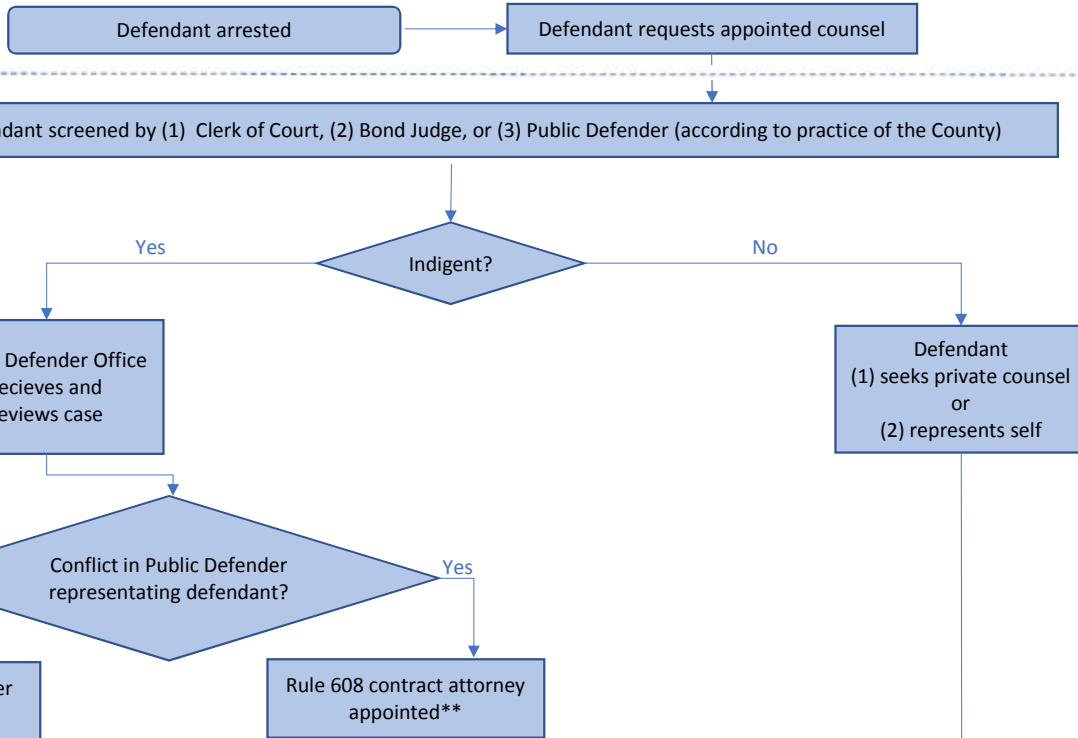


Adult Criminal Case, including death penalty - Circuit or Magistrate Court

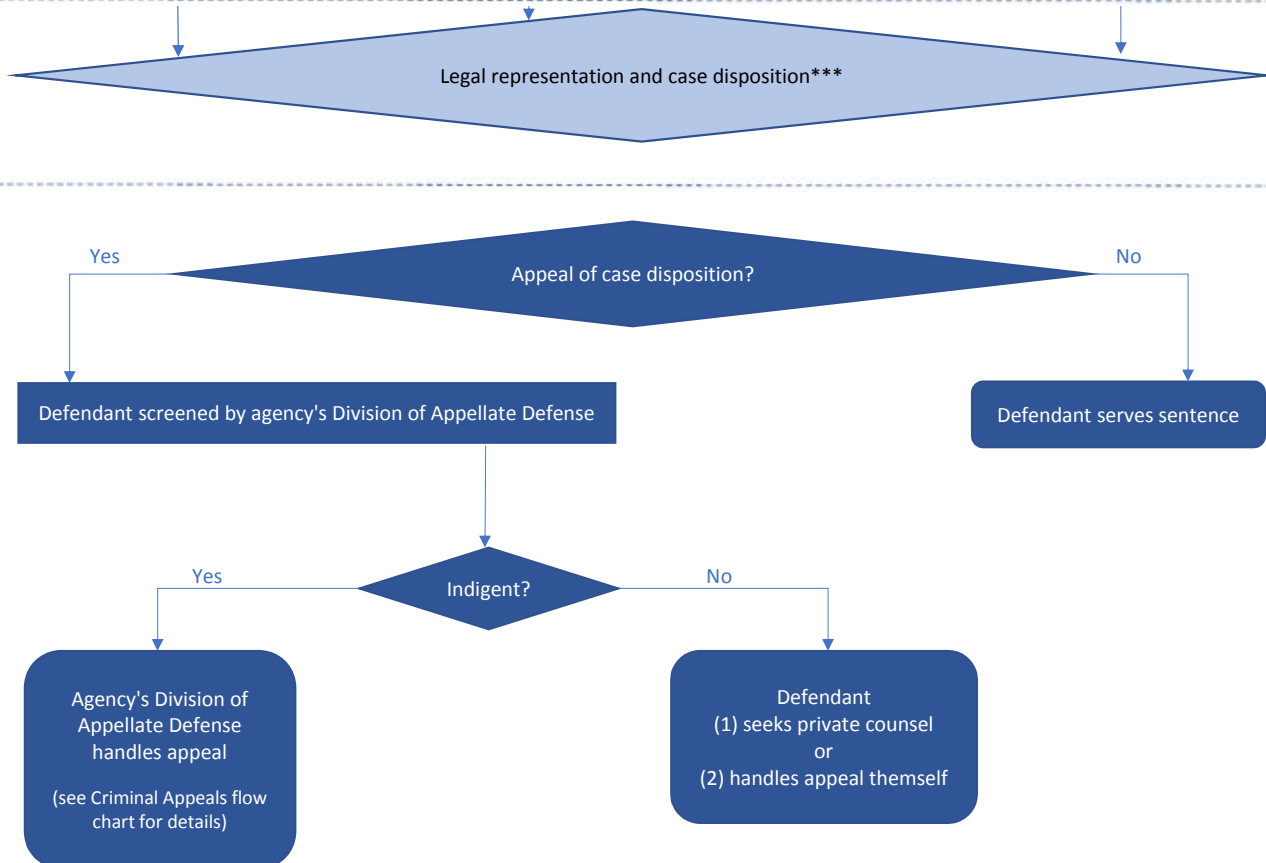
Indigent defendants right to counsel in criminal cases is granted in the U.S. Constitution.

Flow Chart as of June 2018

Step 1



Steps 2 - 10



*If the case involves the Death Penalty, the Capital Litigation Unit can get involved as second counsel to assist the appointed attorney. §16-3-26

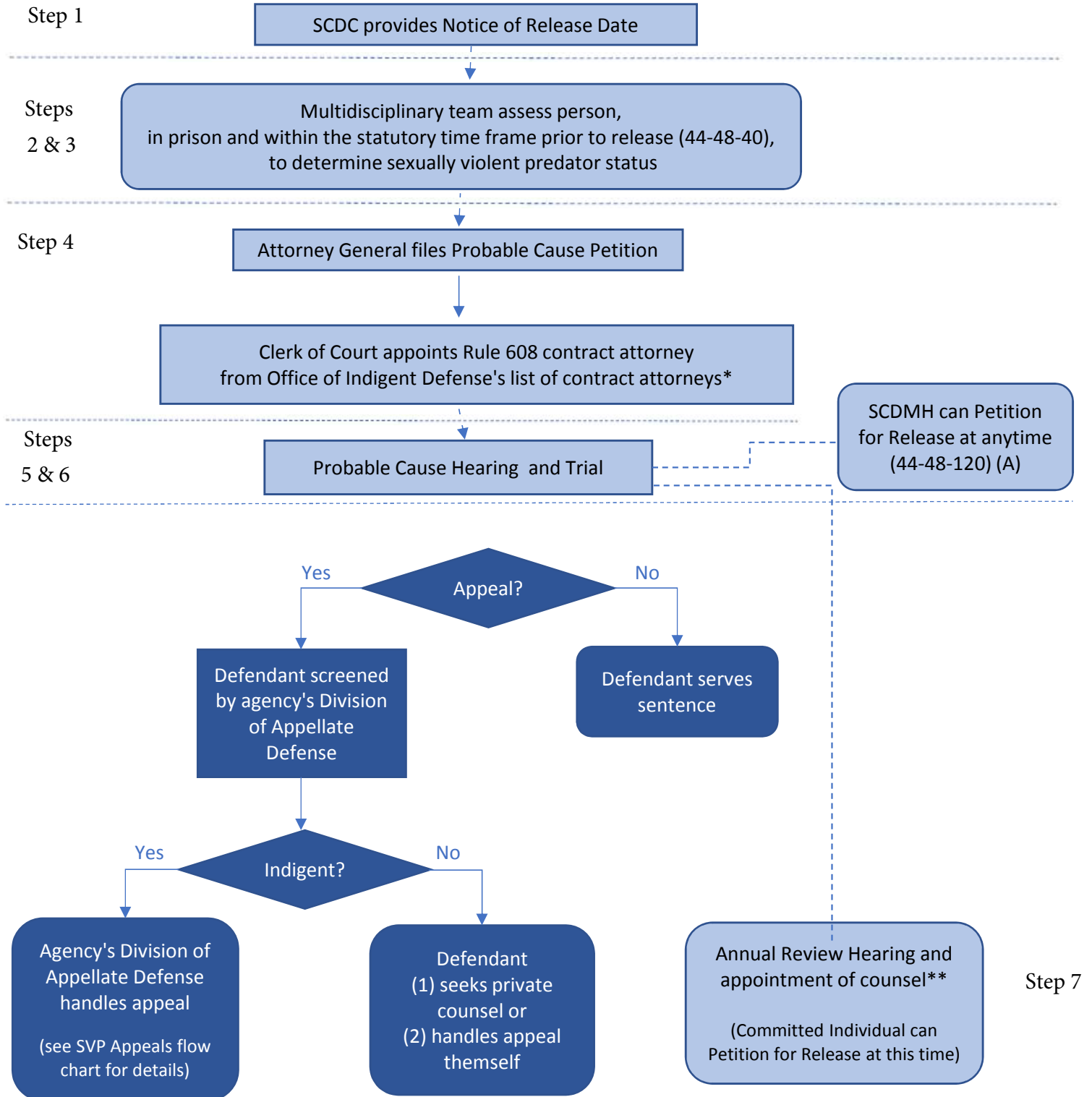
**If the Public Defender office is conflicted, the Capital Litigation Unit will be appointed and the court will appoint a Death Penalty Certified attorney to be second chair. §16-3-26

***Case disposition includes: (1) plea or nol proceed (not prosecuting) of some or all charges (i.e., warrants) before trial; (2) plea or nol proceed (not prosecuting) some or all charge (warrants) during trial; (3) judge or jury decision at end of trial.

Sexually Violent Predator (SVP) Case - Circuit Court

Indigent defendant's right to counsel in SVP cases is granted in state statute, not the U.S. Constitution.

Flow Chart as of June 2018

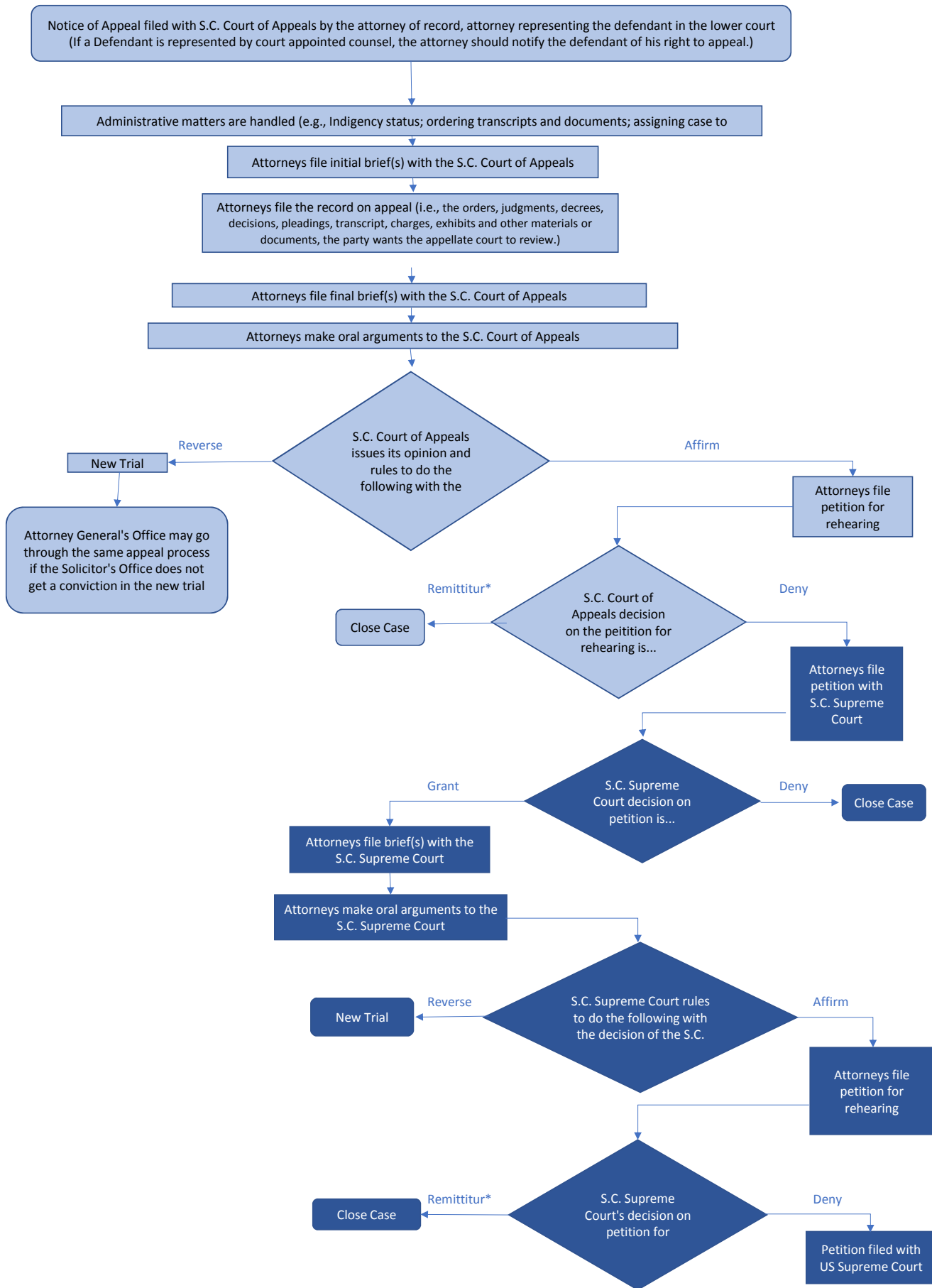


*§ 44-48-90(B) provides that anyone subject to a SVP case is entitled to the assistance of counsel and if the person is indigent, the court must appoint counsel to assist the person. Because most people are in prison and indigent, appointment of counsel will be automatic upon service of the petition.

**After the probable cause hearing, the clock starts and every year there is a review of the probable cause hearing to determine if probable cause still exists. This annual review may occur prior to conclusion of an appeal.

Appeals of Adult Criminal Cases and Civil Sexually Violent Predator (SVP) Case

Flow Chart as of June 2018

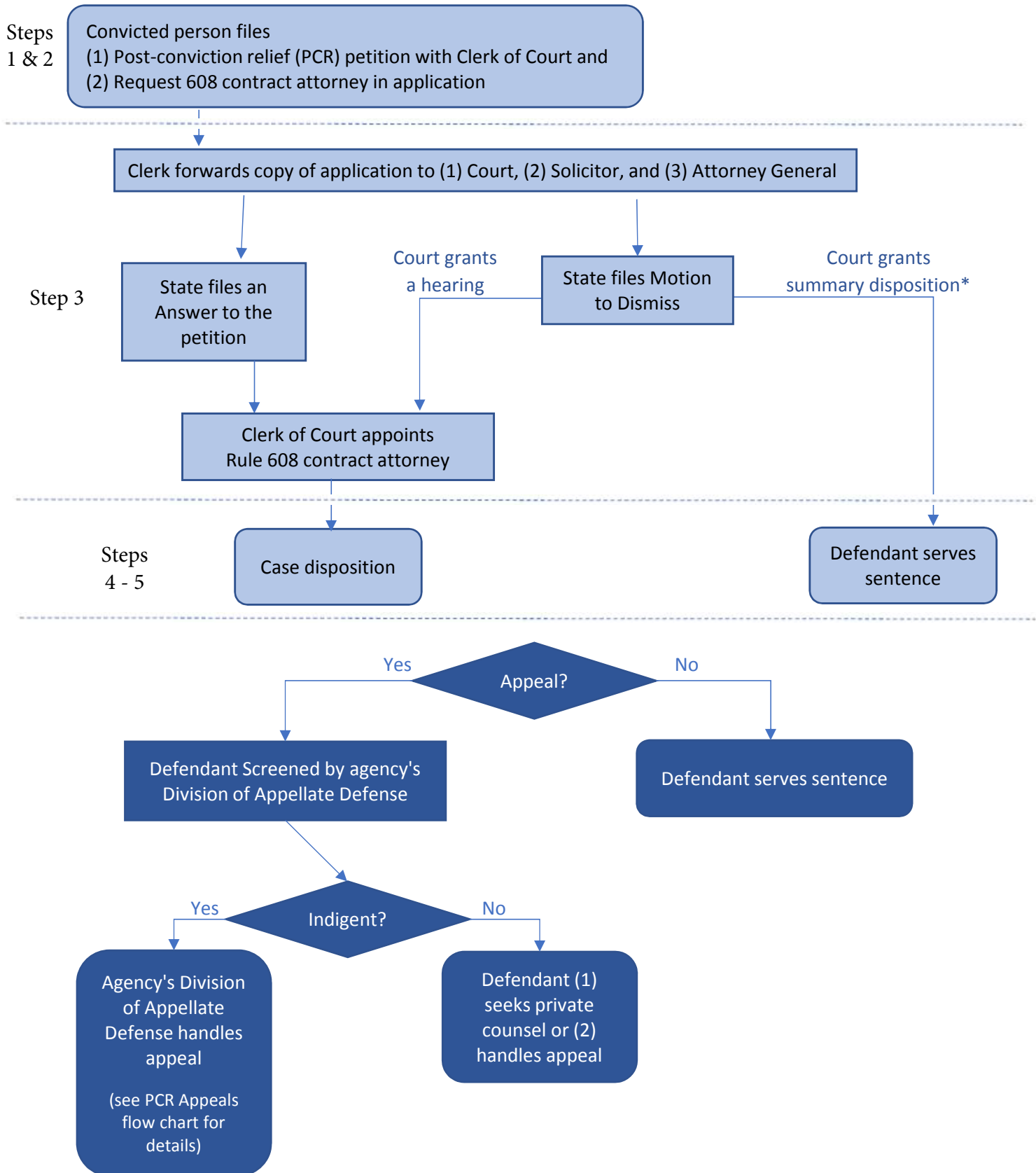


*Remittitur means the appellate court is sending back the record to the court from which the appeal came so the decision of the lower court may be enforced.

Post-Conviction Relief (PCR) Case - Circuit, Magistrate, or Municipal Court

Indigent defendants right to counsel in PCR cases is granted in state statute, not the U.S. Constitution.

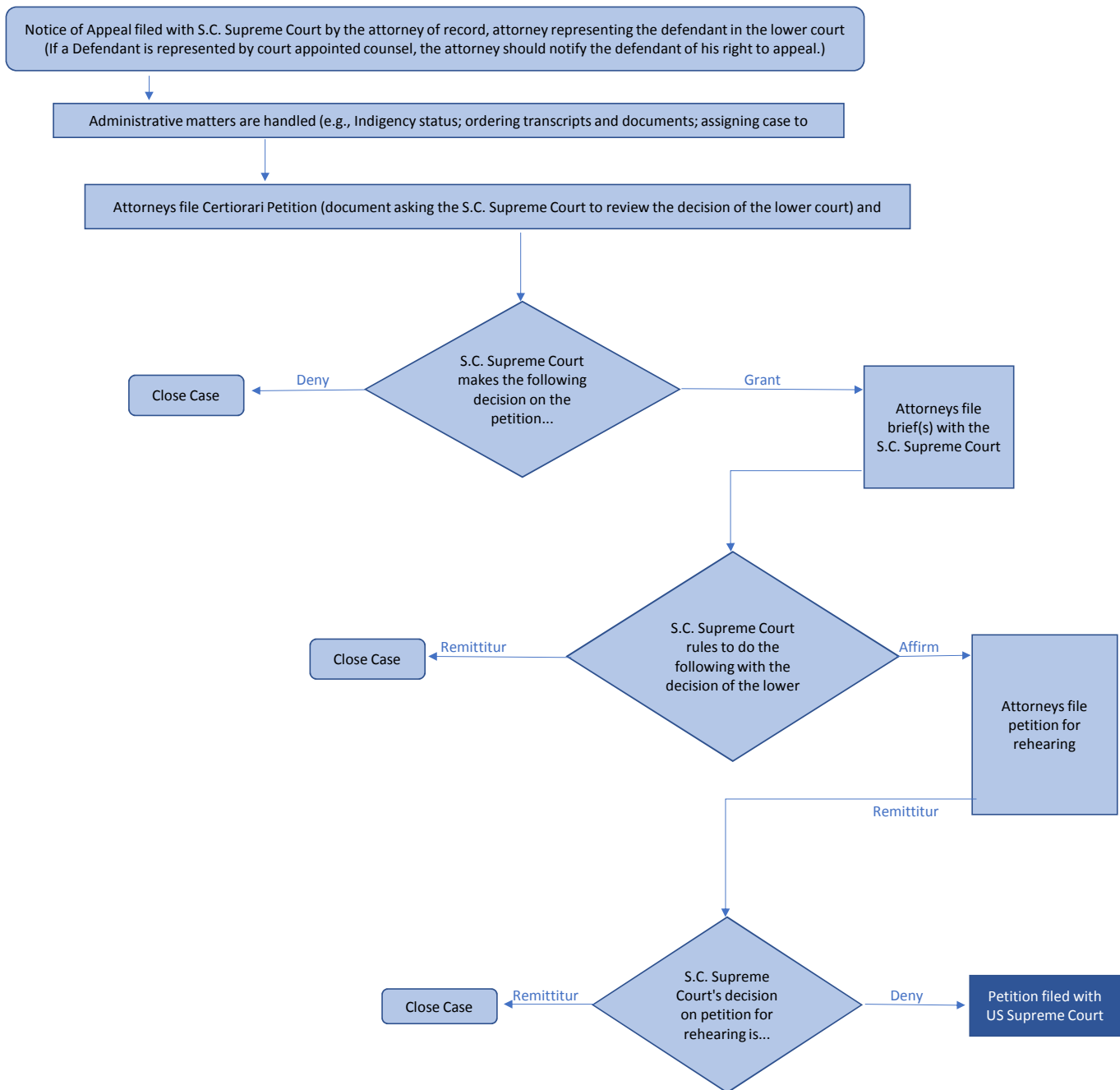
Flow Chart as of June 2018



*Summary disposition is the court dismissing the petition for post-conviction relief.

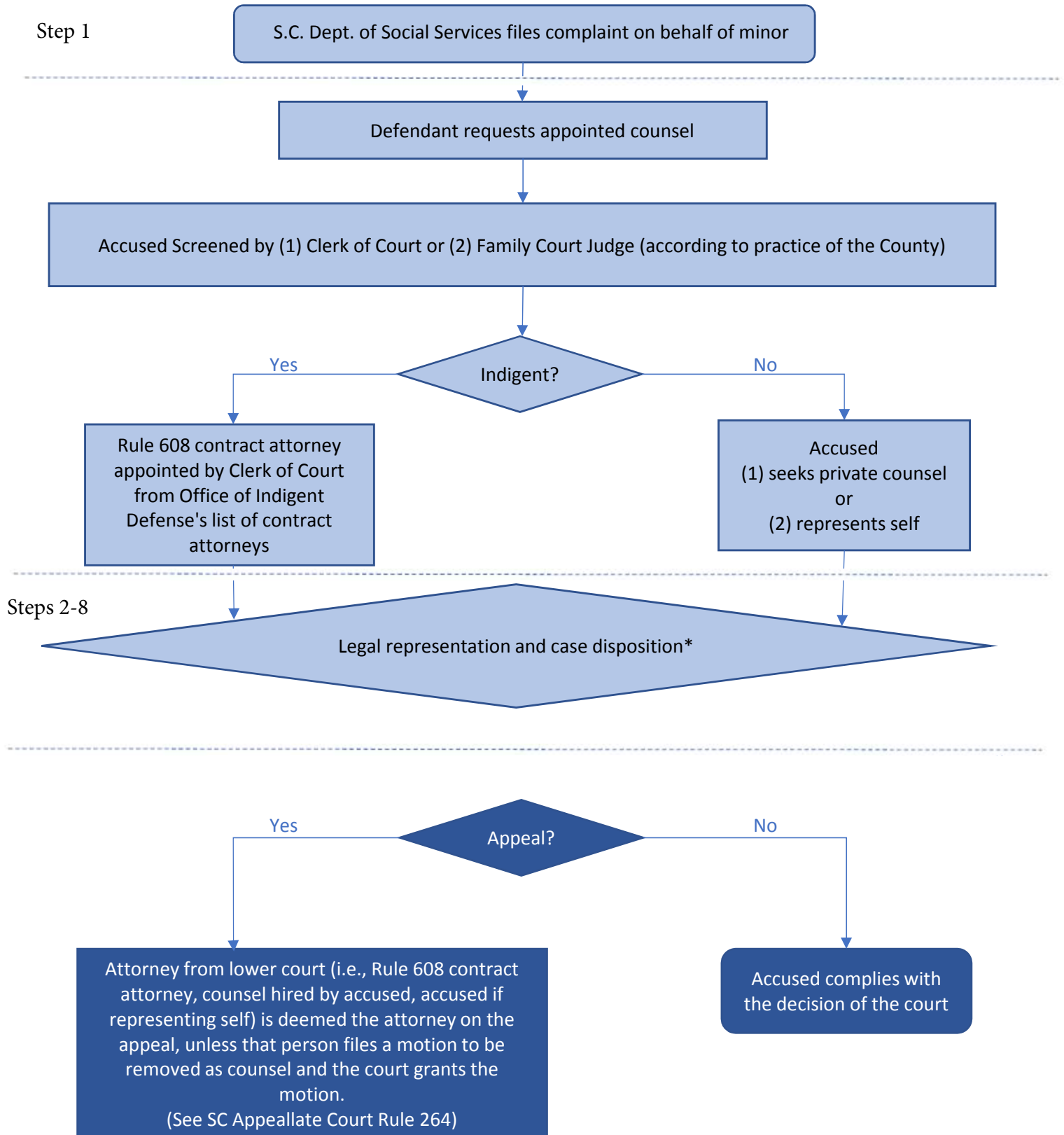
Appeals of Post-Conviction Relief (PCR) Case

Flow Chart as of June 2018



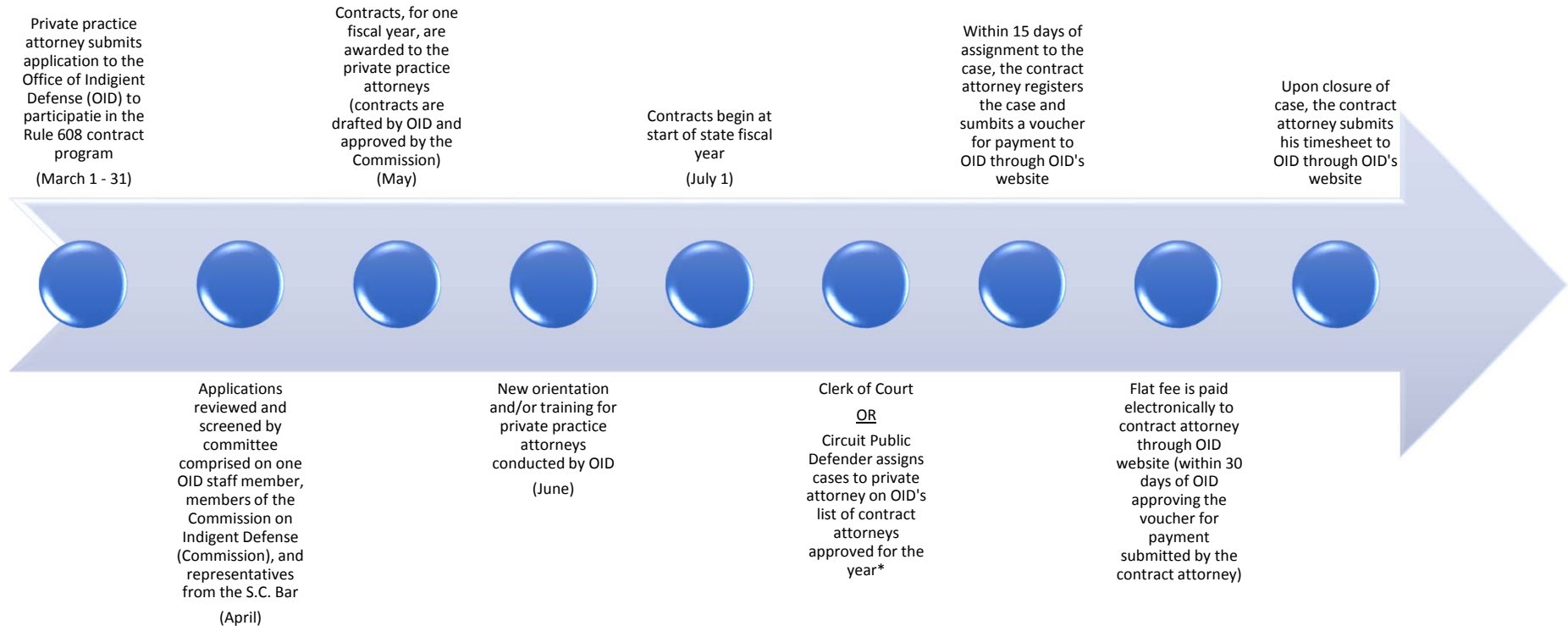
Department of Social Services Abuse/Neglect Case - Family Court

Flow Chart as of June 2018



Selection and Payment of Rule 608 Contract Attorneys

Flow Chart as of June 2018



*NOTE: Clerk of Court assigns cases in post-conviction relief (PCR), sexually violent predator (SVP), and Family Court Cases if person is indigent. The Circuit Defender assigns cases in criminal matters if (1) the defendant was determined to be indigent, and (2) a Public Defender is appointed AND a conflict of interest exists that prevents the Public Defender from representing the defendant.