RECOUPMENT ELIGIBLE DISPOSITIONS

Is my case recoupment eligible?

Yes

Guilty Plea before or during trial to the original or lesser charge
Guilty verdict original or lesser charge
Probation violation found
Held in criminal contempt

Attorney should request recoupment of attorney's fees by submitting an AOC-CR-225 form to the Judge for consideration.

No

Acquitted

Dismissed without leave

No probable cause

Attorney should NOT request recoupment of attorney's fees.

- If the case is a MAC case, attorney should submit hours to IDS for approval and payment.
- If the case is not a MAC case, attorney should submit AOC-CR-225 to judge for approval and payment but judge should NOT order recoupment

Not Yet

Dismissed with leave

FTA/ OFA without dismissal

Deferred/ diverted
Withdrawal

Attorney should NOT request recoupment of attorney's fees until the case is disposed.

- If the case is a MAC case, attorney should submit hours to IDS for approval and payment.
- If the case is not a MAC case, attorney should submit AOC-CR-225 to judge for approval and payment but judge should NOT order recoupment

NOTES ABOUT FEE APPPS & RECOUPMENT:

1. The fee app (AOC-CR-225) is an **application for payment** by the attorney.
2. It is the **official court order, signed by the judge, to pay the attorney** for his/her/their services.
3. Sections 3 and 4 of the fee app form serve as **an order for recoupment** if there is a criminal conviction. (This is **the civil judgement against the defendant** to repay the attorney fees.)
4. Part five is **a record of the docketing of the civil judgement**, by the clerk of court.