Office of the Ohio Public Defender

Timothy Young, State Public Defender

MEMORANDUM

DATE: June 10, 2020
TO: County Commissioners, County Auditors, County Public Defenders, Court Appointed Counsel, Judges
FROM: State Public Defender Tim Young
RE: COVID-19 and Indigent Defense Reimbursement

This memorandum is intended to provide an update on the options the Office of the Ohio Public Defender (OPD) has offered to counties, in an effort to provide support and assistance during the COVID-19 pandemic. In an April 14, 2020 memorandum, the OPD provided information regarding financial disclosure forms, interim billing, billing for arraignments, and extensions on the timelines for reimbursement submissions. The provisions regarding financial disclosure forms, interim billing, and billing for arraignments remain the same. While the process for extensions on reimbursement submissions remain the same, the April 14th memorandum only allowed extensions for March and April submissions. The OPD is continuing the reimbursement submission extension through July 2020. The extension process is described in detail below. It is important to note that the reimbursement rate on any extension submission will be the current rate when a submission is processed.

Reimbursement Submission Extension

The OPD understands that certain operations may be impacted by the COVID-19 pandemic, and indigent defense reimbursement submissions may be delayed during this time. In an effort to provide support to our county partners, the OPD will grant extensions to the reimbursement submission deadline for the months of May, June, and July. More specifically, R.C. 120.33, requires counties to submit to the OPD all reimbursement submissions within 90 days of the end of the month in which a case was disposed. For submissions that would otherwise be due in May, June, or July, counties may notify the OPD in writing that an extension is necessary, and one will be granted for 60 days.

The process for extensions will be as follows:

1. A county auditor, or their designee, should notify OPD's Reimbursement Program Administrator, Alice Hill, in writing via email (alice.hill@opd.ohio.gov), of an extension request for a reimbursement submission for the months of May, June, or July, on or before the last day of each respective month.

2. Because the OPD receives and processes approximately 13,000 -14,000 indigent defense bills each month, we ask that counties submit any reimbursement submissions they are able to timely submit in the months of May, June, and July. A county will be permitted to have

one timely reimbursement submission in the months of May, June, and July, and one "extension" submission for the months of May, June, and July.

3. The extension submission for the month of May will be due by the end of July. The extension submission for the month of June will be due by the end of August. Likewise, the extension submission for the month of July will be due by the end of September. The OPD encourages counties to submit reimbursement submissions as soon as reasonably possible.

4. With both the timely submission and the extension submission, counties should include an appointed counsel summary report (the same that is otherwise required with each reimbursement submission).

If you have any questions, or if there are ways in which the OPD can be of assistance during this time, please feel free to reach out. Thank you, stay safe, and be well.