



Ohio Administrative Code

Rule 120-1-16 Changes in a client's eligibility for services.

Effective: August 16, 2018

(A) If an applicant who is determined to be indigent later becomes able to retain private counsel, no public defender or previously appointed counsel may accept any money for continued representation of that client on the same case. The attorney shall seek to withdraw from the representation consistent with the Ohio Rules of Professional Conduct.

(B) If an attorney is initially retained by a client and later appointed by the court because the client has become indigent, the attorney must report to the court the funds received on behalf of the client prior to the attorney's appointment, and the attorney may not solicit or accept any further payment for services rendered prior to the appointment.

(C) If, at any point in a case, a public defender or appointed counsel discovers that a client is not indigent and has sufficient means to hire qualified counsel, the public defender or appointed counsel shall inform the court and move to withdraw from the case.

(D) If, at any point in a case, a public defender or appointed counsel discovers that private counsel has been retained on behalf of an indigent defendant, the public defender or appointed counsel shall inform the court. For purposes of reimbursement, an indigent defendant may not have a public defender or appointed counsel, and private counsel that has been retained on the defendant's behalf.
