

## LOC.R. 8.1 COURT APPOINTMENTS

For appointments frequently made in the court, appointments shall be made by selecting appointees from a list maintained by the court of persons prequalified to serve in the capacity designated by the court. To ensure an equitable distribution of appointments, the court may utilize a rotary system from a graduated list that pairs the seriousness and complexity of the case with the qualifications and experience of the person to be appointed. The court or division may maintain separate lists for different types of appointments.

An appointment shall be made by taking into consideration the following:

- (1) The anticipated complexity of the case in which appointment will be made;
- (2) Any educational, mental health, language, or other challenges facing the party for whom the appointment is made;
- (3) The relevant experience of those persons available to accept the appointment, including proficiency in a foreign language, familiarity with mental health issues, and scientific or other evidence issues;
- (4) The avoidance of conflicts of interest or other situations that may potentially delay timely completion of the case;
- (5) Intangible factors, including the court or judicial officer's view of a potential appointee's commitment to providing timely, cost-effective, quality representation to each prospective client.

Court appointees, other than assigned counsel, will be paid reasonable compensation with consideration given to the factors outlined in applicable law, Professional Conduct Rule (Prof.Cond.R.) 1.5, Sup.R. 8, fee schedules and these Local Rules. When compensation is being

paid from the indigent guardianship fund, the compensation shall be determined pursuant to Loc.R. 73.2.

Persons requesting to be placed on an appointment list of the Court Within 30 days, the Court will decide whether the person meets the qualifications to be placed on the list. The person will be informed in writing of the Court's decision. The Court will give a person 30 days notice of its intent and reason to remove a person from a court appointment list.

By accepting a Court appointment, an attorney is representing and affirming that the attorney is competent to provide the necessary services and committing that those services will be performed with reasonable diligence and promptness as required by Prof.Cond.R. 1.1 and 1.3. An attorney who accepts appointment as a guardian for an adult ward is committing to abide by the applicable Supreme Court Rules of Superintendence for the Courts of Ohio 66.01 through 66.09, so long as the appointment remains open.

Furthermore, an attorney accepting a Court appointment is representing to the Court that at all times during the appointment the attorney shall maintain professional liability insurance in the minimum limits set forth in Prof. Cond. R 1.4(c) and upon request of the Court will provide to the Court satisfactory evidence of the existence of such coverage. No attorney shall be appointed, shall accept an appointment, or shall continue an appointment if the attorney is not registered as active and in good standing with the Supreme Court of Ohio.

The performance of any appointee may be reviewed by the Judge at any time or upon a complaint being filed by an interested party. The Judge shall review the facts and make a determination of whether the current appointment shall be in any way modified or terminated. If appropriate, the Court may determine that further appointments of the appointee should be limited or not made.

The appointment procedure shall be reviewed by the Court periodically to ensure equitable distribution of appointments. At least once every five years, the Court shall review the compensation paid court appointees to determine the compensation's adequacy and effect upon the availability of court appointees.