

Internal Operating Policy 33-06

Submitted by Director to the Georgia Public Defender Standards Council: 06/23/2006

Approved by Standards Council: 06/23/2006

Effective: 06/23/2006

Authority: O.C.G.A. § 17-12-5(c) (2)¹

Subject: Reporting of Financial Ineligibility

The following is the Standards Council's policy pertaining to a client who was initially determined to be financially eligible for legal representation, but later becomes ineligible:

If, after a determination of eligibility has been made by the circuit public defender, conflict defender, or conflict case administrator or other person making such a finding, the applicant reports a change in his or her financial status that renders the applicant ineligible for public defender services, the attorney representing such individual as a result of the finding of eligibility shall make an ex parte report of the applicant's ineligibility immediately to the court in which the applicant's case is pending.

¹ O.C.G.A. § 17-12-5 (c) (2) provides as follows: "(c) The director shall... (2) Develop such rules, policies, procedures, regulations, and standards as may be necessary to carry out the provisions of this chapter and comply with all applicable laws, standards, and regulations, and submit these to the council for approval".