

IN THE IOWA DISTRICT COURT FOR _____ COUNTY

STATE OF IOWA or _____,)
Plaintiff/Petitioner,)
vs.)
_____)
Defendant/Respondent.)

_____ Criminal _____ Civil
No. _____
**FINANCIAL AFFIDAVIT/APPLICATION
FOR APPOINTMENT OF COUNSEL**

In support of my application for appointment of counsel, and under penalty of perjury, the undersigned states:

Name: _____ Birth Date: _____

Home Phone: _____ Cell Phone: _____ E-mail: _____

Street Address: _____
Street/P.O. Box Apt # City State Zip

Pending charges: _____ In Jail? Yes No

Do you have a job? No Job Yes, Full Time Yes, Part Time (List Hours/week: _____)

Who do you work for? _____

How much money do you currently make before taxes or deductions? _____ per hour month year

How much money have you made in the last 12 months from any source, before taxes or deductions? _____

How many family members are supported by or live with you? _____

If a spouse lives with you, how much money does your spouse make? _____ per hour month year

List all other money you, or anyone else living in your household, has coming in: _____

List what you own including money in banks, cars, trucks, other vehicles, land, houses, buildings, cash, or anything else worth more than \$100: _____

List amounts you pay monthly for mortgages, rent, car loans, credit cards, child support, or any other debts: _____

I understand I may be required to repay the State for all or part of my attorney fees and costs, I may be required to sign a wage assignment, and I must report any changes in the information submitted on this financial affidavit. I promise under penalty of perjury that the statements I make in this application are true and that I am unable to pay for an attorney to represent me.

Date _____

Signature _____

IN THE IOWA DISTRICT COURT FOR _____ COUNTY

STATE OF IOWA or _____,) ___ Criminal ___ Civil
Plaintiff/Petitioner,)
vs.) No. _____
Defendant/Respondent.) ORDER OF APPOINTMENT OF COUNSEL
FOR PAROLE VIOLATION

NOW on this _____ day of _____, 20____, the Court having received and examined the Defendant’s Financial Affidavit and Application for Appointment of Counsel and having considered not only the Defendant’s income, but also the availability of any assets subject to execution and the seriousness of the charge or nature of the case, finds the following:

1. The Defendant:

- Is eligible for court-appointed counsel pursuant to Iowa Code §§ 908.2A and 815.9 because:
Defendant lacks skill or education and would have difficulty presenting the alleged parole violator’s case, particularly if the proceeding would require the cross-examination of witnesses or would require the submission or examination of complex documentary evidence AND
Defendant has a colorable claim the alleged violation did not occur, or there are substantial reasons that justify or mitigate the violation and make any revocation inappropriate under the circumstances AND
Defendant is indigent because:
Defendant’s income is at or below 125% of the poverty guidelines and Defendant is unable to pay for the cost of an attorney; OR
Defendant’s income is between 125% and 200% of the poverty guidelines and not appointing counsel would cause Defendant substantial financial hardship; OR
Defendant’s Income is over 200% of the poverty guidelines, Defendant is charged with a felony, and not appointing counsel would cause Defendant substantial financial hardship.
Is not eligible for court-appointed counsel pursuant to Iowa Code §§ 908.2A and 815.9.

2. The counsel appointed below to represent the Defendant is:

- The local public defender office, nonprofit organization, or attorney designated by the State Public Defender pursuant to Iowa Code § 13B.4(2) to represent indigent persons in this type of case in this county OR
An attorney not designated by the State Public Defender, AND any local public defender office or other designee of the State Public Defender for this type of case in this county has been contacted and has declined the appointment or withdrawn from the case, or there is no designation for this type of case in this county, AND the appointed attorney:
Has a current contract with the State Public Defender to represent indigent persons in this type of case and in this county; OR
Does not have such a contract, but all attorneys with a contract to represent indigent persons in this type of case in this county have been contacted and no such attorney is available to take this case; OR
Does not have such a contract, but the State Public Defender has been consulted and consents to the appointment.

IT IS THEREFORE ORDERED that Defendant’s Application for Appointment of Counsel is

- Denied.
Approved, and that _____ is appointed to represent the Defendant in this case at State expense and may be contacted at _____.

JUDGE, _____ Judicial District

Copy to: