

PD Weekly Disposition Report Quick Reference Guide

All Charges

Disposition:

1 Disposition = One client, one judge, same day, any number of charges/file numbers = 1 fee application form.

Example: defendant charged with Felony C, Felony H, Felony I, and 3 misdemeanors. The Felony H & I and 3 misdemeanors disposed on same day = 1 disposition recorded under Felony H. The Felony C charge will be recorded as a separate disposition when that charge is resolved.

Original Charge: Record disposition under the original charge and not the ending charge. Example: defendant charged with Felony C but pleads to misdemeanor = 1 disposition recorded under Felony C.

Multiple Charges: Record disposition under highest charge. Form lists charges in order from highest to lowest. Example: defendant charged with DWI and 3 misdemeanors disposed on same day = 1 disposition recorded under DWI.

District Court Criminal Charges

Felonies in District Court

Count as disposition if dismissed (even though case may later be refiled in Superior Court)

Do **not** count if case continues on to Superior Court without being dismissed (probable cause found/waived, indictment issued before the probable cause hearing, CR number changes to CRS).

Misdemeanor Appeals: Do **not** count a disposition in district court if client convicted and appeals to superior court; count 1 disposition as superior court misdemeanor appeal (but if remanded count as district court disposition).

PJCs: Count disposition in appropriate category if case ends, even though the case could be refiled in future.

Postjudgment:

Examples include: felony probation violation, non-felony probation violation, MAR, etc.

Do **not** count as postjudgment disposition if case refiled after being dismissed. The refiled case will count as a new case in the appropriate category when disposed.

Withdrawals: Count if APD assigned to case, but has to withdraw because of conflict, health, etc. Do **not** count if case assigned to office and farmed out to private counsel without being assigned to APD. Count withdrawal (and file motion to withdraw) if client is not re-arrested within 12 months after failure to appear.

Drug Treatment Court (DTC) Cases

Case originates in regular court and is then transferred to DTC. There are 2 parts to reporting this type of case.

1) Record 1 disposition under original highest charge under original court when case accepted into DTC.

2) DTC court generates additional dispositions.

Each review hearing for each client = 1 disposition under review (record even when graduated/terminated)

When client graduates or is terminated from DTC = 1 disposition under *Final Disposition*

If, after termination from DTC, new charges or a new probation violation separate from DTC proceedings are filed, treat same as other regular court dispositions.

District Court Juvenile & Civil Charges

Juvenile Delinquency Cases

Record appropriate charge after adjudicated and disposed (like conviction and sentencing in criminal court).

Juvenile cases transferred from district to superior court = 1 disposition under District Court Juvenile at time of transfer AND 1 disposition under Superior Court when disposed in this court.

Motion for review or subsequent review = 1 disposition for each review proceeding in juvenile court, including review hearing while juvenile is in detention awaiting placement. Record 1 review disposition (under motion for review or subsequent review) even if case does not end.

Civil Commitment

Initial commitment determination = 1 disposition.

Each rehearing disposed after commitment = 1 disposition.

Note: adults and juveniles are recorded separately.

Abuse, Neglect, and Dependency

Upon adjudication and disposition (like conviction and sentencing in criminal court) = 1 disposition in “adjudication” box.

Each review hearing in which order entered by judge (as with probation hearings disposed, except that representation in A/N/D case may not end after review hearing) = 1 disposition in “review” box.

Termination of Parental Rights

Resolution of petition to terminate parental rights = 1 disposition.

Child Support Contempt

Adjudication of contempt or dismissal of order to show cause alleging contempt = 1 disposition.

Competency under 35A

Initial competency determination = 1 disposition.

Each petition to restore competency = 1 disposition.

Superior Court Charges

Follow same approach as with district court criminal cases—count the highest charge disposed. Remands to district court are reported in district court. If district court judge signs fee app. = district court disposition.

First Degree Murder Cases

Capital case = any charge of first-degree murder or undesignated degree of murder, when first brought, even if state later decides to reduce charge or not seek death penalty.

One or Two Public Defender Attorney

One Public Defender Attorney = when 1 attorney within office *appointed* to case by Capital Defender.

Two Public Defender Attorney = when 2 attorneys *within* office *appointed* to case by Capital Defender.

Note: Assisting with a case does **not** count. Must be attorney of record appointed by Capital Defender.

Provisional Attorney: Acted in provisional attorney capacity but PAC attorney(s) appointed to case. Recorded under “Withdrawal” only as a convenience. NO withdrawal motion is needed.

Disposition with Capital Trial = 1 disposition if jury was empanelled while state was seeking death penalty, even if case resolved before trial finished.

Disposition with Non-Capital Trial = 1 disposition if state is NOT seeking death penalty and jury was empanelled, even if case resolved before trial finished.