

## RURAL COUNTY CONTRACTS

To: Chief Justice Cherry, Indigent Defense Commission  
From: Franny Forsman  
RE: Review of rural indigent defense contracts

I have reviewed all of the current contracts provided to me and I observed the following with regard to whether the contracts are “flat fee” contracts.

### Carson City (First)

Contract amount includes all expenses. **“Routine investigative costs” borne by contractor.** Extraordinary fees may be requested, reported to City.

### Lyon County (Third)

Contractor “accepts as full compensation,” the contract amount; not entitled to \$7.125 reimbursement. **May seek excess fees under “special circumstances.”**

### Nye County (Fifth)

Contractor “accepts as full compensation” the contract amount. **No extraordinary fee provision.**

### White Pine (Seventh)

Annual amount, except for complex cases. Complex cases are defined as **“solely [] all capital cases that proceed to trial.”**

### Lincoln County (Seventh)

Annual amount, except for complex cases. Complex cases are defined as **“solely [] all capital cases that proceed to trial.”**

### Eureka (Seventh)

All services to be supplied for annual flat fee. **No provision for extraordinary fees. “The County does not agree to reimburse Contractor for expenses unless otherwise specified in this Contract or incorporated attachments.”** No other provision for expenses. (Note; In the report from the contractor, no claims for any investigative/expert fees were made for the 20 appointed cases in the preceding year.)

**Douglas County (Ninth)**

Provision for extraordinary fees guided by NRS §7.125.

**Churchill (Tenth)**

Flat annual fee. Provision for extraordinary expert/investigative fees. **No provision for extraordinary attorney fees.**

**Lander County Eleventh)**

No contract provided

**Mineral County (Eleventh)**

Annual flat fee contract. **Extraordinary fees may be granted for any “non-capital trial longer than 3 days.”** (Current reported caseload would result in fees of \$655 per felony. Contractor handled 100 additional Gross Misdemeanors and Misdemeanors so actual compensation was substantially less.)