

## Answering the Independent Contractor Form

Although the questions on the Independent Contractor Form are self-explanatory, you might find the following information helpful in answering the questions.

- 1) Most attorneys are not given training by the state public defender
- 2) Most attorneys are not given instruction on the way the work covered by this contract is performed.
- 3) The state public defender does not have the authority to change your work methods.
- 4) Most attorneys determine their own work hours.
- 5) Report your billing frequency here.
  - a) Report your billing mechanism here. Most attorneys answer "invoice."
  - b) Report your reasons for reporting to the State Public Defender. Most attorneys answer "Billing."
- 6) Most attorneys report to the state public defender by an invoice or itemization.
- 7) The state public defender does not furnish supplies to attorneys.
- 8) Report the kind of expenses you incur in the handling of cases. Most attorneys report "Personnel, Offices, Supplies, Phone, Long Distance Bills, Travel, Photocopies."
  - a) Report the kind of expenses you are reimbursed for by the State Public Defender. Most attorneys report "Long Distance Bills, Travel, Photocopies."
- 9) The contract is a personal services contract.
- 10) Indicate where the services are to be performed.
- 11) Most attorneys are paid hourly; appellate in a lump sum or piecemeal.
- 12) The state agency does not guarantee a minimum amount of pay.
- 13) Indicate how many hours per day you anticipate working on indigent defense cases.
- 14) Most attorneys perform similar work for others.
- 15) Indicate the percentage of work for the listed services.
- 16) The contract provides that the state agency may terminate the contract.
- 17) The contract provides that you may terminate the contract.
- 18) Most attorneys have a telephone listing or any other form of advertising.
- 19) Most attorneys hold themselves out to the public as practicing law.
- 20) Indicate where your own office is located. Listing one city or town is adequate.
- 21) Most attorneys have a financial interest in your law practice.
- 22) Most attorneys can incur a loss in the work done for the state public defender.