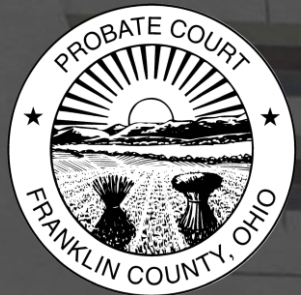


OPD Court Appointed Counsel Program

Billing in Contested Adoptions

Kelly A. Green, Chief Magistrate

Franklin County Probate Court



Ohio Public Defender Appointed Counsel Program

Funding for private attorney
appointments in indigent cases
comes from the OPD.

- ◇ In December 2020 the Ohio Supreme Court issued a decision requiring probate courts to appoint counsel for birth parents in contested adoptions for the first time.
 - ◇ [*In re Adoption of Y.E.F.*](#)
- ◇ The OPD added probate cases to their guidance in September 2021.
- ◇ Resources and links to required forms are available from the [Ohio Public Defender](#).

Franklin County Implementation

Hourly rates and fee caps are set by the Franklin County Board of Commissioners in alignment with OPD standards and guidelines.

- ◆ In November 2021 the Franklin County Board of Commissioners approved a resolution for payment in these cases.
 - ◆ [Resolution 0887-21](#)
 - ◆ [Adopted OPD Standards and Guidelines](#)
- ◆ The approved rate is \$75.00 per hour with a probate case fee cap of \$2,500.00.

Court Appointed Billing

State mandated forms are the same across all the courts in all 88 counties.

- ◆ Required Ohio Public Defender forms
 - ◆ Financial Disclosure Affidavit (OPD-206R)
 - ◆ Completed with client and notarized signature
 - ◆ Motion, Entry, and Certification for Appointed Counsel Fees (OPD-1026R)
 - ◆ Completed by attorney or their office staff
 - ◆ Do not enter identifying info of parties, instead use child's initials

Submitting Fee Requests

A probate clerk will review submissions for completeness and accuracy per the docket.

- ◆ E-file in the Case Searching for the Following Descriptions
 - ◆ OPD-206R (Financial Affidavit)
 - ◆ OPD-1026R (Motion, Entry, and Certification for Fees)
- ◆ Dispo Date in Contested Adoptions
 - ◆ Date of dismissal
 - ◆ Date of Judgment Entry Approving/Denying Adoption

Court Approval of Fee Requests

Submission and payment
deadlines are set by the Franklin
County Auditor and the Ohio
Public Defender.

- ◆ Submission Deadline
 - ◆ Appointed counsel has 30 days from the disposition date to submit their fee application.
- ◆ If your application is rejected for inaccurate or missing information the 30-day clock is still running.
- ◆ Submissions received after 30 days are cut by 50%.

Appointed Counsel Software

Hard stops and automation help filers avoid common mistakes that lead to rejections.

- ◆ The OPD provides a free software from [PriseWorks](#) for completion of bills
- ◆ [OPD 1026R-4.0](#)



Thank you!
adoptions@franklincountyohio.gov