

1 ~~Rule 4-601. Selection of indigent aggravated murder defense fund counsel.~~

2 ~~Intent:~~

3 ~~To establish the process to be used to select pre-contracted attorneys from the roster~~
4 ~~maintained by the Indigent Defense Funds Board in aggravated murder cases.~~

5 ~~Applicability:~~

6 ~~This rule shall apply to the district court.~~

7 ~~Statement of the Rule:~~

8 ~~After determining that a defendant is eligible for indigent defense counsel in an aggravated~~
9 ~~murder case, as provided in U.C.A. Title 77, Chapter 32, if the defense counsel is to be paid~~
10 ~~from the Indigent Aggravated Murder Defense Fund, the following process shall be used:~~

11 ~~(1) The judge responsible for assignment of defense counsel shall, as soon as practical upon~~
12 ~~determining eligibility, contact the member of the Indigent Defense Funds Board designated by~~
13 ~~the Administrative Office of the Courts.~~

14 ~~(2) That board member shall randomly identify, for each eligible defendant, five attorneys~~
15 ~~currently on the roster of qualified pre-contracted attorneys.~~

16 ~~(3) The board member shall then promptly contact each of those attorneys and determine if they~~
17 ~~would be willing to undertake the representation of the defendant. If fewer than three attorneys~~
18 ~~are willing to undertake the representation, additional pre-contracted attorneys should be~~
19 ~~contacted until there are at least three attorneys from which the judge can choose.~~

20 ~~(4) The judge shall then select one of the willing attorneys for appointment.~~

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22 ~~Effective: April 1, 2011~~