GENERAL ADMINISTRATIVE ORDER NO. 17-01

FILED
JAN 04 2017
Clerk of the Court
Superior Court of California
County of Calaveras
By _____ Deputy

GENERAL ADMINISTRATIVE ORDER OF THE CALAVERAS COUNTY SUPERIOR COURT UPDATING REASONABLE COUR APPOINTED CONFLICT COUNSEL COMPENSATION

WHEREAS, pursuant to California Penal Code § 987 et. seq. and similar California statutes on family law, juvenile delinquency, juvenile dependency, and probate matters, the Court must set reasonable compensation for counsel who are court appointed to represent the interests of individuals entitled to counsel in cases where there is a conflict with, or other unavailability of, the Public Defender or contract counsel (hereinafter referred to as "Conflict Counsel"); and

WHEREAS, in establishing said reasonable compensation for conflict counsel, the Court must consider the customary fees in the community for similar services rendered by privately retained counsel to non-indigent clients which is approximately $250-$300 per hour; and

WHEREAS, Court-appointed conflict counsel have historically been paid substantially less than the prevailing rate in the community for privately retained counsel based upon a variety of reasons including the attorney's professional obligation to provide services to the Court, the attorney's professional obligation to provide pro bono or low cost legal assistance in the community, the guarantee of payment on Court-appointed work, and other reasons involving the attorney's personal and professional development; and

WHEREAS, the compensation for conflict counsel has not been updated or increased since 2002.

WHEREFORE, IT IS HEREBY ORDERED, effective January 2, 2017, General Administrative Order No. 02-11 is amended to set professional legal services rendered by Court-appointed conflict counsel shall be reimbursed at the rate of $70.00 per hour in misdemeanor cases, $80.00 in felony cases, and $90.00 per hour in Penal Code § 187 cases.

SO ORDERED.

Dated: 1/4/17

Grant V. Barrett
Presiding Judge of the Superior Court