

CDAM Launches Task Force on Fees

At its meeting on March 16, 2006, the Board of the Criminal Defense Attorneys of Michigan (CDAM) created a Task Force on Fees, chaired by Frank Eaman and Dawn Van Hoek, charging it with support of CDAM members who accept assignments throughout the state. The Task Force will focus on fees paid to assigned counsel and access to experts and investigators in criminal cases, with a view to whether fees are adequate and experts and investigators are provided to ensure competent representation and a fair trial or appeal. CDAM members will have access to pleadings and other tools to assist them in seeking the state-guaranteed “reasonable fee” and also to assist in obtaining experts and investigators. CDAM members who wish to contest fees, withdraw from cases because of inadequate fees, or challenge the system of payment also will be able to consult with experienced Task Force volunteers.

Another purpose of the Task Force is to allow CDAM members to provide stories of their cases, where attempts to collect reasonable fees or to obtain the appointment of experts have been denied. These anecdotes will be collected and made available for legislative and litigation support.

An educational and intake web site for the Task Force will reside at www.cdam.net/, with pleadings hosted by the Criminal Defense Resource Center (CDRC) in a searchable database at www.sado.org/.

Attorneys taking assigned cases at both trial and appellate levels receive widely different fees, depending on the jurisdiction. The CDRC recently published its 2006 survey, revealing a range in hourly rates from \$45 to \$88 for trial work, and a low of \$25 an hour for appellate work. See: www.sado.org/publicdefense/. Adequacy of fees and access to experts and investigators are under review by the Michigan Public Defense Task Force, which has drafted reform legislation to address the problems caused by Michigan's uncoordinated method of providing defense services. See: www.mipublicdefense.org.