

\$25.00 INDIGENT APPLICATION FEE CLIENT INFORMATION SHEET

1. What is the \$25.00 Indigent Application Fee?

Beginning September 29, 2005, Ohio law requires that all persons who request a public defender or appointed counsel must pay an up-front application fee of \$25.00. (R.C. 120.36)

2. Where do I pay the fee?

Pay the fee to the Clerk of Courts who is designated to collect money for the court where your case is being heard. If you are unable to pay it in person, someone else may pay it on your behalf.

3. When do I have to pay it?

You must pay within seven (7) days of submitting the affidavit of indigency/financial disclosure form.

4. What happens if I don't pay the fee?

If you fail to pay the fee within seven days, the court will assess the fee at sentencing or at the closing of your case. You will still owe the money until the fee is paid or waived (see #7 below).

5. Is the fee refundable if I am found not indigent?

No, the fee is not refundable. If you request counsel and submit a financial disclosure form and/or affidavit of indigency, you will be assessed the fee. However, if you withdraw your request for a public defender or appointed counsel prior to submitting the financial disclosure form and/or affidavit of indigency, you will not be assessed a fee.

6. I was assessed the fee before on a previous or different case. Do I owe it again?

Yes, the fee is assessed one time per case. You will be assessed a fee each time the court determines that the matter now in front of them is a new violation and/or separate case.

7. Can the fee be reduced or waived?

The court can reduce or waive the fee if it determines you lack the financial resources to pay it or if payment would result in an undue hardship. If you cannot pay the fee for these reasons, you should ask the court or consult your attorney to file a request to have the fee waived or reduced.