404.612.4402

<https://www.fultonjuvenilecourt.org>

UPDATED APRIL, 2021

## INDEX

I.	Introduction	Page 4
II.	Description of Program	Page 4
III.	Eligibility Requirements	Page 4 - 5
A.	<u>General Eligibility Requirements</u>	
	1. Bar Membership	
	2. Compliance	
	3. Bar License and Practice Requirements	
	4. Fulton County Law Practice Requirements	
	5. Business License	
	6. CLE Requirements	
	7. Reference Letter	
	8. Hearing/Case Observation for New Attorneys	
	9. Juvenile Representation	
	10. Parent Representation	
	11. Guardian ad Litem (GAL) Representation	
B.	<u>Application Requirements and General Administration</u>	Page 6
	1. Application Requirements	
	2. Fulton County Vendor Application	
	3. Notification Requirement to Clerk of Court	
	4. Voluntary Removal from List	
	5. Leave of Absence	
C.	<u>Appointment of Court Appointed Attorneys</u>	Pages 6 - 7
	1. Appointment Length	
	2. Competency, Professionalism, Ethics	
D.	<u>Assignment of Cases to Court Appointed Attorneys</u>	Pages 7 - 9
	1. General Case Assignment	
	2. Case Acceptance	
	3. Case Preparation	
	4. Dual Role as Guardian ad Litem (GAL)	
	5. Appeals	
	6. Subcontracting/Substitute Attorneys	
	7. Appointment Orders	
	8. Limiting Practice to Appeals	
	9. Restrictions on Case Assignments for New Attorneys	
	10. Withdrawing from an Appointed Case	

E.	<u>Fee Schedule, Billing Policies and Administration</u>	Pages 9 - 14
	<ol style="list-style-type: none"> <li>1. General Information</li> <li>2. Hourly Rates</li> <li>3. Billing Policies <ol style="list-style-type: none"> <li>a) Bill of Particulars</li> <li>b) Complete Billing Packet Requirements</li> <li>c) Billing Increments, Billing Itemization and Block Billing</li> <li>d) Detailed Description/Explanation of Hourly Billing</li> <li>e) Billable Professional Services</li> <li>f) Non-Billable Professional Services / Excluded Claims</li> <li>g) Non-Reimbursable Costs and Expenses</li> <li>h) Private Investigator and Expert Witness Expenses</li> <li>i) Limitations on Claims</li> <li>j) Miscellaneous Billing/Payment Issues</li> <li>k) Filing Deadlines for Billing</li> <li>l) Allowable Single Claim Amount</li> <li>m) Submitting Invoices (Instructions)</li> </ol> </li> <li>4. Expenses</li> <li>5. Invoice Rejection</li> </ol>	
F.	<u>Grounds for Removal from Court Appointed List</u>	Pages 14 - 15
	<ol style="list-style-type: none"> <li>1. Non-Compliance</li> <li>2. Bar License Suspension</li> <li>3. Criminal Convictions</li> <li>4. Professional Discipline</li> <li>5. Failure to Provide Notice of Professional Discipline</li> <li>6. Repeatedly Rejecting Cases</li> <li>7. Voluntary Removal from List</li> <li>8. Good Cause</li> </ol>	
G.	<u>Performance Review</u>	Page 15
H.	<u>Post Removal from Court Appointed List</u>	Page 15
IV.	<p>Court Appointed Attorney Application</p> <p style="padding-left: 40px;"><u>Application</u></p> <p style="padding-left: 40px;"><u>Certification</u></p> <p style="padding-left: 40px;"><u>Notary Acknowledgement</u></p>	Pages 16 – 20

## I. Introduction

The Juvenile Court of Fulton County is required to provide competent and effective legal representation to parents, legal guardians and children made a party to a dependency, delinquency or Child In Need of Services (CHINS) proceeding if they cannot afford legal representation.

The Juvenile Court Administrators, the Chief Administrative Officer (CAO) and Clerk of Court (Clerk) (collectively "Administrators") are charged by the Court with the responsibility to adopt rules and procedures for the appointment of legal counsel to represent parents and legal guardians of a child alleged to be deprived/dependent, to represent a child alleged to be deprived/dependent and to represent a child involved in other proceedings before the Court.

The Administrators shall adopt rules and procedures with the approval of the Chief Judge of the Juvenile Court. This document is a presentation of the rules and procedures of the Juvenile Court of Fulton County. No rule or procedure prescribed herein shall supersede or limit the power of the Juvenile Court to appoint counsel and to order compensation and reimbursement from public funds, as the proper administration of justice may require. No rule or procedure contained herein shall be construed as a guarantee of appointment or assignment to a case in the Juvenile Court of Fulton County.

## II. Description of Program

The Juvenile Court utilizes a list of attorneys approved to provide indigent defense, guardian ad litem services and parent attorney services. The rules, policies and procedures herein shall be reviewed periodically to ensure compliance with applicable laws, rules of the court, and with guidelines promulgated from time to time by the Georgia Supreme Court upon recommendation of the Georgia Indigent Defense Council.

The Administrators shall be responsible for the program operation, including the periodic reviews of the Indigent Defense Program Guidelines and monitoring the performance of the Court Appointed attorneys.

## III. Court Appointed Attorney Eligibility Requirements

The Clerk shall maintain a list of eligible attorneys who are qualified to accept assignment of indigent cases ("Court Appointed Attorney List"). Application for inclusion on the Court Appointed Attorney List shall be made on a form provided by the Administrators.

- A. General Eligibility Requirements: Attorneys who seek to be added to and remain on the Court Appointed Attorney List for assignment of indigent cases must:
  1. Bar Membership: Possess and maintain membership in good standing with the State Bar of Georgia;
  2. Compliance: Comply with the rules and procedures herein, Georgia Bar Rules of Professional Conduct, and conduct their practice in accordance with the highest ethical standards;
  3. Bar License and Practice Requirements: Be a licensed attorney for a minimum of two years, practiced law for at least two years and have at least one year of Juvenile Court experience;

4. Practice Law in Fulton County: Actively practice law in Fulton County. For the purpose of this requirement, the practice of law in Fulton County is defined to include the following:
    - a. Representing one or more clients in cases docketed in the courts of Fulton County including Fulton County Magistrate Court, Fulton County State Court, Fulton County Superior Court and Fulton County Juvenile Court; and
    - b. Maintaining a private office for the attorney's exclusive, fulltime use within Fulton County.
      - i. Said office must be readily accessible to Fulton County residents, clients, witnesses, and other business visitors, and attorneys must regularly receive mail and telephone calls at this office; OR
    - c. Utilizing the space provided for visiting attorneys on the fourth floor of the Juvenile Court for the purpose of meeting with clients of appointed cases.
  5. Business License: Possess a business license and/or comply with the business licensing requirements applicable to the location of your physical office;
  6. CLE Requirements: Provide documentation of completion of a minimum of six (6) CLE credit hours from participation in a Juvenile Law or Family Law related CLE courses by December 31 of each year; Email proof of CLE course completion to: [shariff.jones@fultoncountyga.gov](mailto:shariff.jones@fultoncountyga.gov);
  7. Reference Letter: Provide two (2) letters of reference from an attorney, judge or law professor who is unrelated to you;
  8. Hearing/Case Observation: New Attorneys/Applicants will be required to observe the proceedings of the type of cases for which appointments are sought in Juvenile Court for a minimum of twenty (20) hours, including preliminary protective hearings (PPH), adjudication, disposition and review hearings, prior to being appointed as counsel. (email completed Observation Form to: [shariff.jones@fultoncountyga.gov](mailto:shariff.jones@fultoncountyga.gov));
  9. Juvenile Defense Representation: Be proficient in the State of Georgia Performance Standards for Juvenile Defense Representation in Indigent Delinquency and Unruly Cases, as adopted by the Georgia Public Defender Standards, December 10,2004; and the Georgia Indigent Defense Act of 2003, O.C.G.A. §17-2-1 et seq.);
  10. Parent Representation: Be proficient in the American Bar Association Standards of Practice for Attorneys Representing Parents in Abuse and Neglect Cases ([https://www.americanbar.org/groups/public\\_interest/child\\_law/resources/practice-standards/](https://www.americanbar.org/groups/public_interest/child_law/resources/practice-standards/)); and
  11. Guardian ad Litem (GAL) Representation: Satisfy the pre-appointment training requirements for guardian ad litem by completing training administered by or approved by the state Office of the Child Advocate for the Protection of Children pursuant to O.C.G.A. § 15-11-104(f).
- B. Application Requirements and General Administration

1. Application Requirements: A complete Application for inclusion on the Court Appointed Attorney List for assignment of indigent cases shall include:
    - a. A signed Certification of Compliance with the Court Appointed Attorney eligibility for the Juvenile Court Indigent Defense Program Guidelines and such other requirements that the Administrators may from time to time prescribe.
    - b. A current Resume.
    - c. An Agreement by the attorney to Notify the Administrators within seven business days of any change in information provided in the application.
    - d. An Agreement by the attorney to Notify the Judge and Clerk of Court immediately (within 48 hours) in writing if the attorney is unable to accept appointments due to illness, suspension from the practice of law, etc.
  
  2. Fulton County Vendor Application: Once the Attorney completes the Court Appointing Application, and is added to the Court Appointed Attorney List, the attorney must apply for a Fulton County vendor code at [www.fultonvendorelfselfservice.co.fulton.ga.us](http://www.fultonvendorelfselfservice.co.fulton.ga.us).
  
  3. Notification Requirement to Clerk of Court: The Administrators shall require all Court Appointed attorneys to notify the Clerk in writing within forty-eight (48) hours of any change in their status regarding their eligibility as a Court Appointed attorney at [FCJC.CourtAppointed@fultoncountyga.gov](mailto:FCJC.CourtAppointed@fultoncountyga.gov);
  
  4. Voluntary Removal from List: Attorneys who wish to voluntarily be removed from the eligible Court Appointed Attorney List, either temporarily or permanently, must notify the Clerk in writing at [FCJC.CourtAppointed@fultoncountyga.gov](mailto:FCJC.CourtAppointed@fultoncountyga.gov), to include the effective date of removal. Attorneys are required to provide representation through disposition of all of their assigned open cases unless relieved of their responsibility by the court before which a case is pending. In all such cases, Court Appointed attorneys must comply with the requirements set forth by statute or court for withdrawal as counsel of record.
  
  5. Leave of Absence: Court Appointed attorneys taking temporary leaves of absence will notify the Clerk pursuant to Rule 25.1 of the Uniform Rules of Juvenile Court (URJC).
- C. Appointment of Court Appointed Attorneys
1. Appointment Length: Juvenile Court Judges and their designee, the Clerk, are authorized to appoint an attorney to provide indigent defense, Guardian ad Litem and parent attorney services. An appointment shall continue through the final disposition of the cases, including appeal, unless the party is determined not be indigent or the assigned judge permits the attorney to withdraw from the appointed case.
  
  2. Competency, Professionalism and Ethics: Juvenile Court Judges, or their designee, the Clerk, shall appoint competent attorneys to represent an indigent person in any case and the attorney shall satisfy the eligibility and application requirements of Section III. Court Appointed Attorneys, A. General Eligibility Requirements and B. Application Materials and General Administration Requirements), have demonstrated the ability to provide competent legal representation, abide by

the Georgia Bar Rules of Professional Conduct and be a member in good standing with the State Bar of Georgia during their legal representation of persons in Juvenile Court.

D. Assignment of Cases to Court Appointed Attorneys

1. General Case Assignment: Qualified cases will be assigned by Juvenile Court Judges, or the Clerk, to Attorneys on the Court Appointed Attorney List based on a rotational system. Attorneys on the Court Appointed Attorney List will be contacted and assigned to parents, children or other parties when the need for representation has been established. The proposed assignment must be verbally accepted by the attorney. The Administrators and/or Judge may make exceptions to this method of assignment in order to:
  - a. Assure a balanced workload among Court Appointed Attorneys;
  - b. Assign complex cases to more experienced attorneys; and
  - c. Serve the interests of justice;
  - d. Emergency appointments may be made at the discretion of the assigned judge, if the judge determines that delay may cause harm to a party in a case.
  - e. A list of Court Appointed Attorney assignments shall be maintained at the third and fourth floor customer service desks. Attorneys shall email the Clerk at [FCJC.CourtAppointed@fultoncountyga.gov](mailto:FCJC.CourtAppointed@fultoncountyga.gov) by 8:30am to be eligible for appointments and/or sign in by 8:30 a.m. to be eligible for appointments and by 1:30 p.m. to be eligible for afternoon appointments.
  - f. Attorneys must sign in on each floor for the courtrooms in which they will accept appointments.
  - g. Attorney availability information will be conveyed to the judicial case managers to assist the judge in appointing attorneys to cases. Signing the roster does not guarantee an appointment or assignment. It is within the discretion of the appointing judge to assign an attorney outside of the established rotation.
2. Case Acceptance: Court Appointed Attorneys are required to accept all cases they are appointed to unless prohibited from doing so by a conflict of interest, the attorney has reached their maximum caseload, or for other good cause. An attorney may not accept appointment in a new case if the attorney has a professional personal or calendar commitments that adversely affects the attorney's ability to represent the client. New allegations against a parent/guardian in a dependency or termination of parental rights case, in which a Court Appointed attorney has an open case will be assigned to that attorney, and attorneys who have open cases on a parent should respond to notices to appear on other charges concerning that same party. Due to the special circumstances in and short time lines of dependency and delinquency cases, the Judge may appoint another Court Appointed attorney to represent a parent if the previously assigned attorney has a conflict and cannot make an appearance.

3. Case Preparation: As part of the requirement to provide competent representation, Court Appointed Attorneys are required to conduct a prompt investigation of the facts, issues and circumstances of each appointed case.
4. Dual Role as Court Appointed Attorney and Guardian ad Litem :
  - a. Court Appointed Attorneys serving as a guardian ad litem must complete appropriate guardian ad litem training administered or approved by the Office of the Child Advocate for the Protection of Children (OCA). OCGA § 15-11-104(f).  
<https://oca.georgia.gov/training/guardian-ad-litem-juvenile-court-dependency-proceedings>;
  - b. Court Appointed attorneys serving as a guardian ad litem or child advocate attorneys are required to interview the child, parent and other individuals with pertinent information that will assist the Court in making a decision that will promote the protection and welfare of the child.
  - c. A Court Appointed Attorney may serve as both the child's attorney, and the guardian ad litem, unless or until a conflict arises between the attorney's duty to the child as the child's attorney and the attorney's considered opinion of such child's best interest as guardian ad litem; OCGA 15-11-104(b).
5. Appeals: A Court Appointed Attorney will be expected to represent a party from the time the case is assigned through completion of an appeal. An attorney who represents a client who wishes to appeal a Juvenile Court decision must either preserve the client's rights by proceeding with the appeal or submit a letter to the Clerk and the Judge notifying the Court of their request to withdraw as counsel for the appeal, within five days of the entry (filing) of the order which the client seeks to appeal. Exceptions must be authorized by the assigned trial judge.
6. Subcontracting/Substitute Attorneys: Court Appointed Attorneys having been appointed to provide legal services shall not subcontract or substitute a different attorney, to represent the party to which they were assigned without the **consent or approval of the client and the Court**. If an Attorney is not available to appear in court for non-specially set cases, the attorney may arrange for another Court Appointed Attorney to appear in his or her place, with the consent or approval of the Court. An approved substitute or subcontracted attorney must satisfy and submit the same minimum eligibility requirements for a Court Appointed Attorney application. (See Eligibility and Application Requirements, Sec. III A and B). Court Appointed Attorneys are prohibited from subcontracting, or substituting an attorney, during specially set hearings. Attorneys may not bill for communications with the substitute or subcontracted attorneys.
7. Appointment Orders: It is the responsibility of the Court Appointed attorney to obtain a copy of the order appointing the attorney to a case (probable cause/detention hearing order or other order). In the event of an emergency or other appointment, it is the responsibility of the attorney to obtain a copy of a signed/filed Order Appointing Attorney and to maintain such for their records and billing purposes. No unsigned, un-filed orders will be accepted in the billing packet.



8. Limiting Practice to Appeals: Court Appointed Attorneys may, by prior agreement with the Administrators, limit their practice to appeals only. However, Court Appointed Attorneys may not otherwise limit their practice to a specific class of cases, i.e. Dependency--Educational Neglect, no abuse /neglect, etc.
9. Restrictions on Case Assignment for New Attorneys: Attorneys newly added to the Court Appointed Attorney List (i.e. added to the List within the last six (6) months), with limited experience in the practice of juvenile law, will be assigned cases from a restricted category of cases for the first six months of their placement on the List. Restricted categories of cases include non-complex dependency matters, and educational neglect. High-profile dependency cases, including cases involving broken bones, serious bodily injury, or a child fatality/serious bodily injury in the family, shall not be assigned to a Court Appointed Attorney within the first six months of their placement on the List. After having demonstrated to the Court that the attorney has sufficient Juvenile Law experience, an attorney may be approved by the judges of the Juvenile Court to handle high profile dependency matters.
10. Withdrawing from an Appointed Case: An attorney may not accept appointment in a new case if the attorney has a professional, personal or calendar commitment that adversely affects the attorney's ability to represent the client. Attorneys must check for ethical conflicts, which would prevent the attorney from representing the client, throughout the pendency of the case. The attorney may not accept appointment if a conflict is evident. After the attorney accepts appointment, if a conflict arises, the attorney must immediately file a Motion to Withdraw as Counsel.

E. Fee Schedule, Billing Policies and Administration

1. General Information:

- a. The purpose of these guidelines is to promote uniformity in billing and to aid review and payment of invoices.
- b. These guidelines cannot address all situations. The basic principles of billing are (i) bill for actual time spent; (ii) work efficiently and (iii) provide a detailed explanations of services performed.

2. Hourly Rates:

- a. Court Appointed Attorney out of court time spent on investigation and case preparation: \$45.00/hour
- b. Court Appointed Attorney time spent in Court (on the Record): \$60.00/hour

3. Billing Policies:

a. Bill of Particulars:

- i. All claims for compensation at the hourly rate will include one Invoice and an itemized bill of particulars precisely detailing the nature, dates and time in hours allocated to services rendered.

- ii. Each line item should provide a clear, detailed explanation of the services provided. (Example: Instead of “Document Review”, an acceptable explanation is “Review of GAL Report”).
  - iii. Only those professional services directly related to the case for which a Court Appointed Attorney has been assigned shall be billable.
- b. Complete Billing Packet Requirements: A complete request for payment/billing packet shall include:
  - i. A Bill of Particular and order of appointment
  - ii. Invoice: A completed “Invoice for Attorney Services” form, (1) includes only one invoice number per Invoice; and (2) excludes recycled invoice numbers,
  - iii. File Number,
  - iv. Case Number,
  - v. Party represented (child, parent, legal guardian or other),
  - vi. Type of case (Dependency, CHINS, Delinquency),
  - vii. Judicial assignment,
  - viii. Hearing dates,
  - ix. Number of out of court hours and in-court hours claimed
  - x. Out-of-pocket expenses (along with the original receipt)
  - xi. Date of appointment
  - xii. Total invoice amount
  - xiii. Attorney’s signature and certification that each invoice submitted for payment is true and correct
  - xiv. Fulton County Vendor Code and EIN; and
  - xv. Any other relevant orders or supporting documentation (e.g. order for independent evaluation).
- c. Billing Increments, Billing Itemization, Block Billing:
  - i. Increments: Billing shall be reflected in tenths of an hour. Example: six minutes = .1, ten minutes = .17, twenty minutes = .33, thirty minutes = .5, 60 minutes = 1.0. Invoices which are not prepared accordingly will be returned for correction and must be resubmitted.
  - ii. Itemization: Attorneys must itemize each independent activity separately with its corresponding time and date.
  - iii. Block Billing: Attorneys should generally avoid block billing. Block billing is the practice of listing a group of tasks in a block summary under a single time entry. For example: “Draft interrogatory requests; telephone conference with medical doctor re: expert report; summarize deposition of client; review and revise correspondence to opposing counsel. 7.3 hours.” **Block Billing Exceptions**: Attorneys may combine small similar tasks up to 0.5 hours (i.e. six (6) text messages to client = 0.5 hours).
- d. Detailed Description/Explanation of Hourly Billing: Attorneys must include a clear itemization of the date and nature of each court appearance, and the date, nature and time expended for each out-of-court task.
  - i. Sufficient information must be provided to allow for meaningful review.

- ii. Attorney bills that are unclear may be rejected.
- iii. Attorney bills shall account for time in 0.1 (i.e. six minute increments).
- iv. When reviewing documents, identify the document type (i.e. Motion to.....)
- v. Whenever possible, record time throughout the day.
- vi. Avoid Formulaic billing: Formulaic billing is billing the same amount of time for a certain activity, no matter how long the activity actually takes. For example, always billing 1 hour for hearing preparation, or 30 minutes for every phone call is formulaic billing and is impermissible.

**Listed below is an illustration of acceptable and unacceptable billing explanations**

Date	Hours	Acceptable	Unacceptable
1/6/2021	3 hours	Hearing: TPR	Hearing
2/2/2021	.5	Discovery Review	Reviewed docs
2/14/2021	.5	Trial Prep: Charting Witness Statements	Trial Prep
2/23/2021	.3	Phone Call to Client (Before Court)	Phone call
3/1/2021	.2	(After Court) Call to foster mom explained disposition	Phone call
3/7/2021	.5	Reviewed SAAG's Motion for Emergency Hearing	Reviewed docs

e. Billable Professional Services:

- i. In-Court Services: Any service performed while Court is in session, either in court or in chambers. This includes time spent waiting for a case to be called.
- ii. Out-of-Court Services: Any out of court professional services directly related to the case for which the attorney has been appointed, services reasonably required to represent a client and not identified as non-billable.
- iii. Examples of Billable Out of Court Services: Factual investigations, locating and interviewing witnesses; consulting with and interviewing clients; document production; drafting correspondence; drafting and filing pleadings; checking legal citations; drafting cross and direct examination; reviewing orders; email or telephone correspondence; reviewing Guardian ad Litem reports, medical records and assessments.
- iv. Review: Time to review notes and/or summaries of a client's case in preparation for court dates will be compensated, as long as an **adequate description** is provided of the work and its relation to the court date (i.e. "File Review" as a description is inadequate).

f. Non-Billable Services/Excluded Claims: The following activities WILL NOT be considered for payment:

- i. Attempted telephone calls;
- ii. Extensive, repeated reviews of files, court documents, research and orders, without a detailed explanation of services;
- iii. Preparation of Invoices;
- iv. Transporting clients for non-court related matters;
- v. Administrative, Clerical and support staff activities including preparation of proofs of service, faxing, filing, copying, scanning/uploading documents, shredding legal

documents or preparation of bills. Court Administration considers these to be overhead costs.

- vi. Attendance at mandatory continuing legal education classes.
- vii. Time waiting for copies, faxes, emails, walking to and from the post office, or time spent waiting for other administrative tasks to be completed.
- viii. File maintenance is not billable.
  - i. Travel time to and from courthouse and to and from the attorney's office and/or home. Note: Travel time to visit a client outside of the Metro-Atlanta area may be compensable, with an adequate explanation and description and the approval of the assigned Judge.
  - ii. If errors are found in billing, either through deliberate or unintentional efforts, Court Administration reserves the right to request return of payment.
- g. Non-Reimbursable Costs and Expenses:
  - i. Parking
  - ii. Telephone Service Charges
  - iii. Fax Charges
  - iv. Office Supplies. Under special circumstances, attorneys may obtain reimbursement for the purchase of external hard drives required to copy large files, with prior approval.
- h. Private Investigator and Expert Witness Expenses: Attorneys must secure a court order for Private Investigator and Expert Witness expenses.
- i. Limitations on Claims:
  - i. Preparation of routine motions (including but not limited to discovery, review, custody transfer, etc.) will be limited to .5 hours, **without a detailed explanation or description of services performed.**
  - ii. Opening and closing a file will be limited to .5 hours, **without a detailed explanation or description of services performed.**
  - iii. Claims submitted for Text Messages, Emails and Phone Calls should be based on actual time expended. Not a flat rate for each email or phone call;
  - iv. Legal Research: Court Appointed Attorneys will be compensated for time spent researching or consulting law when fully documented and justified or approved and ordered by the judge hearing the case.
- j. Miscellaneous Billing/Payment Issues:
  - i. Multiple Cases in One Calendar Session: An Attorney with multiple cases on the calendar shall apportion any wait time equally between the cases.
  - ii. Multiple Cases for One Client: When an attorney is handling multiple cases for a client concurrently, the attorney must apportion time among the cases as accurately as possible.
- k. Filing Deadlines for Billing:

- i. Monthly Filing Deadlines: All claims for fees will be submitted to [FCJC.Invoices@fultoncountyga.gov](mailto:FCJC.Invoices@fultoncountyga.gov) no later than the 15<sup>th</sup> day of the month for the proceeding calendar month's services. (For Example: a bill for January would be due no later than February 15.) The timely filing of invoices is a condition precedent to payment.
  - ii. Maximum Billing Time Limitations: Requests for payment will not be honored after sixty (60) days from the last day of the services rendered in a specific month. All supporting documentation must be attached to the claim for fees.
  - iii. One Calendar Month Per Invoice: Invoices shall only include work completed for one calendar month per invoice.
  - iv. Year End Deadlines:
    - All outstanding invoices for the month of October must be submitted by November 15<sup>th</sup>. Invoices submitted after November 15<sup>th</sup> will not be paid until the beginning of the next calendar year.
- l. Allowable Single Claim Amount: A single claim which equals or exceeds \$350.00 may be forwarded to the assigned judge by the Administrators for approval prior to payment. Multiple claims for a single case on a single bill which equal or exceed \$350.00 may also be forwarded to the assigned judge for approval.
- m. Submitting Invoices (Instructions): All Invoices shall be delivered via **Email** to: [FCJC.Invoices@fultoncountyga.gov](mailto:FCJC.Invoices@fultoncountyga.gov). The Administrators shall review and forward invoices to the Chief Administrative Officer (CAO) for final approval and payment of allowable amounts.
- 1. The Clerk and CAO shall review the invoices and supporting documentation and will determine whether the claims are reasonable and proper.
  - 2. Only claims directly related to representation on the appointed case are reasonable and proper. Charges beyond this scope are deemed unreasonable or improper and will be denied.
  - 3. An attorney may request reconsideration of denied claims for payment letter to the CAO within 30 days of the attorney's receipt of notice of denial. The letter shall include all arguments in support and documentation which supports the payment request.
  - 4. The Chief Judge or the Judge before whom the case was assigned shall have final authority to resolve any billing dispute.
4. Expenses
- a. A Court Appointed Attorney shall not engage the services of any investigator, professional or expert witness prior to obtaining the permission, via court order, of the judge assigned to the case. A Court Appointed Attorney shall not incur any such expense prior to obtaining a court order from the assigned judge
  - b. Expense receipts must be included in the invoice packet at the time the invoice is submitted.
5. Invoice Rejection

1. Failure to follow the financial procedures as outlined above may result in the rejection of the payment request. Failure to comply with these policies does not toll the two-month requirement for timely submission of invoices.

F. Grounds for Removal from Court Appointed Attorney List

1. Non-Compliance: Court Appointed Attorneys who fail to comply with these Court Appointed Attorney Guidelines may be removed from their assigned cases, placed on probation, suspended or temporarily or permanently removed from the Court Appointed Attorney List. An attorney involuntarily removed from the Court Appointed Attorney List, upon the direction of the Court, will be notified of said action by the CAO. The attorney may, for just cause as determined by the Juvenile Court Judges, request reconsideration of the attorney's removal. Any request for reconsideration must be in writing and submitted to the CAO within 30 days of the attorney's notice of removal from the Court Appointed Attorney List.
2. Bar License Suspension: Court Appointed Attorneys whose membership in the State Bar of Georgia is suspended, whether due to discipline, failure to pay membership dues, failure to meet CLE requirements or otherwise, shall immediately notify the Clerk or CAO of the change in their change in bar membership. Court Appointed Attorneys who are suspended from the Georgia Bar shall be removed from the Court Appointed List and deemed ineligible for appointment to represent indigent persons. Such attorneys shall immediately take appropriate steps to protect the interests of the persons they were assigned to represent by including, but not limited to providing notice that they are no longer able to represent them, withdrawal as counsel and locating qualified and eligible substitute counsel.
3. Criminal Convictions: Court Appointed Attorneys who are convicted of any felony or misdemeanor crime shall immediately notify the Clerk or CAO. The Attorney shall be removed from the Court Appointed Attorney List and deemed ineligible for appointment to represent indigent persons. Such attorneys shall immediately take appropriate steps to protect the interests of the persons they were assigned to represent by including, but not limited to providing notice that they are no longer able to represent them and withdrawal as counsel.
4. Professional Discipline: Court Appointed Attorneys who receive professional discipline from the State Bar of Georgia or other professional organization for which they are a member shall immediately notify the Clerk or CAO of the discipline received, date of discipline and the nature of the offense prompting discipline.
5. Failure to Provide Notice of Professional Discipline: Failure to notify the Administrators, in writing, about bar license suspension and/or disciplinary action, by any bar association or disciplinary committee, will result in immediate removal from the Court Appointed Attorney List.
6. Repeatedly Rejecting Cases: Attorneys who agree to accept appointments from Juvenile Court necessarily agree to be available to accept these appointments. When an attorney rejects three or more appointments within a calendar year without just cause, that attorney may be removed from the Court Appointed Attorney List for the balance of that year. Attorneys must thereafter reapply for placement on the Court Appointed Attorney List for the following year. The attorney may, for just cause as determined by the Court, request reconsideration of the attorney's removal in writing

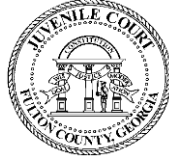
to the Administrators.

7. Voluntary Removal from the List: Court Appointed Attorneys who wish to discontinue their service, either temporarily or permanently, must notify the Clerk, in writing, giving the effective date(s). Attorneys will be required to provide representation through the disposition of any open cases unless relieved of this responsibility by the court before which a case is pending. In all such cases, Court Appointed Attorneys must comply with all requirements set by statute or court rules pertaining to withdrawal as counsel of record.
8. Good Cause: The Administrators may, after review and consideration, remove an attorney from the Court Appointed Attorney List for good cause.

G. Performance Review

1. The Juvenile Court will periodically review the performance of Court Appointed Attorneys. Such review will include, but is not limited to, court performance, billing practices, communication and availability.
2. The Juvenile Court reserves the right to remove, at any time, an attorney from the Court Appointed Attorney list. Reasons for removal from the list can include, but are not limited to:
  - a. Criminal conduct
  - b. Bar License Suspension
  - c. Poor performance; Habitual issues related to effective representation
  - d. Fraudulent, continuously late or otherwise poor billing practices
  - e. Lack of availability for appointment, without a valid conflict notice, caseload limitation notification or other good cause
  - f. Professional discipline
  - g. If determined appropriate by the Administrators, after review.

- H. Post Removal from the Court Appointed Attorney List: An attorney who is removed from the Court Appointed list shall not accept any new case assignments as of the date of notification of removal. An attorney who is voluntarily removed from the List must continue to provide representation through final disposition of all assigned open cases, including appeals, unless relieved by the Court.



## FULTON COUNTY INDIGENT DEFENSE PROGRAM

### COURT APPOINTED ATTORNEY APPLICATION FOR JUVENILE COURT

NAME: \_\_\_\_\_ LAW FIRM NAME: \_\_\_\_\_  
OFFICE ADDRESS: \_\_\_\_\_ MAILING ADDRESS: \_\_\_\_\_

CELL PHONE: \_\_\_\_\_ FAX: \_\_\_\_\_  
CELL PHONE: \_\_\_\_\_ EMAIL: \_\_\_\_\_  
GA BAR#: \_\_\_\_\_ DATE ADMITTED TO THE GA BAR: \_\_\_\_\_

\*Office address must be a physical address, not a P. O. Box

#### HEARING/TRIAL EXPERIENCE

PLEASE LIST THE NUMBER OF JUVENILE COURT DELINQUENCY AND DEPENDENCY HEARINGS OR TRIALS THAT YOU HAVE HANDLED IN THE LAST FIVE (5) YEARS:

FULTON JUVENILE COURT:	DELINQUENCY	DEPENDENCY
OTHER JUVENILE COURTS:	DELINQUENCY	DEPENDENCY

#### APPELLATE EXPERIENCE

ARE YOU ASKING TO BE PLACED ON THE COURT APPOINTED ATTORNEY LIST FOR APPEALS ONLY?  
YES \_\_\_\_\_ NO \_\_\_\_\_

PLEASE LIST THE NUMBER OF APPEALS YOU HAVE COMPLETED IN THE FOLLOWING COURTS DURING THE LAST TEN (10) YEARS:

SUPERIOR COURT:	TOTAL CASES	STATE COURT:	TOTAL CASES
JUVENILE COURT:	TOTAL CASES		

HAVE YOU BEEN ADMITTED TO PRACTICE BEFORE THE GEORGIA COURT OF APPEALS?

YES \_\_\_\_\_ NO \_\_\_\_\_



HAVE YOU EVER BEEN DISCIPLINED FOR UNPROFESSIONAL OR UNETHICAL CONDUCT BY ANY BAR ASSOCIATION OR DISCIPLINARY COMMITTEE?                      Yes                      No

(If yes, give details, including discipline date and discipline received, on a separate sheet)

I WILL ACCEPT THE FOLLOWING CASES:

Dependency:	Yes	No	Appeals:	Yes	No
Delinquency:	Yes	No	Appeals:	Yes	No

I WILL REPRESENT THE FOLLOWING:		Child	Yes	No	
Mother:	Yes	No	Father	Yes	No
Legal Guardian:	Yes	No	Legal Custodian:	Yes	No

Continuing Legal Education (CLE): Most recent Juvenile CLE or other relevant seminar attended:

Description: \_\_\_\_\_ Date: \_\_\_\_\_

Description: \_\_\_\_\_ Date: \_\_\_\_\_

Completed Guardian ad Litem training? Yes                      No                      Date Completed: \_\_\_\_\_

Guardian ad Litem Training Provider: \_\_\_\_\_

ARE YOU FLUENT IN ANY FOREIGN LANGUAGE?    Yes                      No  
IF YES, WHAT LANGUAGE?

---

CERTIFICATION

[PLEASE INITIAL EACH SECTION DEMONSTRATING THAT YOU READ, UNDERSTAND AND WILL REMAIN IN COMPLIANCE WITH THESE PROVISIONS]

BY SUBMITTING THIS APPLICATION I CERTIFY THE FOLLOWING:

I AM A MEMBER IN GOOD STANDING WITH THE STATE BAR OF GEORGIA;

I HAVE HELD A BAR LICENSE FOR A MINIMUM OF TWO (2) YEARS;

I HAVE PRACTICED LAW FOR A MINIMUM OF TWO (2) YEARS, INCLUDING AT LEAST ONE (1) YEAR OF JUVENILE LAW;

I AM FAMILIAR WITH, OR WILL BECOME FAMILIAR WITH, AND WILL ABIDE BY THE RULES, STANDARDS AND TERMS OF:

- THE GEORGIA INDIGENT DEFENSE ACT OF 2003 O.C.G.A. § 17-12-1 et seq.);
- INDIGENT DEFENSE PROGRAM GUIDELINES FOR COURT APPOINTED ATTORNEY'S REPRESENTING INDIGENT PARENTS, GUARDIANS AND JUVENILES IN FULTON COUNTY JUVENILE COURT.
- The AMERICAN BAR ASSOCIATION STANDARDS OF PRACTICE FOR ATTORNEYS REPRESENTING PARENTS IN ABUSE AND NEGLECT CASES.  
([https://www.americanbar.org/groups/public\\_interest/child\\_law/resources/practice-standards/](https://www.americanbar.org/groups/public_interest/child_law/resources/practice-standards/)).

I WILL PROVIDE ADEQUATE AND EFFECTIVE LEGAL REPRESENTATION, INDEPENDENT OF POLITICAL CONSIDERATIONS OR PRIVATE INTERESTS, TO INDIGENT PERSONS, ENTITLED TO REPRESENTATION UNDER TITLE 17, CHAPTER 12 OF THE OFFICIAL CODE OF GEORGIA ANNOTATED;

I WILL KEEP ACCURATE RECORDS OF ALL TIME EXPENDED ON BEHALF OF INDIGENT PERSONS FOR WHICH I SEEK PAYMENT;

I ACKNOWLEDGE THAT I AM SUBJECT TO AUDITING OF ALL BILLS SUBMITTED ON BEHALF OF INDIGENT PARENTS, GUARDIANS AND JUVENILES IN FULTON COUNTY;

I WILL NOT SEEK TO BE PAID FOR TRAVEL TIME EXPENDED ON BEHALF OF ANY INDIGENT PARENTS, GUARDIANS AND JUVENILES IN FULTON COUNTY, WITHOUT PRIOR COURT APPROVAL OR AUTHORIZATION;

I ACKNOWLEDGE THAT I HAVE RECEIVED THE FULTON COUNTY JUVENILE COURT APPOINTED ATTORNEY INDIGENT DEFENSE PROGRAM GUIDELINES (UPDATED APRIL, 2021).

I WILL ADHERE TO THE REQUIREMENTS OF THE FULTON COUNTY JUVENILE COURT INDIGENT DEFENSE PROGRAM GUIDELINE FOR CONTINUING LEGAL EDUCATION AND TRAINING;

I WILL IMMEDIATELY -- WITHIN 48 HOURS -- NOTIFY THE JUDGE AND CLERK OF COURT IN WRITING IF I AM UNABLE TO ACCEPT APPOINTMENTS DUE TO ILLNESS, SUSPENSION FROM THE PRACTICE OF LAW, CRIMINAL CONVICTION, ETC.);

I WILL BE PRESENT FOR ALL SCHEDULED HEARINGS (OR WILL FILE A TIMELY NOTICE OF CONFLICT WITH THE COURT);

PRIOR TO ACCEPTING AN APPOINTMENT AS A GUARDIAN AD LITEM IN DEPENDENCY CASES, I WILL COMPLETE APPROPRIATE GUARDIAN AD LITEM TRAINING ADMINISTERED OR APPROVED BY THE OFFICE OF THE CHILD ADVOCATE FOR THE PROTECTION OF CHILDREN (OCA); PURSUANT TO OCGA § 15-11-104(f);

I ACKNOWLEDGE THAT I AM SUBJECT TO PERIODIC REMOVAL FROM THE LIST OF QUALIFIED COURT APPOINTED ATTORNEYS THAT ARE ELIGIBLE TO ACCEPT INDIGENT CASES AT THE DISCRETION OF THE CHIEF JUDGE OF JUVENILE COURT AND/OR THE CHIEF ADMINISTRATIVE OFFICER (CAO);

I ACKNOWLEDGE THAT I AM SUBJECT TO PERMANENT REMOVAL FROM THE LIST OF ATTORNEYS QUALIFIED FOR APPOINTMENT OF INDIGENT CASES IN FULTON COUNTY FOR REASONS OUTLINED IN THE FULTON COUNTY JUVENILE COURT INDIGENT DEFENSE PROGRAM GUIDELINES, INCLUDING BY NOT LIMITED TO THE FOLLOWING:

- SUSPENSION OR OTHER DISCIPLINARY ACTIONS BY THE STATE BAR OF GEORGIA;
- FAILURE TO PROVIDE NOTICE OF PROFESSIONAL DISCIPLINE OR UNPROFESSIONAL CONDUCT;
- VIOLATIONS OF THE GEORGIA INDIGENT DEFENSE ACT OF 2003 OCGA § 17-12-1 et seq.);
- THE FAILURE TO ABIDE BY THE TERMS, CONDITIONS, RULES AND REGULATIONS SET FORTH IN THE FULTON COUNTY COURT APPOINTED ATTORNEY APPLICATION AND INDIGENT DEFENSE PROGRAM GUIDELINES;
- HABITUAL OR REPETITIVE PROBLEMS WITH INVOICES OR BILLING PRACTICES FOR INDIGENT DEFENSE;
- HABITUAL OR REPETITIVE PROBLEMS RELATED TO EFFECTIVE REPRESENTATION OF INDIGENT CLIENTS;
- REPEATEDLY REJECTING CASE ASSIGNMENTS WITHOUT JUST CAUSE; AND
- GOOD CAUSE;

I UNDERSTAND THAT IF ANY OF THE ANSWERS GIVEN IN THIS APPLICATION CHANGE, I AM UNDER A DUTY TO SUPPLEMENT MY RESPONSES TO THE ADMINISTRATORS OF FULTON JUVENILE COURT SOON AS POSSIBLE (FCJC.COURTAPPOINTED@FULTONCOUNTYGA.GOV);

I CERTIFY THAT I HAVE READ AND UNDERSTAND THE ABOVE REQUIREMENTS FOR INDIGENT APPOINTMENTS, AND THAT THE ANSWERS PROVIDED IN CONNECTION WITH THIS APPLICATION ARE TRUE AND CORRECT AND THAT I AM QUALIFIED TO ACCEPT APPOINTED INDIGENT CASES IN FULTON COUNTY JUVENILE COURT.

THIS DAY OF 20

APPLICANT, ATTORNEY AT LAW

GEORGIA BAR NUMBER

**Notary Acknowledgement**

The applicant being duly sworn upon his/her oath states that the foregoing is true, correct and complete to the best of his/her knowledge and belief.

THIS DAY OF ,20

, My Commission Expires:

Notary Public

PLEASE INCLUDE A CURRENT RESUME WITH THE COMPLETED APPLICATION AND SUBMIT TO:

FULTON COUNTY JUVENILE COURT  
SHARIFF JONES, SUPERVISING ATTORNEY  
395 PRYOR STREET SW  
ATLANTA, GA 30312  
[FCJC.COURTAPPOINTED@FULTONCOUNTYGA.GOV](mailto:FCJC.COURTAPPOINTED@FULTONCOUNTYGA.GOV)  
(404) 613-4464