

STATE OF NORTH CAROLINA In The General Court Of Justice

File No.

County District Superior Court Division

Additional File No(s).

Check Here If This Fee Application Covers Multiple Charges

Name And Address Of Juvenile/Defendant

JUVENILE FIRST-DEGREE MURDER CASE FEE APPLICATION ORDER FOR PAYMENT JUDGMENT AGAINST INDIGENT

G.S. Ch. 7A, Art. 36, Art. 37; Ch. 7B, Subch. II; Ch. 15A

Juvenile's/Defendant's Full Social Security No. - Only Complete If Judgment For Fees Has Been Entered (required by G.S. 7A-455(d))

SSN input fields

Has No Social Security No.

Unable to obtain Social Security No. despite reasonable efforts

Responsible Person 1's Full Social Security No. - Only Complete If Judgment For Fees Has Been Entered (required by G.S. 7A-455(d))

SSN input fields

Has No Social Security No.

Unable to obtain Social Security No. despite reasonable efforts

Responsible Person 2's Full Social Security No. - Only Complete If Judgment For Fees Has Been Entered (required by G.S. 7A-455(d))

SSN input fields

Has No Social Security No.

Unable to obtain Social Security No. despite reasonable efforts

NOTE: Per G.S. 7A-455(d), the fee application must include the social security number (SSN) of a party against whom a judgment for attorney's or GAL's fees has been entered under G.S. 7A-450.1 - 450.3 or 7A-455 (or certify that the SSN cannot be obtained with reasonable efforts). These SSNs are expressly required by law and therefore exempt from filers' redaction requirements in G.S. 132-1.10(d). When filing electronically, select the "Public Not Portal" security setting so that unredacted fee applications are not available on Portal.

NOTE: Use this form for 13 - 17-year-old juveniles/defendants charged with first-degree murder in cases at the trial level IN JUVENILE FDM roster counties, to also include secure custody, transfer, and remand/removal hearings.

INSTRUCTIONS: Applicant completes and signs Section I, and sends by eFax to: Office of the Juvenile Defender at 9198901927@efax.nccourts.org. If this is an application for final payment, the OJD Office will complete Sections II and III on Side Two if the case was resolved in superior court, or Section II on Page Two if the case was resolved in juvenile court, and forward the original to the trial judge, and copies to the juvenile/defendant and the IDS Financial Services Office for payment. The trial judge then completes Sections IV and V on Side Two if the case was resolved in superior court, or Sections III and IV on Page Two if the case was resolved in juvenile court. The Clerk docket the judgment(s). Send to OJD for payment only if application is by private assigned counsel.

I. APPLICATION

I, the undersigned public defender private assigned counsel IDS contract counsel Other: make application for determination of value of services rendered for the indigent. I certify that this information is correct to the best of my knowledge.

CASE STATUS/TYPE OF DISPOSITION: Complete applicable to the fees now being requested:

Trial Court, Disposed by Trial, Dismissal or Guilty Plea: (check all that apply)

- Case Pending (Interim Fee) Bond Hearing Jury Impaneled Jury Verdict Mistrial Guilty Plea Secure Custody Hearing Transfer Remand Removal Adjudication Disposition

RESULT:

- 1st Degree Murder: Premeditation/Deliberation Felony Murder Plea Trial, Sentencing: Life with parole Life without parole 2nd Degree murder Vol. Manslaughter Invol. Manslaughter Acquitted Dismissed Not Guilty By Reason Of Insanity Guilty Other Offense(s): Other Result: (explain)

SENTENCING/DISPOSITION: (most serious)

- Active Sentence Length of Sentence: Split Sentence Supervised Probation Disposition Level 3 YDC commitment, 6 months min. to absolute max. of 18th birthday 19th birthday 20th birthday 21st birthday Disposition Other: (explain)

FINAL FEES ONLY:

Disposition Date Name Of Presiding Judge

Check here if case(s) was resolved in superior court and you were appointed to represent this juvenile/defendant in another case(s) at the time of appointment to this case(s) and you already submitted a fee application for that case(s) in which the attorney appointment fee was charged.

IF ATTORNEY IS WITHDRAWING, indicate reason:

- Juvenile/Defendant retained private counsel Conflict of interest Other: (specify)

COMPLETE FOR THIS FEE: Check here to indicate you have attached detailed time sheets. See Sec. 10.1 of S.L. 2020-83. (Time must be reported in decimals, not minutes.)

Table with columns: Beginning Date This Fee Request, Ending Date This Fee Request, Prior Total Fees And Expenses Allowed, Prior Total Hours Allowed, Time In Court, Time In Court Waiting, Time Out Of Court, Total Time Claimed This Fee, Travel, Copying, Other, Total Necessary Expenses This Fee

NOTE: In assigned counsel cases, the applicant is always the individual attorney. If payment is to be made to individual applicant, write "same" under Payee. If payment is to be made to applicant's firm, give firm name as Payee. Per United States tax law and State policy, the Payee must have a State of North Carolina Substitute W-9 Form on file with IDS Fiscal Services, PO Box 2448, Raleigh, NC 27602. See www.osc.nc.gov/state-north-carolina-sub-w-9. Failure to provide this form could prevent or delay payment or require the State to withhold 24% for backup withholding tax.

Name Of Applicant Address Payee (see Note) Telephone No. Email Address Date Signature Of Applicant

(Over)

SUPERIOR COURT RESOLUTION - NOTE: IDS/OJD and the court will use this page (Page One, Side Two) if the case is resolved in superior court.

II. AWARD OF PAYMENT OR DETERMINATION OF VALUE OF SERVICES

The IDS Director or Designee/Office of the Juvenile Defender FINDS that the "Total Amount" stated on Line 3 below be:

- 1. paid by the State of North Carolina to the payee named above.
- 2. fixed as the value of the legal services and other expenses of representation rendered by the public or private assigned counsel named above.

1. Fees Allowed/Value Of Services Rendered (Hours Approved x IDS Rate of \$	/hr.) =	\$
2. Other Necessary Expenses Allowed By The IDS Director Or Designee/OJD			\$
3. TOTAL AMOUNT			\$

Date	IDS Director Or Designee/OJD	Signature Of IDS Director Or Designee/OJD
------	------------------------------	---

III. SUM OF ATTORNEY AND SUPPORT SERVICE FEES AND EXPENSES

NOTE: The Office of the Juvenile Defender completes this section.

A. Attorney Fees And Necessary Expenses:

SUBTOTAL A (sum of all attorney fees and expenses paid to this attorney, on this and all prior applications) \$

B. Support Services Fees And Expenses: (sum of ALL amounts incurred throughout the case)

1. Psychiatrists, psychologists	\$	4. Scientists, forensics, DNA	\$
2. Medical doctors	\$	5. Sum of all other	\$
3. Mitigation, investigation.....	\$		

SUBTOTAL B (sum of all support services/expert fees and expenses) \$

GRAND TOTAL A + B (attorney fees and expenses, and support services/experts) \$

IV. FINDINGS OF FACT AND JUDGMENTS

After due notice to the juvenile/defendant named on the reverse, and opportunity to be heard, the Court finds that the juvenile/defendant has previously been adjudged to be indigent; that he/she requested and has been provided counsel and other necessary expenses of representation; and that the applicant named on the reverse provided services and incurred expenses of which the money value is that stated in Section III above as to all attorney fees and expenses plus costs for support services and experts incurred in the course of the representation.

NOTE: After award of a final fee, the trial court should sign Section V to enter judgments against the defendant for the full GRAND TOTAL in Section III plus the attorney appointment fee. To enter judgments for a different amount, the trial court must fill in the appropriate blanks below.

JUDGMENT #1 (Attorney Fees and Expenses) Based on the above findings, it is ORDERED that the State of North Carolina recover from the indigent juvenile/defendant the GRAND TOTAL in Section III above, together with interest at the legal rate from the date the judgment is docketed until paid, **UNLESS** one of the following boxes is checked:

- 1. The juvenile/defendant was not convicted of a criminal offense and no judgment for attorney fees and expenses shall be entered; or
- 2. Other: _____

JUDGMENT #2 (Attorney Appointment Fee) It is further ORDERED that the State of North Carolina recover from the indigent juvenile/defendant the attorney appointment fee pursuant to G.S. 7A-455.1, which shall be \$75 for convictions on or after December 1, 2020, **UNLESS** one of the following boxes is checked:

- 1. The juvenile/defendant was not convicted of a criminal offense and no judgment for the attorney appointment fee shall be entered; or
- 2. The attorney named on the reverse was appointed to represent the juvenile/defendant in another case(s) at the time of the appointment to this case(s), and he or she already submitted a fee application for that case(s) in which the attorney appointment fee was charged (see Section I, "Final Fees Only," on the reverse).

V. SIGNATURE OF JUDGE

The foregoing AWARD OF PAYMENT OR DETERMINATION OF VALUE OF SERVICES, as made by the Director of Indigent Defense Services or Designee/OJD, shall be entered and filed this day in the office of the Clerk of Superior Court. The FINDINGS and JUDGMENTS of the Court shall be entered and filed this day in the office of the Clerk of Superior Court. The Judgments shall become effective as provided by law.

Date	Name Of Judge (type or print)	Signature Of Judge
------	-------------------------------	--------------------

VI. DOCKETING - CSC USE ONLY

NOTE: Docket any judgments immediately on the date on which the juvenile's/defendant's conviction becomes final, unless the juvenile/defendant is ordered as a condition of supervised or unsupervised probation to pay the State for the costs of his/her representation. If the juvenile/defendant is so ordered, docket any judgments immediately on the date the juvenile's/defendant's probation is revoked or terminated by the Court, or when the term of probation expires, whichever occurs first; then docket the amounts owed.

Date	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Judgment #1 Judgment Abstract No.	Amount Docketed \$
		Judgment #2 Judgment Abstract No.	Amount Docketed \$

NOTE TO CLERK: If Judgment #2 has been ordered by the Court, docket \$75 if the Disposition Date on Side One is on or after December 1, 2020.

NOTE TO ATTORNEY: In compliance with Sec. 10.1 of S.L. 2020-83, please attach itemized time sheet.

II. AWARD OF PAYMENT OR DETERMINATION OF VALUE OF SERVICES

Based on the Findings of Fact set out in Section III, the Court ORDERS that the "Total Amount" stated on Line 4 below be:

(Assigned Counsel) paid by the State of North Carolina to the payee above.

(Public Defender/IDS Contractor) fixed as the value of legal services and other expenses of representation rendered by the applicant named above.

1. Hours Approved By The Court		
2. Fees Allowed/Value Of Services Rendered	(Hours Approved x IDS Rate of \$	/hr.) = \$
3. Other Necessary Expenses Allowed By The Court		\$
4. TOTAL AMOUNT		\$

Date	Name Of Judge (type or print)	Signature Of Judge
------	-------------------------------	--------------------

NOTE TO JUDGE: You do not need to sign here if you enter judgment and sign Section IV on the reverse.

III. FINDINGS OF FACT AND JUDGMENT

To enter judgment against a responsible person(s), the Court must make the following finding and sign below:

This is a juvenile delinquency proceeding; the applicant is an attorney appointed to represent the juvenile in this proceeding under G.S. 7B-2000; and the juvenile has been adjudicated delinquent.

After service of a summons on the responsible person(s) named below, and opportunity to be heard, the Court finds that the indigent juvenile named on Page One, Side One requested and has been provided counsel and other necessary expenses of representation; that the applicant named on Page One, Side One provided services and incurred expenses of which the money value is that stated in Section II on Line 4; and that the responsible person(s) named below is the parent, guardian or trustee of the juvenile, is financially able to pay the fees and expenses set out on Page One, Side One, and should be held responsible for reimbursing the State for the same.

Therefore, it is ORDERED that the responsible person(s) shall reimburse the State the TOTAL AMOUNT stated in Section II on Line 4, by paying the same to the Clerk of Superior Court for transmittal to the State Treasurer. If that amount is not paid in full at the time of disposition, this judgment shall be docketed and the State of North Carolina shall then recover from the responsible person(s) that amount together with interest at the legal rate from the date of docketing until paid.

Name And Address Of Responsible Person 1

Name And Address Of Responsible Person 2

IV. SIGNATURE OF JUDGE

The foregoing AWARD OF PAYMENT OR DETERMINATION OF VALUE OF SERVICES, FINDINGS and JUDGMENT shall be entered and filed this day in the office of the Clerk of Superior Court. The Judgment shall become effective as provided by law.

Date	Name Of Judge (type or print)	Signature Of Presiding Judge
------	-------------------------------	------------------------------

V. DOCKETING - CSC USE ONLY

NOTE: Do not docket this judgment if, at the time of disposition, the responsible person(s) named above pays to the Clerk of Superior Court the "Total Amount" stated in Section II on Line 4. Docket this judgment at disposition if the responsible person(s) does not make such payment.

Date	Time	Judgment Abstract No.	Amount Docketed
	<input type="checkbox"/> AM <input type="checkbox"/> PM		\$

NOTE TO ATTORNEY: In compliance with Sec. 10.1 of S.L. 2020-83, please attach itemized time sheet.



Scan with camera phone for rates by case type