

ADVICE OF RIGHTS CONCERNING COURT-APPOINTED COUNSEL

1. YOU HAVE A RIGHT TO HAVE AN ATTORNEY REPRESENT YOU ON THE CRIMINAL CHARGE(S) YOU ARE APPEARING IN COURT ON. IF HIRING AN ATTORNEY WOULD CREATE A SUBSTANTIAL HARDSHIP IN PROVIDING NECESSITIES FOR YOURSELF OR YOUR DEPENDANTS, THE COURT WILL APPOINT AN ATTORNEY TO REPRESENT YOU AT STATE EXPENSE. ORS 135.040-135-050.
2. IN ORDER FOR THE COURT TO DECIDE WHETHER YOU ARE ELIGIBLE FOR COURT-APPOINTED COUNSEL, YOU MUST SUBMIT A SWORN FINANCIAL STATEMENT WHICH LISTS INFORMATION ABOUT YOUR INCOME, EXPENSES, PROPERTY, AND DEPENDANTS FINANCIAL INFORMATION FOR YOUR SPOUSE, IF ANY MAY BE REQUIRED.
3. THE FINANCIAL INFORMATION PROVIDED TO THE COURT WILL BE VERIFIED. YOU AND YOUR SPOUSE MUST SIGN A RELEASE OF INFORMATION. THIS ALLOWS THE COURT TO OBTAIN INFORMATION FROM OTHERS TO CONFIRM YOUR FINANCIAL SITUATION. PLEASE BE SURE TO READ THE RELEASE CAREFULLY BEFORE YOU SIGN IT, YOU MAY ALSO BE ASKED TO PROVIDE DOCUMENTATION OF DEBTS, PROPERTY, AND INCOME, (SUCH AS RECENT WAGE STUBS).
4. THE FINANCIAL STATEMENT ASKS FOR YOUR SOCIAL SECURITY NUMBER. ALTHOUGH YOU DO NOT HAVE TO PROVIDE THIS NUMBER, IT WILL HELP THE COURT VERIFY YOUR REQUEST FOR COUNSEL MORE QUICKLY AND MAKE SURE YOUR RECORDS ARE RECEIVED CORRECTLY.
5. INFORMATION YOU PROVIDE ON THE FINANCIAL STATEMENT GENERALLY IS CONFIDENTIAL. YOUR ADDRESS MAY BE RELEASED TO OTHER COURT STAFF TO UPDATE COURT RECORDS OR BE RELEASED, IF NECESSARY, FOR VERIFYING FINANCIAL INFORMATION. HOWEVER, IF THE COURT HAS REASON TO BELIEVE YOU KNOWINGLY FALSIFIED THE INFORMATION, YOUR FINANCIAL STATEMENT MAY BE SENT TO THE DISTRICT ATTORNEY TO REVIEW FOR POSSIBLE FILING OF FALSE SWEARING CHARGES. ALSO, FINANCIAL INFORMATION PROVIDED IN THE AFFIDAVIT OF INDIGENCE MAY BE USED IN A HEARING TO DETERMINE WHETHER YOU ARE ELIGIBLE FOR COURT-APPOINTED COUNSEL AND FOR SENTENCING AND COLLECTION PURPOSES, IF NECESSARY. ORS 151.495
6. IF YOUR FINANCIAL SITUATION IMPROVES DURING YOUR CASE, YOU MUST TELL YOUR ATTORNEY OR THE COURT. THE COURT MAY EITHER END THE APPOINTMENT OF COUNSEL, OR ORDER YOU TO REPAY SOME OR ALL OF THE AMOUNT EXTENDED.

IN THE JUSTICE COURT OF THE STATE OF OREGON
FOR THE COUNTY OF BAKER

AFFIDAVIT OF INDIGENCE AND REQUEST
FOR COURT-APPOINTED COUNSEL

CASE # _____

CHARGE(S) _____

ALLEGED VICTIM(S) _____

Defendant () is () is not being held in the Baker County Jail

I, the undersigned, being duly sworn, say that I am the defendant in this case. I am asking for appointment of an attorney to represent me in this case because I cannot pay for an attorney now without causing substantial hardship to myself or my dependant family. The following information is true, and I ask the court to use the information to decide whether I can have an appointed attorney and payment of other costs at public expense. I understand that I can be required to document or verify this information. I understand failure to do so could result in my request being denied or, if counsel has already been appointed, the withdrawal of counsel. I understand that if I do not tell the truth I can be charged with a crime, and if convicted, I can be incarcerated.

**BE SURE TO READ THE "COURT-APPOINTED ATTORNEY ADVICE OF RIGHTS" FORM.
PLEASE PRINT CLEARLY AND COMPLETE EVERY LINE BELOW THAT IS APPLICABLE TO YOU.**

Writing N/A or leaving application blank will result in a delay processing your request.

FULL NAME: _____
FIRST MIDDLE LAST

ADDRESS: _____
STREET ADDRESS/PO BOX CITY STATE ZIP

DATE OF BIRTH _____ TELEPHONE# _____

SEX: _____ FEMALE _____ MALE SSN: _____

_____ MARRIED _____ SINGLE _____ SEPARATED _____ DIVORCED _____ OTHER

LIST THE FOLLOWING INFORMATION FOR EVERYONE LIVING IN YOUR HOUSEHOLD:

NAME	RELATIONSHIP	AGE	MONTHLY INCOME	DEPENDANT
_____	_____	_____	_____	____ YES ____ NO
_____	_____	_____	_____	____ YES ____ NO
_____	_____	_____	_____	____ YES ____ NO
_____	_____	_____	_____	____ YES ____ NO

YOU MUST PROVIDE PROOF OF INCOME OR AN ATTORNEY WILL NOT BE APPOINTED

EMPLOYER _____ OCCUPATION _____
ADDRESS _____ TELEPHONE # _____
LENGTH OF EMPLOYMENT _____ AFTER TAX INCOME _____

SPOUSE'S EMPLOYER _____ OCCUPATION _____
ADDRESS _____ TELEPHONE # _____
LENGTH OF EMPLOYMENT _____ AFTER TAX INCOME _____

OTHER INCOME FOR YOU AND OR SPOUSE IE: SOCIAL SECURITY, UNEMPLOYMENT, RETIREMENT, PUBLIC ASSISTANCE, CHILD SUPPORT, ETC.:

DESCRIBE _____ AMOUNT _____
DESCRIBE _____ AMOUNT _____

PROPERTY AND ASSETS YOU, SPOUSE AND DEPENDANTS

AVAILABLE CASH _____ SECURITIES, STOCKS, ETC _____
SAVINGS ACCT # _____ BALANCE _____ BANK/BRANCH _____
CHECKING ACCT# _____ BALANCE _____ BANK/BRANCH _____

REAL ESTATE: ADDRESS, CITY VALUE AMOUNT OWED MORTGAGE HOLDER

CREDIT CARD: CARD NAME/BANK ACCOUNT # EXPIRATION DATE

VEHICLE: MAKE/YEAR VALUE AMOUNT OWED LIEN HOLDER

OTHER PROPERTY OR ASSETS: IE: FURNITURE, BOATS, GUNS, JEWELERY ETC.:

MONEY OWED TO YOU OR SPOUSE BY OTHERS (TAX REFUND, RENTERS REFUND ETC.)

NAME OF DEBTOR AMOUNT OWED DATE EXPECTED

LIST ALL EXPENSES THAT ARE PAID MONTHLY BY YOU INDIVIDUALLY OR JOINTLY:

RENT/MTG _____ UTILITIES _____ CREDIT CARD _____

CAR PAYMENT _____ CHILD SUPPORT _____ OTHER _____

If you have no income or income is less than expenses, please explain how these are paid, how you live ie: stay with relatives/friends, HUD housing, foods stamps, etc.

HAVE YOU EVER HAD COURT-APPOINTED COUNSEL _____ YES _____ NO

IF YES, WHEN AND WHERE _____

CHARGE (\$) _____

IF I RECEIVE THE SERVICES OF COURT APPOINTED ATTORNEY, I AGREE TO REINBURSE THE COURT FOR REASONABLE ATTORNEY FEES AND COSTS PAID IN MY DEFENSE AS ORDERED BY THE COURT. I UNDERSTAND THAT MY AGREEMENT TO REIMBURSE THE COURT FOR MY ATTORNEY'S FEES AND COSTS APPLIES ONLY IF I AM FOUND GUILTY.

I ACKNOWLEDGE RECEIPT OF THE COURT APPOINTED ATTORNEY ADVICE OF RIGHTS FORM BY INITIALING AS FOLLOWS: _____.

YOU MUST CONTACT THIS COURT AT 541-523-8213 FOR THE NAME AND TELEPHONE NUMBER OF YOUR APPOINTED ATTORNEY WITHIN 7 DAYS AFTER APPLYING.

A \$100.00 DONATION WILL BE ASSESSED ON ALL COURT APPOINTED ATTORNEY CASES BY ORDER OF THE JUDGE

DATE _____ SIGNATURE _____

_____ COURT APPROVES _____ COURT DENIES REQUEST FOR COURT APPOINTMENT

TRIAL COURT CLERK

_____ IS HEREBY APPOINTED BY THE COURT AS ATTORNEY OF RECORD FOR DEFENDANT, CONTINGENT UPON VERIFICATION.