



For Immediate Release

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Summit County Court of Common Pleas General Division Announces Improved Felony Appointment Process

Summit County Court of Common Pleas Administrative Judge Amy Corrigan Jones announced today a change in the felony lawyer appointment process. The new process promotes enhanced indigent representation, while providing a cost savings to Summit County. Beginning in November, indigent defendants charged with a felony will have a lawyer appointed by the Common Pleas Court judge assigned to the case.

Municipal courts exercise jurisdiction over misdemeanor cases, but over the years have been appointing lawyers to felony cases that are resolved in the Common Pleas Court. Under the new procedure, municipal courts will hold one hearing that the local public defender will attend.

There are several benefits to appointing lawyers in Common Pleas Court. In addition to the fundamental theory that judges exercising jurisdiction over felony matters should appoint and monitor indigent representation, the benefits of such a system are based on a principle to enhance indigent representation and promote cost savings by the following:

- Expedite the pretrial process at municipal court level;
- Streamline felony reductions at the municipal court level;
- Reduce/limit incarceration days on felony arrests;
- Reduce/eliminate a second appearance day in municipal court for felony offenders;
- Reduce/eliminate lawyers' required attendance in municipal court;
- Reduce/eliminate arraignment appearance in Common Pleas Court;
- Streamline arraignment process in Common Pleas Court;
- Reduce appointed attorney appearances;
- Promoting the effective assistance of counsel by having designated public defenders attend arraignments at the municipal court in a structured, organized format.

Judge Corrigan Jones explained, "We have gone through a system wide analysis to improve Summit County's process, with guidance from state and local officials in order to meet the obligation to protect individual rights in the criminal justice system."

Chair of the Summit County Public Defender Commission Dean Carro, who was involved in the process added, "We have also been working with state and local officials to improve and create additional oversight that aligns with best practices as outlined by the Ohio Public Defender's office."

Corrigall Jones said the process began in July 2019, after the Ohio Public Defender's Office, utilizing state funding, announced the expansion of services and reimbursement rates for appointed counsel across the State of Ohio and specifically to Summit County. Following the announcement, public meetings were promoted by the Akron Bar Association and hosted by the County Executive's Office, the Bar Association and the Common Pleas Judges. All members of the criminal justice system, including judges and lawyers were invited and attended the sessions. During the public meeting, an announcement was made that various entities and individuals would collaborate to make the change and look for ways to enhance the local criminal justice system. Factors included audits of the current system, reimbursement rates and ways to meet the obligation imposed by the 6th Amendment that guarantees the right to counsel.

Co-chair of the Akron Bar Association Criminal Bar Section, Andrea Whitaker said the criminal bar supports the Common Pleas Court appointing lawyers on felony cases. "It is an improvement to the criminal justice system because it promotes the effective assistance of counsel and is more efficient," stated Whitaker.

Respected criminal defense lawyer Don Malarcik said, "Based on my 27 years practicing criminal law in state and federal courts, I believe the new process outlined in Summit County is consistent with the best practices in state and federal courts across Ohio. We have an obligation to protect indigent community members who find themselves in our criminal justice system. I believe this improvement will serve to protect individuals and their constitutional rights."

"Throughout the process, we have sought input from our criminal justice system partners. Summit County Prosecutor Sherri Bevan Walsh and municipal prosecutors/law directors have been involved in the process and provided input. Ohio Public Defender Tim Young has been involved in the process, providing guidance and recommendations for reimbursement and procedures in accordance with the notice issued in July 2019. At the local level, public defender Joe Kodish has been involved in the process," stated Corrigall Jones.

The General Division Judges unanimously agree it is our obligation to promote effective assistance of counsel by appointing and monitoring felony indigent representation and with so many other benefits, the new process is a tremendous enhancement," concluded Corrigall Jones.

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Contact: Susan Sweeney, Assistant Court Executive Officer
ssweeney@cpccourt.summitoh.net 330.643.7840