

**IN THE COURT OF COMMON PLEAS
JUVENILE DIVISION
GEAUGA COUNTY, OHIO**

In Re: _____

Case No. _____

I.D. No. _____

MOTION FOR LEGAL COUNSEL

1. I am indigent:

- according to the attached Financial Disclosure Form (OPD-206R)
- according to OAC 120-1-03(E) for the following reasons:

2. I request that:

- the Court appoint for _____ a county public defender under R.C. 120.16.
- waive or reduce the \$25 application fee that is required under R.C. 120.36.
- Other:

Signature: _____

Print Name: _____

Telephone: _____

MEMORANDUM IN
SUPPORT
[Juvenile Rule 19]

1. R.C. 2151.352 and Juv.R. 4(A) grant a child the right to appointed counsel in actions under R.C. Chapters 2151 and 2152.
2. If Geauga County Job & Family Services filed an action under R.C. 2151.23(A)(1), *In re Williams*, 101 Ohio St.3d 398 (2004), 2004-Ohio-1500; and *In re D.M.*, 2019-Ohio-1497 explains the right of a child to have appointed counsel in addition to a guardian ad litem, especially if the guardian ad litem is also serving as attorney for the child and there is a conflict of interest.
3. R.C. 2151.352 grants an adult parent indigent with a right to appointed counsel in an action filed by Geauga County Job & Family Services under R.C. 2151.23(A)(1).
4. R.C. 120.36 requires that the clerk's office assess a \$25.00 application fee when an indigent adult applies for appointed counsel from the public defender's office. However, if a party submits for filing an application for appointment of counsel, together with form GCJF 12.7 Financial Disclosure Affidavit, then that party need not pay the \$25 application filing at the time of filing. R.C. 120.36 permits the party to pay the \$25 application fee within seven days after filing the application for appointed counsel and the Financial Disclosure Form. The clerk's office will accept those filings without collecting the \$25 application fee. If that party does not pay the \$25 application fee within the seven-day period, then the Court shall assess that fee upon the final disposition, as court costs. Moreover, R.C. 120.36(A)(1) permits the Court to waive or reduce the payment of that \$25 application fee.