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	Effective Date: 08/01/23	
Approved by: Chief Justice Roger A. Page and Director Michelle J. Long		
Subject: Continuation of representation and appointment orders, R. 13, Sec. 1(e)(5)		

POLICY STATEMENT:

As provided in R. 13, sec. 1(e)(5), appointed counsel shall continue to represent an indigent party through civil or criminal proceedings, including appeals, until the case has concluded or counsel has been allowed to withdraw by a court.

NOTE: This policy essentially means only one appointment order is necessary as a support document for the various courts in which a party's case proceeds.

The statement is to clarify that only one appointment order is required for the purposes of the AOC in processing claims. However, attorneys practicing in General Sessions Court are likely aware that **after a case is bound over to the grand jury and an indictment is issued, most Criminal Courts enter a separate appointment order.** There are various reasons for the trial court to enter a separate order, perhaps most importantly is that because the charges can differ between the grand jury's indictment and what was charged in General Sessions, it is arguably a different case in Criminal Court.

The comment in the September 18, 2023 memorandum on attorney compensation claims should not be read to imply trial courts must change their practice. **If an attorney is appointed in Criminal Court by a separate appointment order, that order should be submitted to the AOC with the claim.** However, if the Criminal Court Judge desires to appoint the attorney appointed in the General Sessions Court, is satisfied with the appointment order from the General Sessions Court, and does not enter a separate order, the General Sessions Court appointment order should be submitted with the claim to the AOC (note: appointed counsel should include both case numbers on the properties tab of the claim assuming there will be two different case numbers). The AOC does not require a separate appointment order except in violation of probation claims because using the same order triggers duplicate claim or interim billing in ACAP.