



Ohio Administrative Code

Rule 120-1-06 Facilities for a county or joint county public defender office.

Effective: [October 17, 2022](#)

The supporting staff, facilities, equipment, supplies, and other requirements needed to maintain and operate an office of a county or joint county public defender shall be sufficient to allow quality representation and shall be substantially equivalent to that provided for the county prosecutor's office. In applying this rule, the following criteria shall govern:

- (A) The salaries for public defender attorneys shall approximate and be in parity with the compensation received by a prosecutor with comparable years in practice and experience.
- (B) The office of the county public defender or joint county public defender shall be based in a location convenient for clients and readily accessible to the courts and other necessary services.
- (C) Each attorney shall have adequate office space to assure privacy in consultation with clients and efficiency in operations.
- (D) The budget of a county public defender shall provide for:
 - (1) Adequate office space, file storage space, and other facilities as prescribed by the Ohio public defender standards and guidelines for reimbursement, including a case reporting and management information system;
 - (2) Adequate and accessible research capabilities that meet the needs and duties of the office;
 - (3) Adequate computer, recording, photographic, and other equipment of sufficient quantity, quality, and versatility to permit preservation of evidence;
 - (4) The confidential employment of experts and specialists, or, if such funds are not included in the public defender budget, requests for experts must be held ex parte if so requested in writing;



(5) Supportive services, including secretarial, investigative, and other defense litigation support necessary to provide quality representation at every phase of the process at which the office provides representation, including determinations on pretrial release, eligibility for diversion mitigation advocacy at sentencing, and representation following conviction, including appeals and post-conviction relief;

(6) Training for attorneys and support staff in subject matter areas relevant to their job duties.

(E) When a county renovates building space for a public defender's office to use, the costs of the renovation may be reimbursed as part of the public defender's operating expenses, except as follows:

(1) Costs related to bringing the building space into compliance with minimum occupancy, building code, or zoning standards shall not be reimbursed.

(2) Costs related to the renovation of space that is used by both the public defender's office and other agencies or entities shall not be reimbursed.