

APPLICATION FOR PUBLIC DEFENDER

IMPORTANT INSTRUCTIONS FROM THE COURT ... PLEASE READ CAREFULLY

YOU MUST DO EVERYTHING LISTED BELOW BEFORE THE APPLICATION FOR APPOINTED COUNSEL WILL BE GIVEN TO THE JUDGE

1. You have been given an APPLICATION FOR APPOINTED COUNSEL.
 - A. This form must be filled out **COMPLETELY BY YOU**. **Every** blank space must have an answer, even if that answer is no, none, etc. Since you will swear that all the answers you have given are true and correct, you should pay very close attention to the answers you give.
 - B. You must call at least three (3) lawyers about representing you. **MAKE SURE** you write in the names of the lawyers you called and the price they asked to represent you in Item 11 on page 4 of the Application.
 - C. After you have completed the Application form, you must go to the Court Clerk's office.

ALL OF THE ABOVE MUST BE DONE BEFORE YOUR NEXT COURT DATE

2. **ON YOUR COURT DATE**, you must bring the following to Court:
 - A. Your completed Application form.
 - B. Your Court papers that you received at Arraignment showing what you are charged with.
3. **THE JUDGE WILL REVIEW YOUR APPLICATION IN COURT AND DECIDE WHETHER OR NOT TO APPOINT A PUBLIC DEFENDER TO REPRESENT YOU.**

**IN THE DISTRICT COURT OF THE MUSCOGEE (CREEK) NATION
OKMULGEE DISTRICT**

MUSCOGEE (CREEK) NATION,)
)
)
 Plaintiff,)
)
 v.) Case No. _____
)
)
 _____,)
)
)
 Defendant.)

APPLICATION AND ORDER FOR APPOINTED COUNSEL

PLEASE USE A PEN; ANSWER EVERY QUESTION; FILL IN/CIRCLE THE TRUE ANSWER.

1. Name: _____ SSN# _____ / _____ / _____
2. I live at: _____
(Street) (City) (State/ZIP)
3. Phone/Message number: _____ Email: _____
4. I (own) (rent) (live with) _____.
5. I pay \$ _____ rent.
6. I have lived here _____. I owe \$ _____ in back rent.
7. The following people live with me: _____

8. I (have not worked since) (now work at): _____
9. I make \$ _____ hour; work _____ hours per week.
10. I have worked here _____.
11. My (husband) (wife) (does not work) (works at) _____,
making \$ _____ per hour, working _____ hours per week.
12. Does anyone else in the household work? (Y) (N)
13. I am _____ years old.

PART I: INFORMATION ON ASSETS

I AND/OR MY (HUSBAND) (WIFE):

1. Have a savings account (Y) (N), checking account (Y) (N), credit union account (Y) (N), stocks (Y) (N), bonds (Y) (N), savings bonds (Y) (N), securities (Y) (N), any type of retirement (Y) (N).

2. Have money owed to me (or us) from a tax return (Y) (N), money note (Y) (N), or debt (Y) (N). I (we) have \$ _____ cash on hand.

3. Own or have an interest in a house (Y) (N), land (Y) (N).

4. Have a car (Y) (N), truck (Y) (N), van (Y) (N), motorcycle (Y) (N).

5. Have furniture worth \$ _____, appliances worth \$ _____, tools, equipment worth \$ _____, computers worth \$ _____.

6. Have charge cards (Y) (N), credit cards (Y) (N), bank cards (Y) (N), open store accounts (Y) (N), business accounts (Y) (N).

7. Have sold some things I owned since these charges were filed against me (Y) (N); have declared bankruptcy (Y) (N).

8. Am SUING someone for money (Y) (N); am NOW BEING SUED by someone else for money (Y) (N).

9. Currently receive AFDC (Y) (N), Food Stamps (Y) (N), Social Security (Y) (N), State Supplemental Income (Y) (N), VA benefits (Y) (N), Section 8 Housing (Y) (N), Housing Authority (Y) (N). If the answer to ANY of the above is YES, how much AFDC \$ ____; Food Stamps \$ _____; SSI \$ _____; OTHER \$ _____.

PART II: LEGAL REPRESENTATION AND BOND

10. Have you, or someone else, hired a lawyer to represent YOU in this case (Y) (N), or in another pending criminal case? (Y) (N)

The lawyer's name is: _____.

Do you have any relatives or friends who are willing and able to help you hire a lawyer? (Y) (N) Have you asked for help? (Y) (N) Has a relative or friend given you help in the past on this case but is no longer willing or able to do so? (Y) (N)

11. I talked to the following three (3) lawyers about this case:

- 1. _____ Cost to represent me \$ _____
- 2. _____ Cost to represent me \$ _____
- 3. _____ Cost to represent me \$ _____

12. I was released from jail on a \$ _____ bond. It was a:

- _____ Cash bond, where the entire amount was posted in cash.
- _____ Surety bond, where a bondsperson posted the bond for me.
- _____ Property bond, where someone put up their property.

13. If you were released on a surety bond, who paid for this bond? _____

How much was the bondsman paid? \$ _____ Did you or someone else have to put up something of value besides the money to get out on this bond? (Y) (N)

14. I spent _____ (hours) (days) in jail on this charge.

COMMENTS FOR THE COURT'S CONSIDERATION

PART III: OATH OR AFFIRMATION

I SWEAR AND AFFIRM THAT:

1. All the above information is true and correct to the best of my knowledge and applies to both me and my husband/wife, if I have one.
2. I am without funds or other resources of income to pay for the lawyer, transcripts, and other costs associated with this case.
3. I know that I may be subject to a charge of perjury if I knowingly lied or failed to tell the whole truth when I answered any of the above questions.

WITNESS/INTERPRETER

DEFENDANT

Subscribed and sworn to before me this _____ day of _____, 20____.

JUDGE OF THE DISTRICT COURT

PART IV: ORDER

Based on the foregoing Application for Appointed Counsel and the Request for Waiver, if applicable, the Court finds and orders that:

- () The defendant is **FOUND TO BE INDIGENT** and a Public Defender is appointed to represent said defendant in the above-styled case until further order of this Court.

- () The defendant is **NOT FOUND TO BE INDIGENT** and is not entitled to be represented by a Public Defender.

JUDGE OF THE DISTRICT COURT