

**APPELLATE ASSIGNED COUNSEL FEES BY CIRCUIT
2012**

CIRCUIT	BASIS	FEE SET	RATE	EXPENSES/COMMENTS
1st Hillsdale	Schedule	2009	Plea: \$550 Trial: \$750	
2nd Berrien	Hourly	2000	\$50/hr Travel: \$10/hr Plea: \$700 maximum Trial: \$1,500 maximum	Expenses are additional. Extraordinary fees by motion
3rd Wayne	Schedule	1998	Plea: Transcript - \$100; claim, brief all proceedings: \$350 Prison Visit: Wayne County Facilities - \$75; UP facilities - \$400; all others \$200. Appeal to higher court, each ½ day in trial court: \$75; Appearance at Habeas Corpus: \$50 Trial: Transcript - \$200 every 400 pages; claim, brief all proceedings: \$500; Prison Visit: Wayne County Facilities: \$75; UP facilities: \$400, all others: \$200; non-frivolous Motion for New trial w/memorandum of law by trial counsel: \$125; Appeal to higher court, each ½ day in trial court: \$75; Appearance at Habeas Corpus: \$50	
4th Jackson	Hourly	2008	Basic Rate: \$50/hr Plea: \$750 maximum Non-cap Trial: \$1,600 maximum Cap. Trial: \$2,300 max. <i>Billing: submit the MAACS statement of service form and specify: total fee requested; total must be detailed and broken down by hours to the nearest 1/10th of an hour; the date which the time was expended and the nature of the work done.</i>	Reasonable reimbursement of long-distance calls; postage, copies (actual costs) with itemized billing. Any travel over 300 miles (roundtrip) must be approved by Court. Mileage rate .585¢/mi. Must return copies of transcripts, etc. to defendant.

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5 th Barry	Schedule	1999	\$40/hr Plea: \$400 maximum Trial: \$1,000 maximum	Expenses are additional. Extraordinary fees by motion.
6 th Oakland	Hourly	1998	\$45/hr Plea: \$800 maximum Trial: \$1,320 maximum	Expenses are included. <u>Prison Visits paid by region:</u> Region 1: \$75 Region 2: \$100 Region 3: \$150 Region 4: \$175 Region 5: \$350 All requests for extraordinary fees on any appeal will go before a three-judge panel.
7 th Genesee	Hourly	2000	\$40/hr Guilty Plea w/o filing brief: \$350 max Guilty Plea, brief filed: \$450 maximum Oral Argument, COA: \$150 flat fee Trial Appeals: No flat fee maximum The maximum fee is determined by a multiplier of 5. Start with the length of the trial transcript; divide that number by 100, then multiply the number by 5 to equal the maximum fee to be paid. <i>Example, 1000 page transcript, divided by 100 = 10 hours to review. 10 x 5 = 50 hours. The maximum fee would be 50 hours x \$40 per hour or \$2,000</i>	Reasonable costs, such as copies at 10¢ per page and postage will be compensated. Mileage covered: Office to Prison or Office to 7 th Cir Ct (whichever is closer). If office closer to 7 th Cir Ct than the prison where client lodged, then must video conference. Contact Rob Gifford, Ct Tech Coord @ 810-424-4436 to schedule. Mileage reimbursement for a prison visit that does not adhere to this policy will not be approved, absent advance permission from the trial judge.
8 th Ionia Montcalm	Hourly	2009	In-prison offense: \$65/hr Non-prison offense: \$60/hr Plea based: \$500 CAP Trial: \$1,500 CAP	Mileage: ONE round trip Extraordinary fees for good cause.
9 th Kalamazoo	Hourly	2000	\$45/hr. Plea: \$500 maximum Trial: \$1,600 maximum	Mileage: 30¢/mile Travel time: \$12/hr

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10th Saginaw	Hourly	1985	Judicial discretion – Between \$35 and \$40/hr	Expenses: Additional
11th Alger/Luce Mackinaw Schoolcraft	Hourly	1987	\$40/hr	Expenses: Additional Mileage varies by county
12th Baraga/Houghton Keweenaw	Hourly	2005	\$55/hr	Expenses: Additional
13th Antrim Grand Traverse Leelanau	Schedule	2007	Plea w/o brief: \$750 Plea w/brief: \$1000 Oral Argument if ordered: \$500 Trials: transcript length ÷ 100 x 5 x \$70 with a \$3,500 maximum . Oral Argument, if ordered: \$500	Mileage: .485/mile (roundtrip from office to prison) Copies: 5¢/pg Postage: Actual
14th Muskegon	Hourly	1989	\$40/hr Plea: \$500 maximum Trial: \$1,000 maximum	Expenses: Additional Mileage: 55¢/mile Copies: 15¢/page Extraordinary fees by motion
15th Branch	Schedule	1987	Plea: \$400 Trial: \$700	Travel: \$50 maximum
16th Macomb	Hourly	1974	\$25/hr Travel: \$25/hr; no mileage	Reasonable office and administrative expenses. May cover lodging to UP if reasonable with documentation.
17th Kent	Hourly	2008	\$55/hr; Flat fee includes oral argument. Plea: \$660 maximum Non-CAP Trial: \$1,100 maximum CAP Trial: \$2,205 maximum The appellate appointment by the court includes appointment to the COA only.	Prison visit: \$13/hr (travel time) plus mileage: 45¢/mile. File proof of visit w/voucher. Expenses reimbursed at actual costs and itemized. Extra fees with written justification & approval. Payment request may not be submitted prior to filing the brief with the COA & must include proof of mailing transcripts to defendant.

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18th Bay	Hourly	2007	Judicial discretion: \$50/hr	Expenses: Additional Detailed time sheets must be submitted with voucher. Attorneys may bill when brief is filed with COA.
19th Benzie Manistee	Hourly	2002	\$75/hour	Expenses: Additional
20th Ottawa	Hourly	1998	\$45/hour Plea: \$500 maximum Trial: \$1,000 maximum	Expenses: Additional
21st Isabella	Hourly	1986	\$50 hour Travel: \$0	Expenses: Additional
22nd Washtenaw	Schedule	1998	\$75/hour Plea: \$1,000 maximum Trial: \$2,250 maximum	Expenses: Additional Extraordinary fees at \$75/hour and expenses exceeding \$100 cap with letter of explanation
23rd Iosco/Oscoda Alcona/Arenac	Schedule	2007	\$60/hour	Expenses: Additional Extraordinary fees by motion
24th Sanilac	Hourly	1991	\$50/hour	Expenses: Additional Court will pay mileage but will not cover phone or copying costs
25th Marquette	Hourly	2002	\$50/hour	Expenses: Additional
26th Alpena Montmorency	Schedule	2001	Plea: \$350 Trial: \$500 Trial Ct Motion: \$150 COA Orals: \$200 Jail Visit (one time only): \$60 Prison Visit (one time only): \$120	Mileage: 31¢/mile
27th Newaygo Oceana	Schedule	1998	Plea: \$500 Trial: \$40/hour	Expenses: Additional Mileage: .555/mile Unusual or costly expenses require prior approval

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28th Missaukee Wexford	Hourly	1985	\$45/hour	Expenses: Additional
29th Clinton Gratiot	Schedule	1997	Plea: \$40/hour, \$500 maximum Trial: \$50/hour, \$1,250 maximum If dismissed without brief, submit itemized statement detailing services provided & time devoted. Compensation will be equal to or lesser of that determined by flat fee or hourly method.	Actual costs; if necessary and reasonable. Extraordinary fees by motion
30th Ingham	Schedule	2008	Plea: \$48/hour, \$625 CAP Trial (non-capital offenses): \$48/hour, \$1400 CAP Trial (capital offenses): \$48/hour, \$2000 CAP Case dismissed after initial consult: Plea: \$250 Trial: \$300 Counsel Substitutes out for any reason: Plea: \$250 Trial: \$300 <i>Vouchers must be submitted no later than six months after either conclusion of the case or the granting of a motion to withdraw.</i>	Mileage: 55.5¢/mile (IRS stds effective 1/1/2011) Copies: 10¢/copy Copies of transcripts must be sent to defendant at the conclusion of the appeal and a certificate of mailing must be filed with the circuit court. All other expenses need approval. Postage with receipt for mailing transcripts will be reimbursed. Effective May, 2010 Appointments made prior to 1/17/2008 will be paid using prior fee schedule.
31st St. Clair	Hourly	2011	\$50/hour Fees over \$2,500 by motion.	Mileage: .362/mile Copies: 15¢/page
32nd Gogebic Ontonagon	Hourly	2007	\$50/hour	Expenses: Additional
33rd Charlevoix	Hourly	2005	\$40/hour	Expenses: Not included
34th Ogemaw Roscommon	Hourly	2000	\$50/hour	Expenses: Additional

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35th Shiawassee	Hourly	2007	\$50/hour Plea: \$500 maximum Trial: \$1,500 maximum	Expenses: Additional
36th Van Buren	Hourly	2001	Guilty Plea: \$50/hr up to \$700 Trials: \$55/hr up to \$1,500 Cases with mandatory life no parole: \$60/hr up to \$2,500 expenses not to exceed \$400	Mileage: County Rate Expenses in Guilty Pleas: \$12/hr travel time; expenses not to exceed \$125 Expenses in Trials: \$12/hr travel time; expenses not to exceed \$250
37th Calhoun	Hourly	2005	Guilty Plea: \$300 maximum Non-cap cases: \$600 maximum Cap cases: \$800 maximum Murder conviction: \$950 maximum Non Court: \$30/hour In Court: \$50/hour (Waiting for oral argument is not "in-court" and will be paid at lower rate.	Mileage: County Rate Copies: 5¢/page Actual costs: postage & phone (must include receipts) Travel time is not a reimbursable expense. Requests for payment must be accompanied by proof of mailing all transcripts to the defendant or return to the clerk.
38th Monroe	Hourly	1991	\$52/ hour	Expenses: Additional with judicial approval
39th Lenawae	Schedule	2009	Plea: \$500 Other criminal appeals: \$40/hour Secretary: \$10/hour	Expenses: Additional Mileage: IRS reimburse rate Actual costs: Postage, copies & phone
40th Lapeer	Hourly		Preparing appeal (including brief writing, interviews, travel time etc.): \$50/hour Oral Arguments: COA \$60/hour; SCt \$75/hour; Circuit Court \$50/hour	Extraordinary expenses by motion.
41st Dickinson/Iron Menominee	Hourly	2007	\$50/hour	Expenses: Additional
42nd Midland	Hourly	1987	\$45/hour	Expenses: Additional

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43rd Cass	Hourly	1992	\$50/hour Plea: \$500 maximum Trial \$1,500 maximum	Expenses: Additional Mileage: .365/mile Extraordinary fees require prior approval
44th Livingston	Hourly	2009	\$45/hour with billings to reflect work by the tenths of an hour; Along with MAACS detailed statement of services, attach a copy of proof of prison visit. Attorneys will be appointed in strict compliance w/current statute & case law; any request to extend the time of appeal must adhere to the criteria for such requests & will be decided by the assigned judge. Attorneys must certify that they have returned copies of the court transcripts to the defendant or the cost of a new copy may be deducted from their reimbursement.	Travel - \$10/hr (\$1/tenth of hr) of driving as measured by driving time determined by MapQuest from attorney's office to 44 th cir ct; any trip in excess of 150 miles requires documentation. Copies-15¢/pg Phone calls Billings will be submitted in timely manner and processed as follows: **30 hrs or less may be processed by designated court personnel & forwarded to assigning judge for approval. **More than 30 hrs will be forwarded to the judge for review & amendment, if appropriate. **Work in excess of 40hrs must be brought to the attention of the judge for approval. Time spent preparing requests for extended time are not to be billed. Extraordinary expenses must be approved before incurred. Billings may be amended by judge in the best interests of the administration of justice.
45th St. Joseph	Hourly	1987	\$40/hour Plea: \$550 maximum Bench: \$900 maximum Jury: \$1,200 maximum	Expenses: Additional
46th Crawford Kalkaska Otsego	Hourly	1988	\$40/hour	Expenses: Additional Mileage: Per county allowance Copies: 10¢/copy

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47th Delta	Hourly	2002	\$45/hour	Expenses: Additional
48th Allegan	Hourly	1987	Judicial discretion Non-cap cases: \$40/hour (20 hrs max) Cap cases: \$50/hour (40 hrs max)	Expenses: Additional
49th Mecosta Osceola	Hourly	1981	\$40/hour	Expenses: Additional
50th Chippewa	Hourly	2005	Non-prison offense: \$50/hour In-prison offense: \$70/hour	Expenses: Additional
51st Mason	Hourly	2009	\$60/hour Plea: \$700 maximum Trial: \$1,000 maximum Jury: \$1,500 maximum	Expenses: Additional
52nd Huron	Hourly	2001	\$55/ hour	Expenses: Additional Unusual number of hours and/or expenses must have prior approval.
53rd Cheboygan Presque Isle	Schedule	2007	Plea: \$500 Oral Argument: \$120 Trial: \$650 Jail Visit: \$70 ONE prison Visit: \$140	Mileage: .485/mile Extraordinary fees and expense with written permission of court.

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<p>54th Tuscola</p>	<p>Hourly</p>	<p>2012</p>	<p>\$300 max – Interlocutory appeal; conviction by a plea of guilty or nolo contendere; or, for prob violation convict. \$600 max – Non-cap felony conviction by trial appeal. \$800 max – for capital felony conviction by trial appeal, except murder. \$950 max – for murder conviction by trial appeal. Atty time will be reimbursed at \$50/hr for actual time in Ct. \$30/hr for other time reasonably expended in working on the case. Time spent waiting for oral arguments are not considered time in Ct. & is reimbursed at the lower rate. Time spent for travel incl to & from court & from prison/jail is not allowed.</p>	<p><u>Mileage</u>: current county rate <u>Copying</u>: not exceed 10¢/pg <u>Phone</u>: Actual costs <u>Postage</u>: Actual costs (express mail; fed ex etc allowed only when necessary & could not be avoided.) Transcripts not to exceed the statutory rate. All support memo, receipts, etc must be included.</p>
<p><i>The Chief Judge may approve reimbursement for fees in excess of the max if the atty submits a written request which sets out excess fees and states the issues that made case "unusual" or "complex". Must be submitted to Court Administrator 30 days after a decision on the appeal has been rendered.</i></p>				
<p>55th Clare Gladwin</p>	<p>Hourly</p>	<p>2005</p>	<p>Trial: \$50/hour Plea: \$400 <u>All Cases</u>: Oral Argument: \$150 max Jail Visit: \$60 max Prison Visit: \$120 max</p>	<p>Expenses: Included</p>
<p>56th Eaton</p>	<p>Schedule</p>	<p>1978</p>	<p>\$40/hour</p>	
<p>57th Emmet</p>	<p>Hourly</p>	<p>1995</p>	<p>\$40/hour</p>	<p>Expenses: Included Extraordinary expenses with judicial approval.</p>

Updated: May 30, 2012

