

**Instructions for Completing
OHIO PUBLIC DEFENDER
CLERK OF COURT INDIGENT APPLICATION FEE REPORT
VERSION 2 (OPTIONAL)**

Reporting Period

This is the period of time for which the data is being reported. Beginning February 20, 2007, R.C. 120.36 requires clerks to report monthly. Each report covers data from the previous month. For example, in February 2007, report data from January 2007.

County

Enter the appropriate county name.

Court

Enter the names of the court the report covers. e.g., "Franklin County Municipal Court", "Franklin County Court of Common Pleas", "Wadsworth Municipal Court," etc.

Clerks who service more than one court should submit a separate form for each court.

Line A

Line A records the number of all persons who requested or were provided a state public defender, county or joint county public defender, or other counsel appointed by the court during the reporting period. Persons who initially request counsel, but subsequently withdraw their request for counsel prior to submitting a financial disclosure form/affidavit of indigency should not be assessed a fee, therefore, should not be counted in this total.

The figures for Line A should be completed as follows:

- (a) Enter the number of persons requesting counsel whose cases were bound over or transferred to a different court (e.g., from municipal to common pleas).
- (b) Enter the number of persons whose cases were not bound over or transferred to a different court.
- (c) Enter the total of (a) + (b). This is the total of all assessments during the period.

NOTE: The receiving court should exclude from both (a) and (b) cases that are being transferred from a different court where the person has already paid the fee in the previous court. For example, if a person in a bindover case in municipal court paid the fee, that case should be excluded from the total in the common pleas court since no assessment will be made.

- (d) Enter the number of persons from (a) who, upon transfer or bindover, had not paid their assessed fee.
- (e) Subtract (d) from (c). This is the net number of active assessments during the reporting period.

Line B

Line B records the number of persons for whom the fee was waived by the court(s) during the reporting period.

Figures for Line B should be completed as follows:

- (f) Enter the number of cases where fee was waived where the case was bound over or transferred to a different court (e.g., municipal to common pleas).
- (g) Enter the number of cases where the fee was waived that did not get bound over or transferred to a different court.
- (h) Enter the total of (f) + (g). This is the total number of waivers during the reporting period.

Line C

Line C records the total dollar value of the fees assessed during the reporting period, net of waivers.

Figures for Line C should be entered as follows:

- (i) Enter the total amount assessed in cases that were bound over or transferred to another court during the reporting period.
- (j) Enter the total amount assessed in cases that were not bound over or transferred to another court during the reporting period.
- (k) Enter the total of (i) + (j)
- (l) Enter the dollar value of cases in (i) that remained unpaid at the time they were transferred or bound over to another court. Unpaid transfer or bindover cases are deducted from the total because once they move on to a higher court, they no longer exist as an active case for purposes of the \$25.00 fee in the lower court. Accordingly, they can be “unassessed” or “zeroed out” at that time.
- (m) Subtract (l) from (k).

Line D

- (n) Enter the total dollar value of the fees collected during the reporting period. This includes collections of fees assessed in all previous reporting periods.

Line E

- (o) Enter the balance of outstanding assessed fees at the beginning of the reporting period. This figure is taken directly from Line F of the previous report. If there is no previous report, enter \$0.

Line F

Line F records the balance of outstanding assessed fees at the end of the reporting period. The final figure is calculated net of those assessments that have been written off as uncollectible.

Figures for Line F should be completed as follows:

- (p) Enter the balance of unpaid assessments at the end of the reporting period before considering write offs. This should be calculated by taking the balance from the previous period, adding fees assessed during the current period, and subtracting collections during the current period. On the form, it can be calculated by $(m) - (n) + (o)$.
- (q) For clerks of court who have such provisions, enter the amount written off during the reporting period. The uncollectible amount should not include fees referred to a collection agency because such funds are still considered collectible. They are also not the same as the unpaid transfer or bindover cases that are reversed or zeroed out. Uncollectible and written off refers to assessments on cases that did not get bound over, but are determined to be uncollectible for some other reason, e.g., too old, client is deceased, etc.
- (r) Subtract (q) from (p). This is the net balance after write offs.

A form with letter keys for these instructions is attached. Also included are sample completed forms using various scenarios over a three month period. Each is successively more complex.

**OHIO PUBLIC DEFENDER
CLERK OF COURT INDIGENT APPLICATION FEE REPORT
VERSION 2 (OPTIONAL)
(R.C. 120.36)**

Reporting Period: _____

County: _____

Court: _____

Item	Transfers & Bindovers	+	All Other Cases	=	Total
A. Total Requests for Counsel	<input type="text"/>	+	<input type="text"/>	=	<input type="text"/>
* Less: Unpaid Bindovers/Transfers				-	<input type="text"/>
Net Requests for Counsel				=	<input type="text"/>
 B. Number of persons for whom the court waived the application fee.	<input type="text"/>	+	<input type="text"/>	=	<input type="text"/>
 C. Total Dollar Value Assessed	\$ <input type="text"/>	+	\$ <input type="text"/>	=	\$ <input type="text"/>
Less: Unpaid Bindovers/Transfers				-	\$ <input type="text"/>
Net Assessed				=	\$ <input type="text"/>
 D. Amount of fees collected during the reporting period					\$ <input type="text"/>
 E. Balance of unpaid assessments at beginning of reporting period					\$ <input type="text"/>
 F. Balance of unpaid assessments at end of reporting period (Net C-D+E)					\$ <input type="text"/>
** Less: Write-Offs				-	\$ <input type="text"/>
Net balance of unpaid assessments at end of reporting period				=	\$ <input type="text"/>

*These are cases transferred or bound over to a different court where a fee was assessed but the person failed to pay.

**These are assessed fees that are "written-off" as uncollectible. Do not include fees that have been referred to a collection agency, as those funds are still considered collectible.

Remit all funds collected to the County Treasurer.

Remit reports to:
Terri Wilson
Office of the Ohio Public Defender
250 East Broad Street - Suite 1400
Columbus, Ohio 43215

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VERSION 2 (OPTIONAL)
(R.C. 120.36)**

Reporting Period: _____

County: _____

Court: _____

Item	Transfers & Bindovers	+ +	All Other Cases	=	Total
A. Total Requests for Counsel	(a)		(b)		(c)
* Less: Unpaid Bindovers/Transfers				-	(d)
Net Requests for Counsel				=	(e)
 B. Number of persons for whom the court waived the application fee.	 (f)		 (g)		 (h)
 C. Total Dollar Value Assessed	 \$ (i)		 \$ (j)		 \$ (k)
Less: Unpaid Bindovers/Transfers				-	\$ (l)
Net Assessed				=	\$ (m)
 D. Amount of fees collected during the reporting period					 \$ (n)
 E. Balance of unpaid assessments at beginning of reporting period					 \$ (o)
 F. Balance of unpaid assessments at end of reporting period (Net C-D+E)					 \$ (p)
** Less: Write-Offs				-	\$ (q)
Net ending balance of unpaid assessments				=	\$ (r)

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EXAMPLES

Example 1:

Fact Scenario:

- There were 100 total cases subject to assessment. Of these:
 - 20 were bindover cases
 - 80 were regular cases
 - There were 10 waivers: Of these:
 - 5 were bindover cases
 - 5 were regular cases
 - Of the 90 cases not waived, the following assessments were made:
 - Bindovers: 15 were assessed \$25 each for a total of \$375
 - Other/Regular Cases: 75 were assessed at \$25 for a total of \$1,875
- Total assessments all cases: \$2,250
- None of the 15 bindover cases paid their fee. All had been assessed \$25.00, so there was \$375 in unpaid bindover cases.
 - Including payments of fees assessed in previous reporting periods, \$1,000 was collected.
 - The balance of unpaid assessed fees reported on the most previous report was \$0. In these examples this is the first report. Amounts for future reports will get this figure from Line F on the most previous report.
 - At the end of the reporting period, it was determined that \$100 of assessed fees from this and previous reporting periods were uncollectible and should be "written off."

EXAMPLE 1
OHIO PUBLIC DEFENDER
CLERK OF COURT INDIGENT APPLICATION FEE REPORT
VERSION 2 (OPTIONAL)
(R.C. 120.36)

Reporting Period: _____

County: _____

Court: _____

Item	Transfers & Bindovers	+	All Other Cases	=	Total
A. Total Requests for Counsel	20		80		100
* Less: Unpaid Bindovers/Transfers				-	15
Net Requests for Counsel				=	85
 B. Number of persons for whom the court waived the application fee.	 5		 5		 10
 C. Total Dollar Value Assessed	 \$375		 \$1,875		 \$2,250
Less: Unpaid Bindovers/Transfers				-	\$375
Net Assessed				=	\$1,875
 D. Amount of fees collected during the reporting period					 \$1,000
 E. Balance of unpaid assessments at beginning of reporting period					 \$0
 F. Balance of unpaid assessments at end of reporting period (Net C-D+E)					 \$875
** Less: Write-Offs				-	\$100
Net ending balance of unpaid assessments				=	\$775

*These are cases transferred or bound over to a different court where a fee was assessed but the person failed to pay.

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Example 2:

Fact Scenario

- There were 300 total cases during the reporting period, of these:
 - 25 were bindover cases
 - 275 were regular/other cases
- The fee was waived in 20 cases. Of these
 - 3 were bindover cases
 - 17 were regular/other cases
- Of the 180 cases not waived, the following was assessed:
 - Bindover Cases
 - 22 were assessed \$25 for a total of \$550
 - Regular/Other Cases
 - 250 were assessed \$25 for a total of \$6,250
 - 8 were assessed \$10 for a total of \$80
 - Total assessments, regular cases: \$6,330
 - Total assessments, all cases: \$6,880
- Of the 22 bindover cases assessed, 18 did not pay, leaving \$450 in unpaid bindover cases.
- Including payments of fees assessed in previous reporting periods, \$500 was collected.
- The balance of unpaid assessed fees reported on the most previous report was \$775.
- At the end of the reporting period, it was determined that \$200 of assessed fees from this and previous reporting periods were uncollectible and should be “written off.”

EXAMPLE 2
OHIO PUBLIC DEFENDER
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VERSION 2 (OPTIONAL)
(R.C. 120.36)

Reporting Period: _____

County: _____

Court: _____

Item	Transfers & Bindovers	+	All Other Cases	=	Total
A. Total Requests for Counsel	25		275		300
* Less: Unpaid Bindovers/Transfers				-	18
Net Requests for Counsel				=	282
 B. Number of persons for whom the court waived the application fee.	 3		 17		 20
 C. Total Dollar Value Assessed	 \$550		 \$6,330		 \$6,880
Less: Unpaid Bindovers/Transfers				-	\$450
Net Assessed				=	\$6,430
 D. Amount of fees collected during the reporting period					 \$500
 E. Balance of unpaid assessments at beginning of reporting period					 \$775
 F. Balance of unpaid assessments at end of reporting period (Net C-D+E)					 \$6,705
** Less: Write-Offs				-	\$200
Net ending balance of unpaid assessments				=	\$6,505

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Example 3:

Fact Scenario:

- There were 400 total cases during the reporting period. Of these:
 - 150 were bindover cases
 - 250 were regular/other cases
- There were 35 waivers. Of these:
 - 10 were bindover cases
 - 25 were regular cases
- Of the 365 cases not waived, the following was assessed:
 - Bindover Cases:
 - 130 were assessed \$25 for a total of \$3,250
 - 10 were assessed \$10 for a total of \$100
 - Total bindover assessments: \$3,350
 - Regular/Other Cases:
 - 200 were assessed \$25 for a total of \$5,000
 - 20 were assessed \$20 for a total of \$400
 - 5 were assessed \$10 for a total of \$50
 - Total regular/other assessments: \$5,450
 - Total assessments, all cases: \$8,800
- Of the 140 bindover cases assessed, 125 did not pay:
 - 120 had been assessed \$25 for \$3,000
 - 5 had been assessed \$10 for \$50
- Total unpaid bindovers: \$3,050
- Including payments of fees assessed in previous reporting periods, \$3,250 was collected.
- The balance of unpaid assessed fees reported on the most previous report was \$6,505
- At the end of the reporting period, it was determined that \$300 of assessed fees from this and previous reporting periods were uncollectible and should be "written off."

EXAMPLE 3
OHIO PUBLIC DEFENDER
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VERSION 2 (OPTIONAL)
(R.C. 120.36)

Reporting Period: _____

County: _____

Court: _____

Item	Transfers & Bindovers	+	All Other Cases	=	Total
A. Total Requests for Counsel	150		250		400
* Less: Unpaid Bindovers/Transfers				-	125
Net Requests for Counsel				=	275
 B. Number of persons for whom the court waived the application fee.	 10		 25		 35
 C. Total Dollar Value Assessed	 \$3,350		 \$5,450		 \$8,800
Less: Unpaid Bindovers/Transfers				-	\$3,050
Net Assessed				=	\$5,750
 D. Amount of fees collected during the reporting period					 \$3,250
 E. Balance of unpaid assessments at beginning of reporting period					 \$6,505
 F. Balance of unpaid assessments at end of reporting period (Net C-D+E)					 \$9,005
** Less: Write-Offs				-	\$300
Net ending balance of unpaid assessments				=	\$8,705

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