



Office of the Ohio Public Defender

Elizabeth R. Miller, *State Public Defender*

STANDARDS & GUIDELINES FOR APPOINTED COUNSEL REIMBURSEMENT USING THE OPD COURT APPOINTED BILLING SYSTEM (CABS)

Revised April 1, 2026

TABLE OF CONTENTS

STANDARDS & GUIDELINES FOR APPOINTED COUNSEL REIMBURSEMENT IN COURTS USING THE COURT APPOINTED BILLING SYSTEM (CABS) 4

A. General procedures and responsibilities.....	4
B. Determination of indigency and the Financial Disclosure Form (OPD-206R).....	5
C. Recoupment, contribution, partial payment, and marginally indigent programs	5
D. Persons becoming indigent during their case	5
E. Prescribed forms.....	6
F. Itemization of attorney hours/time logs.....	7
G. Judge's signature	7
H. Attorney fees	8
I. Multiple charges, counts, and co-defendants	8
J. Juvenile court	9
K. Probate court	9
L. Domestic relations court.....	9
M. Municipal or county court	9
N. Capital offense cases	10
O. Minor misdemeanors and unclassified misdemeanors	10
P. Change in appointed attorney(s)	10
Q. Reimbursement of expenses.....	10
R. Court fees, fines, costs, and items subject to waiver	13
S. Timely submission of forms	14
T. Periodic/interim billings.....	14
U. Flat rate fee resolutions and guaranteed minimum fees	14
V. Underpayment/overpayment of reimbursement	14
W. Specialty courts and other programs.....	15
X. Amendment of standards.....	15

APPENDICES.....	16
Appendix A: Instructions for Completing Motion, Entry, and Certification for Appointed Counsel Fees Form (OPD-1026R).....	17
Appendix B: Instructions for Completing Clerk’s/Auditor’s Transcript Fee for an Indigent Defendant Form (OPD-E-205).....	25
Appendix C: Instructions for Completing Request for Court Paid Expenses and/or Expenses Form	28
Appendix D: Instructions for Completing Financial Disclosure Form (OPD-206R).....	32
Appendix E: Instructions for Completing Monthly Assigned Counsel Summary Report.....	38
BLANK FORMS.....	43

STANDARDS & GUIDELINES FOR APPOINTED COUNSEL REIMBURSEMENT USING THE COURT APPOINTED BILLING SYSTEM (CABS)

A. General procedures and responsibilities

1. Office of the Ohio Public Defender

The Office of the Ohio Public Defender (OPD) offers reimbursement to counties for their indigent defense costs, including costs to provide appointed counsel. After a county pays their indigent defense costs, a county may request reimbursement by submitting the requisite forms and documentation to OPD. Reimbursement requests via paper forms are limited to one submission that contains all paper bills per county each month; there is no limit on the number of electronic submissions using the Court Appointed Billing System (CABS). OPD audits each submission for compliance with OPD Standards and Guidelines, calculates the allowable total cost for appointed counsel for a given monthly submission, and makes reimbursement for up to 100 percent of that amount pursuant to Ohio Revised Code (ORC) [120.33](#) and [ORC 120.35](#).

2. County responsibilities

Counties are responsible for paying indigent defense costs, including the costs for appointed counsel and guardian ad litem. The county auditor issues payment to the attorney or guardian ad litem after they have submitted the appropriate forms to the court, and the court has approved payment of the requested fees and expenses. After paying these fees and expenses, the county may seek reimbursement of the same from OPD.

To receive reimbursement, the county must ensure all necessary information and attachments are submitted to OPD. Submission may occur either electronically via CABS, or by printing a paper copy from CABS and mailing to OPD. All submissions, either electronic or paper, must be received within 90 days of the end of the month in which a case was disposed ([ORC 120.33](#)).

3. Court responsibilities

Courts are responsible for determining indigency and appointing counsel and/or guardian ad litem on a case-by-case basis to represent indigent persons who qualify for representation. Courts are also responsible for reviewing and approving fees and expenses when submitted by appointed counsel or guardian ad litem ([ORC 120.33](#); [ORC 2151.352](#); [ORC 2941.51](#)).

4. Attorney/guardian ad litem responsibilities

For a county to receive reimbursement, an attorney or guardian ad litem must correctly complete the form(s) prescribed by the State Public Defender and provided in these standards ([ORC 120.04\(C\)\(6\)](#)).

B. Determination of indigency and the Financial Disclosure Form (OPD-206R)

1. An applicant's indigency shall be determined by the court in accordance with Ohio Administrative Code (OAC) [120-1-03](#), [ORC 120.05](#), and [ORC 120.33](#). An applicant shall complete a current Financial Disclosure Form (OPD-206R) that the court will consider in determining indigency.
2. Pursuant to [OAC 120-1-03](#), in determining indigency, the court shall use the form prescribed by OPD: Financial Disclosure Form (OPD-206R). See section (E). Pursuant to ORC 120.33(A)(4), each request for reimbursement must be accompanied by this form, or a county version of the form developed by the county and approved by OPD pursuant to OAC, or OPD may not pay the requested reimbursement.
3. In cases where the applicant is unable to complete and sign the Financial Disclosure Form and the court finds the applicant is otherwise indigent and entitled to counsel, the judge or magistrate hearing the case may certify the applicant's indigence.
4. Information required on the form may also be obtained from the applicant via phone/video by court personnel, a public defender, or court appointed counsel. The person receiving the information must indicate on the form: "Information received via telephone/video by _____. The individual receiving the information from the applicant must then list their name followed by their title.
5. No applicant shall be denied counsel based on the financial status of a member of the applicant's household when that household member has no legal duty to support the applicant, or when that household member refuses to provide or pay for counsel (OAC 120-1-03).

C. Recoupment, contribution, partial payment, and marginally indigent programs

Pursuant to [OAC 120-1-05](#), counties shall adopt a recoupment, contribution, partial payment, marginally indigent program. Pursuant to [ORC 2941.51\(D\)](#), if a person who receives appointed counsel or a public defender has, or reasonably may be expected to have, the means to meet some part of the cost of the services rendered to the person, the person shall pay the county an amount the person reasonably can be expected to pay. OAC 120-1-05 prescribes factors that should be considered when considering whether recoupment should be ordered.

When recoupment is ordered and a person who is marginally indigent makes a payment to the county toward recoupment, the county auditor must remit a portion of the funds received to OPD. [ORC 120.33\(A\)\(4\)](#) states that the county shall pay to OPD a percentage of the payment received from the person in an amount proportionate to the percentage of the costs of the person's case that were paid to the county by OPD pursuant to this section. Therefore, it is the responsibility of the county auditor to remit to OPD a portion of the funds collected that should be proportionate to the percentage of the costs of the cases which were reimbursed by the state. Such funds should be remitted to the Office of the Ohio Public Defender payable to "Treasurer, State of Ohio."

D. Persons becoming indigent during their case

Reimbursement may be made for persons who were initially determined to not be indigent, but

during the course of their case become indigent or eligible for the recoupment program subject to the provisions of section (B) (1-3) of these standards. Reimbursement is limited to those costs paid by the county for the period of time when the applicant was determined to be indigent ([OAC 120-1-16](#); [OAC 120-1-03](#)).

E. Prescribed forms

1. To receive reimbursement, counties must properly complete and submit the prescribed forms to OPD. The prescribed forms are:

Activity or Case Type	Prior Requirement	CABS Requirement
All common pleas, municipal, appeals, juvenile, domestic relations, county courts, probate courts, and the Ohio Supreme Court	Motion, Entry, and Certification for Appointed Counsel Fees Form (OPD- 1026R) and Itemized Fee Statement Continuation Sheet (OPD-1027R), if needed	Complete the required case and fee bill information in CABS. The bill may be submitted electronically or printed from CABS and submitted via paper.
Transcript expenses	Clerk's/Auditor's Transcript Fee for an Indigent Defendant Form (OPD-E-205)	Complete the required transcript fee bill information in CABS or fillable PDF. The bill may be submitted electronically or printed and submitted via paper.
Experts' expenses	Request for Court-Paid Experts and/or Expenses Form (OPD-209)	Complete the required expert fee bill information in CABS or fillable PDF. The bill may be submitted electronically or printed and submitted via paper.
Financial disclosure	Financial Disclosure Form (OPD-206R) (Required in all cases)	Financial Disclosure Form (OPD-206R) (Required in all cases)
Assigned counsel	Monthly Assigned Counsel Summary Report	No longer required where a county is submitting all bills electronically via CABS. Counties that are submitting paper forms must still complete the report.

2. OPD accepts electronic signatures on documents submitted electronically through CABS and on documents printed from CABS and submitted in hard copy, provided the signature is verifiable by means of an authentication method or audit trail sufficient to satisfy the

requirements of [OAC 123:3-1-01](#).

- a. Examples of acceptable authentication methods include but are not limited to digital signatures such as Adobe PDF digital signature, Docusign, or Verisign.
 - b. Signatures such as /s/ Name, typescript names, or other signatures without verifiable authentication information are not acceptable.
3. Uploaded forms must be the forms prescribed by OPD or be produced using CABS. Uploaded documents are preferred to be in PDF format but regardless of format, must be legible.
 4. OPD makes CABS available free to users who agree to the End User License Agreement.

F. Itemization of attorney hours/time logs

The itemization of time spent in-court and out-of-court by the attorney is required on every Motion, Entry, and Certification for Appointed Counsel Fee submitted. CABS allows time to be entered in tenth-of an-hour (six-minute) increments.

Billing for time worked by the attorney's support staff (secretary/administrative assistant/paralegal) or for time spent preparing a Motion, Entry, and Certification for Appointed Counsel Fee should not be included and will not be reimbursed by OPD. Billing should comport with the Ohio Rules of Professional Conduct.

Where the attorney submitting the bill has included time worked by other attorneys, the submitting attorney must list the bar registration number of all other attorneys who performed work.

- **Example:** Attorney Buckeye is appointed to serve as indigent defense counsel on case number CR1234. Attorney Buckeye is in trial on another case and requests that a member of their firm covers a pretrial hearing in case number CR1234. A member of the firm, Attorney Cardinal, then covers the pretrial hearing for Attorney Buckeye. Later, when entering the time entries into CABS for the case, if Attorney Buckeye includes the time worked by Attorney Cardinal, then Attorney Buckeye must enter Attorney Cardinal's bar registration in CABS for the time Attorney Cardinal worked on the case.

OPD cautions attorneys against including privileged information in any reimbursement submission.

Attorneys are required to prepare and maintain time records for each appointed case showing the date of service, nature of services rendered, and hours worked. These records should not be submitted with the fee application but should be maintained in the event of an audit of the bill. Such records should be kept by the attorney for a minimum of five years from the date the related Motion, Entry and Certification for Appointed Counsel Fees Form (OPD-1026R) was submitted to the court.

G. Judge's signature

1. All Motion, Entry, and Certification for Appointed Counsel Fees forms must be reviewed and approved, as appropriate, by signature of the judge hearing the case for which the reimbursement request is being made. For purposes of reimbursement, OPD will also accept a

form signed by the Administrative Judge or Visiting Judge. The OPD will not accept for reimbursement purposes a bill signed by a Magistrate.

2. In appellate proceedings, the approval by one Court of Appeals judge hearing the appeal is sufficient for reimbursement purposes.

H. Attorney fees

1. Maximum fees

- a. Except in cases involving extraordinary fees, reimbursement for attorney fees is limited to the maximums established by OPD pursuant to [ORC 120.04\(B\)\(8\)](#). Such maximums are promulgated in OPD's State Maximum Fee Schedule for Appointed Counsel Reimbursement. The actual fees paid to the attorney by the county are determined by each board of county commissioners pursuant to [ORC 120.33](#). If maximum allowable fees under a county's fee schedule are lower than the State's maximum, reimbursement shall be made based on the county's maximum.
- b. In cases involving extraordinary fees, the standards outlined in section (H)(2) must be followed before reimbursement will be made.

2. Extraordinary fees

- a. Cases eligible for extraordinary fees are ones which, because of extraordinarily complex issues, multiple offenses, lengthy trials, or other reasons, warrant compensation at a rate which exceeds the maximums established by a county or OPD. Reimbursement to the county for extraordinary fees is subject to the following requirements:
 - i. In order for extraordinary fees to qualify for reimbursement, counties must provide for extraordinary fees in their fee resolution adopted pursuant to [ORC 120.33\(A\)\(3\)](#).
 - ii. For courts not using the electronic process, when a court grants an extraordinary fee, a journal entry approving the extraordinary fee must be submitted with the Motion, Entry, and Certification for Appointed Counsel Fees Form (OPD-1026R) ([OAC 120-1-15\(B\)\(2\)](#)).
 - iii. For courts using the electronic process, the judge's approval of extraordinary fees upon motion by the attorney is sufficient in CABS for reimbursement approval and no additional documentation is required.

3. Reduced or Denied Fees

- a. If a court reduces or denies a legal fee, a journal entry stating the reason for the reduction or denial must be submitted with the Motion, Entry, and Certification for Appointed Counsel Fees Form (OPD-1026R). See [OAC 120-1-15\(B\)\(1\)](#).
- b. Electronic fee applications submitted via CABS that have been reduced by the court require a comment by the judge stating the reason for the reduction.

I. Multiple charges, counts, and co-defendants

1. An appointed counsel is entitled to one fee when one complete proceeding or trial is held in

one court (e.g. municipal, common pleas, juvenile, etc.) for a single client on charges or counts arising out of a single incident or a series of related incidents.

2. In cases involving multiple charges where only one fee is payable, the fee maximum shall be based on the highest degree of offense charged.
3. Time already billed in a fee submission cannot be billed on any other submission for which payment or reimbursement is being requested.
4. When one client is charged with multiple offenses that are managed simultaneously, the attorney shall submit only one fee bill application, and the maximum fee shall be based on the highest degree of offense charged. The CABS software allows multiple cases to be related when they are managed simultaneously and time entries only need to be entered on the primary case; the case with the highest-level charge should be designated the primary.
5. In juvenile court abuse, neglect, or dependency cases involving multiple parties, regardless of whether the attorney represented the children, parents, or other parties, the attorney shall list all children (may list initials in place of full names) and their respective case numbers on each fee submission.

J. Juvenile court

1. Reimbursement will be made for an attorney appointed to represent a juvenile or adult, or for an attorney appointed as guardian ad litem in juvenile court.
2. OPD does not reimburse for the cost of providing Court Appointed Special Advocates (CASA), non-attorneys as guardian ad litem, or the representation of CASA.
3. Whenever the guardian ad litem determines that legal work needs to be completed on behalf of the child, the guardian ad litem should ask the court to appoint an attorney to represent the child's wishes and/or legal interests, and to file motions on the child's behalf. An attorney appointed to represent the child is entitled to bill for the appointment in the same manner as for any other abuse, dependency, or neglect case.
4. To qualify for reimbursement, counsel may only be appointed to serve as counsel or guardian ad litem in a delinquency case, but not in a dual role as both counsel and guardian ad litem in the same case ([OAC 120-1-18](#)). Where an attorney is appointed to serve as both counsel and guardian ad litem in the same delinquency case, neither the fee for counsel services nor the fee for guardian ad litem services will qualify for reimbursement ([OAC 120-1-18](#)).

K. Probate court

OPD will only reimburse for adoption proceedings in probate court where an indigent parent is facing the termination of their parental rights. See [In re Adoption of Y.E.F., SC 2020-Ohio-6785](#). All requests for reimbursement must comply with all other applicable provisions of these standards.

L. Domestic relations court

OPD will reimburse for cases involving contempt, including purge hearings, and for guardian ad litem. All requests for reimbursement must comply with all other applicable provisions of these standards.

M. Municipal or county court

1. Reimbursement will be made for representation in municipal or county courts for any violations of the Ohio Revised Code, where such violations involve a potential loss of liberty. Reimbursement for violations of municipal or village ordinances will be made only when such violations involve a potential loss of liberty, and where the municipality or village has contracted with the county for such representation pursuant to [ORC 120.33\(A\)\(4\)](#), and the contract complies with [OAC 120-1-09](#).
2. Reimbursement for violations of municipal or village ordinances shall also apply to indigent defense representation provided by county or joint county public defender offices.

N. Capital offense cases

1. Reimbursement for capital offense cases will be made pursuant to [ORC 120.33 \(D\)](#).
2. Reimbursement in capital offense cases will not be made unless the attorneys appointed were certified as qualified by the Supreme Court Rules for Appointment of Counsel in Capital Cases. This also applies to the role of the attorney and the level of the case for which reimbursement is being requested (e.g., lead counsel must be lead counsel certified; appellate counsel must be appellate counsel certified, etc.). If a waiver was granted, a copy of the waiver must accompany the fee application.

O. Minor misdemeanors and unclassified misdemeanors

1. Legal representation for a minor misdemeanor only qualifies for reimbursement when the minor misdemeanor is among two or more charges arising out of the same incident for which one of the other charges carries a potential of loss of liberty, or when a child is charged with a minor misdemeanor and the legal representation of the child qualifies for reimbursement pursuant to [ORC 2151.352](#).
2. Legal representation for an unclassified misdemeanor only qualifies for reimbursement when the charge carries a potential loss of liberty.

P. Change in appointed attorney(s)

In the event that one attorney withdraws or is removed from a case, the newly appointed attorney may bill up to the maximum for that particular proceeding without any reduction for amounts previously billed by prior attorneys.

Q. Reimbursement of expenses

1. General rules for reimbursement of expenses

OPD shall reimburse up to 100 percent of certain expenses reasonably related and necessary to the defense of an indigent client. These expenses include travel, transcripts, expert services, and certain other miscellaneous expenses. All reimbursement for expenses is subject to the following general rules and shall not be applied to the maximum attorney fee allowed:

- a. Pursuant to [ORC 120.33\(A\)\(4\)](#), expenses must be specifically allowed in the county's fee resolution.
- b. The appointing court must approve the expenses.

- c. All expenses must be itemized and entered on the appropriate form. Unless otherwise provided for in these standards, pursuant to [OAC 126-1-02](#), a receipt must accompany all expenses.
- d. If the identification of the payee or the nature of the expense raises questions of confidentiality or of attorney-client privilege, the applicant may make such an indication and attach an appropriate entry of approval from the court.

2. Travel time and expenses

Pursuant to [OAC 126-1-02](#) travel time and expense reimbursement are subject to the following conditions:

- a. The attorney must itemize all travel expenses: mileage, airfare, lodging, meals, and other miscellaneous items. A receipt must be included for all travel expenses except for road tolls, bus, boat, ferry, subway service, and personal mileage. Personal mileage must be itemized.
- b. Expenses for lodging and meals are reimbursable only when the attorney travels more than 45 miles one way from the attorney's home or office for purposes of representing an indigent client and when an overnight stay is required.
- c. Attorney fees for time spent in-transit and expenses for mileage and parking are reimbursable only when approved by the court.
- d. When travel expenses are permitted under these rules, an attorney may bill for hours spent in-transit. Once the destination has been reached, the attorney may not bill for hours spent at the destination. Hours spent working on a case at the specified destination, however, may be billed accordingly.
- e. Lodging, meals, mileage, and travel by common carrier are eligible expenses for reimbursement subject to the current rates prescribed by [OAC 126-1-02](#), or the applicable county rate, if lower. For a copy of the current rates, visit the Ohio Office of Budget and Management (OBM) website (obm.ohio.gov).
 - i. Expenses for travel by commercial carrier will be reimbursed at the lowest fare available for the trip and only when the attorney travels outside of Ohio.
 - ii. Reimbursement for travel by personal auto shall be made at the current rate set by OBM. See above.
- f. No reimbursement shall be made for lodging, meals, mileage, and travel by common carrier for the client, the client's family, the client's friends, or for the attorney's employees.

3. Transcripts

- a. Transcript expenses for one original and one copy of a transcript are reimbursable subject to the following provisions: The maximum amount subject to reimbursement shall be the set county maximum for the original, and 10 cents per page for paper copies. OPD will not provide reimbursement for electronic copies (see [ORC 2301.24](#)).
- b. Transcript expenses will be reimbursed only when the transcript is produced for use by

defense counsel at trial, on appeal, or in post-conviction proceedings. Reimbursement will not be made if these costs are presented as a line item or expense in the attorney's fee bill. See [OAC 120-1-17](#).

- c. In order to qualify for reimbursement, transcript expenses must be submitted using the appropriate form. Supporting documentation/invoices shall be included with the transcript fee request.
- d. Requests for transcript expense reimbursement must be submitted to OPD within 90 days after the end of the month in which the case for which the transcript was prepared, was finally disposed of, or terminated by the court handling the case.
 - **Example:** A case is terminated in an appellate court Jan. 5, 2026. The request is due to OPD by April 30, 2026 (90 days from the last day in January).
- e. A Financial Disclosure Form (OPD-206R) completed pursuant to section (B) of these standards must be included with the transcript fee submission, or the court may declare indigency during the judicial review and approval process.

4. Experts

- a. Reimbursement for expert expenses shall be limited to those where the expert services provided meet all the following requirements:
 - i. The expert is used **only for the defense** of the accused or party represented; and
 - ii. The expert is an independent expert **answerable solely to defense counsel**, not to the court or prosecution; and
 - iii. The experts' expenses adhere to the established guidelines as set forth herein.
- b. Expert expenses must be submitted using the Expert Fee Form. Supporting documentation/invoices shall be submitted with the expert fee request.

Requests for Court-Paid Experts must meet all of the following requirements:

- i. Either a receipt, or a copy of the expert's invoice or both must be submitted with the Expert Fee form. The number of hours worked, and the hourly rate charged must be included in the invoice.
- ii. Expert expenses may not be submitted as part of the attorney fee submission. See [OAC 120-1-17](#).
- iii. A Financial Disclosure Form (OPD-206R) completed pursuant to section (B) of these standards must accompany the expert fee submission, or the court may declare indigency during the review and approval process.
- c. Reimbursement will not be provided where a defense request for an independent expert is granted by a court, but in the order granting the request the court requires the report of the expert be submitted to the court. Where a court orders an expert's report to be submitted to the court, the expert is no longer answerable solely to defense counsel nor considered an independent expert for purposes of reimbursement.

- d. During representation, defense counsel will often file motions for an expert evaluation of a defendant regarding competency or sanity. Those expert expenses are not subject to reimbursement except where, as detailed in section (a) above, the expert services are at the sole discretion of defense counsel. The following are not subject to reimbursement as the expert is per se not an independent expert serving at the discretion of defense counsel:
 - i. Expert evaluations that are required by statute; or
 - ii. Expert evaluations where the court or prosecution decide which expert will be retained; or
 - iii. Expert evaluations where the court requires the expert to submit a copy of a report.
- e. Requests for reimbursement of expert expenses ordered for use by the court or the prosecution shall not be reimbursed.
 - **Examples:**
 - A defendant is not fluent in the English language and the court orders a defense counsel only interpreter be present during all court proceedings. The interpreter that provides translation services during court proceedings is not a permissible expense to submit for indigent defense reimbursement, as that service is used by the court and the prosecution. However, a separate interpreter will, in most cases, be necessary for defense counsel to communicate with the defendant. The cost of the interpreter that is used only by defense counsel is a permissible expense to submit for reimbursement.
 - Defense counsel files a motion raising the defendant's competency. An evaluation ordered by the court to determine whether the defendant is competent to stand trial is not a permissible expense to submit for indigent defense reimbursement where the expert's report is ordered submitted to the court. It is only where an expert is answerable solely to defense counsel that an expert expense may be submitted for reimbursement.

5. Miscellaneous other expenses

Reimbursement for certain other miscellaneous expenses will also be made pursuant to the provisions outlined in this section. These expenses include:

- a. Polygraph examinations submitted using the Expert Fee Form submission.
- b. Phone calls with uploaded invoice/bill.
- c. Photocopies at up to 10 cents (\$0.10) per page if made in-house (the number of copies must be itemized) or at actual cost (with receipt) if a service is used.
- d. Other expenses reasonably related and necessary to the defense of an indigent client, (e.g., clothing for the client, haircuts for the client, flash drive, CD, etc.). Receipts must be included for all expenses.

R. Court fees, fines, costs, and items subject to waiver

No reimbursement will be made for any court fees, fines, or costs that are subject to waiver due to

the indigency of the client (e.g., the \$40 Supreme Court of Ohio filing fee). The attorney is responsible for filing a motion to waive filing fees and a Financial Disclosure Form (OPD-206R) with the court. Some courts require their own affidavit to waive costs. The court in turn has jurisdiction to ensure no fees or costs are assessed against the indigent client. In no case are subpoena fees, processor fees, jury fees, court costs, or fines reimbursable expenses.

S. Timely submission of forms

Pursuant to [ORC 120.33\(A\)\(4\)](#), all requests for reimbursement are due to OPD within 90 days after the end of the month in which the case was finally disposed of or terminated (last day in court or entry filed from the last day in court). A request for reimbursement is considered submitted when the auditor approves the fee submission electronically in CABS and selects to submit it to OPD for reimbursement, or when paper forms are post-marked as mailed to OPD.

- **Example:** A case is terminated Jan. 5, 2026. The auditor must approve the request in CABS on or before OPD by April 30, 2026 (90 days from the last day in January) for it to be timely submitted to OPD for reimbursement.

T. Periodic/Interim billings

1. OPD accepts, for purposes of reimbursement, periodic or interim billing in all cases. An attorney may submit more than one fee bill application over the duration of the case.
2. To determine the maximum amount payable, the totals of all such billings will be added together. Once the maximum has been reached, no additional reimbursement will be paid unless the billing is accompanied by an order granting extraordinary fees.
3. Juvenile court — In abuse, dependency, and neglect cases, an attorney may bill up to the maximum fee allowed by the county for the initial dispositional hearing and should bill again for each subsequent annual review hearing before the court. These are not considered “periodic billings” unless two or more bills are submitted for services provided for under a single cap.
4. Periodic/interim billings may be submitted to OPD at any juncture during a case, but no later than 90 days after the end of the month in which the case was disposed of by the court ([ORC 120.33](#)).

U. Flat rate fee resolutions and guaranteed minimum fees

1. A county board of commissioners may adopt a fee schedule that compensates attorneys at a flat rate instead of an hourly rate for certain types of offenses. Reimbursement of flat rate fee schedules are subject to the following:
 - a. Schedules incorporating flat rate fees must be approved by OPD to receive reimbursement.
 - b. All fees paid to attorneys must be supported by the actual hours worked. Any fees in excess of hours billed multiplied by county hourly rate will not be approved.
2. OPD will not provide reimbursement for guaranteed minimum fees. Counties that have fee schedules that include guaranteed minimum fees may still receive reimbursement. However, reimbursement will be based on the number of hours worked multiplied by the applicable hourly rates, as well as approved expenses on each fee bill submission.

V. Underpayment/overpayment of reimbursement

If a county receives a reimbursement payment either less than or greater than the amount it should have received as a result of errors, omissions, or other factors, OPD shall either make a supplemental payment or a recoupment of funds. This will be completed by making an adjustment in the county's reimbursement payment in the month following discovery and verification of the error.

For underpayments, at the request of the county, OPD may issue a supplemental warrant prior to the following month's disbursement. OPD reserves the right to verify whether an adjustment shall be made.

W. Specialty courts and other programs

A court that operates a specialty court docket (e.g. recovery court) or other program (e.g. diversion program) may contact OPD to have a plan approved which would provide for reimbursement of an attorney to serve as appointed counsel for indigent defendants during the specialty court or other program proceedings.

A plan must include the following in order to be eligible for reimbursement:

1. The attorney(s) serving as appointed counsel must submit one fee submission detailing the total in-court and out-of-court hours worked for each day.
2. Request for reimbursement is due to OPD within 90 days after the end of the month in which a specialty court hearing or other program was held.
 - **Example:** A hearing is held Jan. 5, 2026. The request is due to OPD by April 30, 2026 (90 days from the last day in January).
3. A designation of the specialty court in lieu of a case number should be on the fee submission for the specialty court or program.
4. If a participant in the specialty court or program is subject to a violation hearing, and is indigent, the participant must be appointed an individual attorney to serve as counsel for the violation proceedings. The participant may agree to be represented by the attorney that has provided general counsel in the specialty court or may elect to be appointed a different attorney. If the same attorney that serves as counsel in the specialty court is later appointed for a violation, for purposes of reimbursement, the previous time billed for specialty court would not apply to the fee cap for the violation.
5. Attorneys providing limited representation should ensure compliance with the applicable Ohio Rules of Professional Conduct.
6. Any plan approved by OPD must be renewed annually and sent to OPD within 60 days of execution.

X. Amendment of standards

OPD may amend these standards at any time. Whenever the standards are amended or revised, OPD will give notice to the appropriate county offices including, but not limited to county commissioners, auditors, judges, and clerks of courts.

APPENDICES

APPENDIX D:
INSTRUCTIONS FOR COMPLETING FINANCIAL DISCLOSURE FORM
(OPD-206R)

The following instructions are for the Financial Disclosure Form (OPD-206R). For the purpose of these instructions, spaces requiring an entry have been numbered.

TO BE COMPLETED BY THE APPLICANT

- (1) Enter the legal name of the applicant.
- (2) Enter applicant's preferred name and pronoun.
- (3) Enter the applicant's date of birth. Use the Month/Day/Year format.
- (4) Enter the applicant's mailing address. Include P.O. Box number, street number, and apartment number where applicable (4a). Enter the applicant's city (4b), state (4c), and zip code (4d).
- (5) Enter the applicant's email address.
- (6) Enter the case number for which representation is being provided.
- (7) Enter the home phone number of the applicant. If there is no home phone, write "none" in this space.
- (8) Enter the cellphone number of the applicant. If there is no cellphone, write "none" in this space.
- (9) Enter the last four digits of the applicant's Social Security Number.
- (10) Enter the applicant's gender.
- (11) Enter the applicant's race.
- (12) Enter the names of other persons living in the applicant's household. These other persons may include children and other dependents as well as other financially contributing members of the household.
- (13) Enter the dates of birth of the other persons living in the applicant's household.
- (14) Enter the relationship to the applicant of the other persons living in the household. For example, to indicate the relationship of a female child of the applicant, this space should read "daughter," not "father" or "mother." If there are more than four other persons living in the applicant's household, attach an additional sheet that provides the same information for those not listed on the form.
- (15) If the applicant is receiving assistance from any governmental agency listed here, place an "X" next to that type of assistance.

For each type of income, the applicant must enter his or her own earnings in the “Applicant” column and the spouse’s earnings in the “Spouse” column. In the “Total” column, enter the total income from each type by adding the amounts across each row.

- (16) Enter the gross monthly income of the applicant.
- (17) Enter any unemployment, Workers' Compensation, Child Support or any other type of income the applicant receives.
- (18) Enter the gross monthly income of the spouse (unless the spouse is the alleged victim).
- (19) Enter any unemployment, Workers' Compensation, Child Support or any other type of income the spouse receives.
- (20) Enter the sum of the employment income of both the applicant and the spouse by totaling (16) and (18).
- (21) Enter the sum of other types of income of both the applicant and the spouse by totaling (17) and (19).
- (22) Enter the total income for the household by adding together the amounts in the “Total Income” column.
- (23) Enter the name of the applicant’s employer.
- (24) Enter the address of the employer.
- (25) Enter the phone number of the employer.

For (26-29) the applicant must list the estimated value of each liquid asset.

- (26) Enter the estimated value of all checking, savings, and money market accounts.
- (27) Enter the estimated value of all stocks, bonds and CDs owned by the applicant.
- (28) Enter any other liquid assets or cash on hand owned by the applicant.
- (29) Enter the total liquid assets by adding together the amounts in the "Estimated Value" column.

List monthly household expenses for the following:

- (30) Enter the amount of monthly child support actually paid for children not residing in the applicant’s household.
- (31) Enter the amount of monthly child care costs. This expense may not be claimed if any adult member of the applicant’s household is unemployed.
- (32) Enter the monthly cost of all insurance (medical, dental, life, homeowners insurance, renter's insurance, automobile insurance, etc.) costs.
- (33) Enter the monthly cost of all health and dental care that is over and above the amount paid for medical and dental insurance (this may include prescription medications, co-payments, the

payment of deductibles, etc.) and all medical expenses and other expenses incurred in caring for sick or injured family members.

- (34) Enter the monthly payment made for rent or mortgage.
- (35) Enter the monthly amount spent on food by the applicant's household. The dollar value of food purchased with food stamps should be included in the amount entered.
- (36) Enter the total of expenses in this column.
- (37) Enter the monthly telephone expenses.
- (38) Enter the monthly transportation expenses. This may include bus fare or gasoline and parking expenses, but not auto insurance or repairs.
- (39) Enter the amount of taxes withheld or owed. This may include the monthly amount of federal, state, and local taxes owed by the applicant, including current taxes withheld by the employer as well as past tax debt that is currently being repaid.
- (40) Enter the monthly payment of all credit cards and loans. This includes the total of the minimum monthly payments currently owed on all major credit cards, department store cards, or independent credit cards held by the applicant. This also includes the total monthly payments on all loans including student loans, automobile loans, and loans for other purposes. Home mortgages are not to be included in this category.
- (41) Enter the monthly utility expenses, including gas, electricity, water/sewer, and trash.
- (42) Enter any other monthly expenses and specify what those expenses are.
- (43) Enter total expenses in this column.
- (44) Enter the name of the applicant.
- (45) If the form is completed by someone other than the applicant, enter the name and title of the authorized person(s) completing the form on behalf of the applicant.
- (46) The applicant must sign (46a) and date (46b) the form.

TO BE COMPLETED BY THE JUDGE OR MAGISTRATE

This section of the form should only be completed if the applicant is unable to fill out the Financial Disclosure Form. In such a case, the judge or magistrate may indicate by his or her signature that the applicant is indeed indigent.

- (47) List the reason the client is unable to sign the form.
- (48) The judge or magistrate must sign (48a) and date (48b) any form that cannot be properly completed by the applicant.

TO BE COMPLETED IF THE DEFENDANT IS A JUVENILE

- (49) Enter the gross monthly income of the custodial parents.

- (50) Enter the total gross monthly income of both custodial parents.
- (51) Enter any unemployment, Worker's Compensation, Child Support or any other type of income the custodial parents receive.
- (52) Enter the total other income of both custodial parents.
- (53) Enter the total income of both custodial parents by totaling (50) and (52).

BLANK FORMS
