

CONFIDENTIAL

-SAMPLE-

NOTICE OF ELIGIBILITY RECOMMENDATION

To: _____
(Applicant's name)

Docket No. _____
(if available)

From: _____
(Screening entity, name of screener, and contact information)

Re: Application for Assigned Counsel

Date: _____

You recently applied to have a lawyer assigned to represent you in your criminal case. We screen all applicants to ensure that they are financially eligible for assignment of counsel. We then make a recommendation to the judge, who is responsible for making the final decision.

Based on the information you gave us, we will recommend to the judge that:

You are financially eligible for an assignment of counsel.

You are not financially eligible for assigned counsel.

If our recommendation to the judge is that you are not financially eligible for assigned counsel, a reason is provided on the attached form, which lists the information we relied upon in making the recommendation.

Additionally, if our recommendation is that you are not financially eligible for assigned counsel, you have the right to have this recommendation reviewed. Your rights are discussed in the attached document entitled, **Your Right to Seek Review of the Recommendation that You are not Eligible for Assigned Counsel.**

CONFIDENTIAL

REASON FOR INELIGIBILITY RECOMMENDATION

We have decided to recommend to the judge that you are not eligible for assigned counsel because you have enough income and/or assets to pay for a qualified attorney, a competent defense, and release on bond. Your living expenses and financial obligations do not prevent you from being able to pay these costs. This recommendation is based on the following information about the case and the financial information that you provided:

1) Nature of the case

a) We considered the type of charges against you, which are:

- Violation Misdemeanor Class C, D, or E felony Class A or B felony
- Sex offense, violent felony offense, or homicide offense

b) We also considered whether there is any indication that the case against you might be complex. Examples include cases that may require hiring an expert, an investigator, or forensic specialist, or that may involve complex legal issues, or mental health or mental competence issues. In your case, we determined:

- No indication of case complexity Indication of possible case complexity, as follows:

2) We considered your income, which is approximately \$ _____ per week/month/year.

3) We considered your assets, which include (check all that are applicable):

- Bank accounts in the approximate amount of \$ _____
- Securities/stocks worth approximately \$ _____
- Other assets (description and approximate value): _____

4) We considered your living expenses, including those of your dependents, which are approximately \$ _____ per week/month/year.

5) We considered your current debt and other financial obligations, which include (check all that are applicable):

- Medical debt of approximately \$ _____
- Educational debt of approximately \$ _____
- Other debt (describe nature and amount of debt): _____

6) We considered the following information about Bail in your case (check appropriate box):

- You were released on your own recognizance or on pre-trial release.
- Bail was set and you have the financial resources needed to pay it.

7) Other factors we considered or other reasons for our ineligibility recommendation:
