

IN THE COURT OF APPEALS
EIGHTH APPELLATE DISTRICT OF OHIO
CUYAHOGA COUNTY, OHIO

STATE OF OHIO

APPEAL NO. _____

TRIAL NO. _____

Commented [JRD1]: The Court of Appeals case number can be found on notices issued by the court of appeals, or other paperwork received after the filing of the appeal.

Commented [JRD2]: The lower court case number is found on paperwork you have received from the trial court. It should be listed on any entry issued by the trial court.

vs.

MOTION TO APPOINT COUNSEL

Appellant

Commented [JRD3]: This form is set up for the typical situation where counsel may be appointed in criminal cases. Therefore, the defendant's name should be placed here in those situations. If your case involves the termination of parental rights or probate proceedings, please fill in the name of the case here, such as "In re A.B.C." where "A.B.C." are the initials of the child involved. The names of children are not permitted to be listed in any publicly filed document in the court of appeals. See Eighth District Court of Appeals Local Appellate Rule 13.2.

Now comes the appellant and requests the appointment of counsel. The appellant states that he/she is indigent as evidenced by the attached affidavit of indigency and unable to employ counsel. Further, the appellant states that he/she has a right to the appointment of counsel because:

Commented [JRD4]: The right to appointed counsel at state's expense must exist in a statute, court rule, or constitutional provision, such as the Sixth Amendment to the U.S. Constitution, Article I, Section 10 of the Ohio Constitution, Ohio Crim.R. 44 or Crim.R. 15(D). Litigants in certain juvenile court proceedings involving the termination of parental rights pursuant to R.C. 2151.352 and certain probate court proceedings involving adoptions where parental rights are terminated may also qualify for appointed counsel.

CERTIFICATE OF SERVICE

I certify that a copy of this motion to appoint counsel was served upon

_____ on ____ / ____ / 20____ in

the following manner: _____

(Signature)

Commented [JRD5]: A certificate of service is required for almost all documents filed with a court. The certificate of service provides notice to the court that you have served the document on all the other parties to the case. Those parties should be listed in the first blank line in this section. You should then fill in the date that you served a copy of this document on those parties. Finally, you must include the method that the document was served. Generally, hand delivery, U.S. mail, email, and fax are acceptable forms of service. Please see Ohio Appellate Rule 13 for more information. In some instances, you may be able to rely on this court's electronic transmission facilities when documents are electronically filed. Please see Eighth District Local Appellate Rule 13.1(C). Finally, a signature is required for the certificate of service.