

**Appendix 1 – Additional Terms and Definitions**  
**Adult Criminal**

**A.6. Additional Definitions.** The following definitions are supplemental to Section A (“Definitions”) and are integral to the Agreement and contract number listed below.

1. **Assignment.** An “assignment” is the appointment of Contractor to represent a specific eligible client in any matter under the terms of this contract. If Contractor is a law firm or non-profit with multiple named attorneys, an assignment to a specific case will be to an individual attorney named in this contract, not the law firm or non-profit.
  
2. **Case.** A “case” is any legal action in this state in which Contractor has been assigned to represent a client under the terms of this contract.
  - a. **MAC Assigned Cases.** The Managed Assigned Counsel (“MAC”) program is effective for cases assigned on or after the effective date for the contract. A “MAC case” is each new unique client, including a former client with new charges and an existing client with new charges.
  - b. **Previously Assigned Unit Contract Cases.** Unless specifically authorized by IDS or allowed pursuant to 2.a. above, cases in which assigned counsel was appointed prior to the effective date but which are resolved after the effective date, will be covered by the contract in effect at the time of assignment.
  
3. **Adult Misdemeanor Cases.** “Adult misdemeanor cases” include all cases at the trial level, district and superior, where the client is indigent and the most serious original charge is a misdemeanor, habitual DWI, habitual assault, probation violation in district court, or non-child support contempt case in district court (including criminal and civil contempt cases). This also includes Class 3 misdemeanor offenses allegedly committed on or after December 1, 2013 where the Court has not found that the defendant has more than three prior convictions, but the defendant is in custody and the Court appoints counsel for the

limited purpose of ensuring that the defendant has meaningful access to the courts during the time period of the defendant's confinement on the Class 3 misdemeanor charge.

4. **Adult Low-Level Felony Cases.** "Adult low-level felony cases" include all cases at the trial level where the client is indigent and the most serious original charge is a Class E through Class I felony, extradition, any probation violations in Superior Court (misdemeanor or felony), non-child support contempt cases in Superior Court (including criminal and civil contempt cases), or post-release supervision and parole preliminary revocation hearings, post-release supervision and parole revocation hearings where an entitlement to counsel has been found (in counties where such hearings are held in person or by videoconference, including Burke, Craven, Granville, Rowan, Wake, and Wayne).

Contractors on this list will also represent indigent clients at the trial level in other low-level felony or misdemeanor charges that are brought against a previously assigned contract client while the original low-level felony is still pending, with the exception of Class 3 misdemeanor offenses allegedly committed on or after December 1, 2013 where the court has not found that the defendant has more than three prior convictions, but the defendant is in custody and the court appoints counsel for the limited purpose of ensuring that the defendant has meaningful access to the courts during the time period of the defendant's confinement on the Class 3 misdemeanor charge. Other than contempt cases, representation in an adult low-level felony case may be in District or Superior Court.

5. **Adult High-Level Felony Cases.** "Adult high-level felony cases" include all cases at the trial level where the client is indigent and the most serious original charge is a Class A felony that is not a capital offense) through a Class D felony.

Contractors on this list will also represent indigent clients at the trial level in other criminal charges that are brought against a previously assigned contract client while the original high-level felony is still pending, with the exception of Class 3 misdemeanor offenses

committed on or after December 1, 2013 where the court has not found that the defendant has more than three prior convictions, but the defendant is in custody and the court appoints counsel for the limited purpose of ensuring that the defendant has meaningful access to the courts during the time period of the defendant's confinement on the Class 3 misdemeanor charge. Representation in an adult high-level felony case may be in District or Superior Court.

6. **Session Work.** In case types where Contractor provides services on a per session basis, unless an alternative county-specific definition is provided, a "session" is defined as all work done between the end of the last court session and the end of the current court session, including any intervening team meetings.
  
7. **Multiple Charges in Single Appointment.** When an attorney is appointed to represent a client with multiple charges and all charges are disposed of in a single session of court, the applicable rate is the rate in effect for the highest original charge on the date of disposition. When an attorney is appointed to represent a client with multiple charges and the charges are disposed of in different contract categories, the Contractor should enter the lesser charge(s) as a new case and bill additional hours at the rate in effect for that case type.

Contractor Initials: \_\_\_\_\_

Date: \_\_\_\_\_