

## Billing and Payment Process

- FAC is statutorily authorized to pay fees to court appointed counsel for children (GAL) and for indigent parents and non-parents (CAC).
  - Dependency, Neglect or Abuse (KRS 620.100)
  - Involuntary Termination of Parental Rights (KRS 625.080)
  - Voluntary Termination of Parental Rights (KRS 625.041)
- FAC requires the completion of a FINGAL-1 form in order to make payment.
  - Form includes: GAL/CAC Information; certification by counsel of work performed; and signatures (attorneys and judges)
  - Payment information is input into eMARS for payment
  - FAC receives and processes approximately 500 FINGAL-1 forms weekly for payment

## FINGAL-1 Form Updates

- FAC is updating the FINGAL-1 Form.
  - Stronger attorney attestations
  - Changes to track the following expenditures: GAL (Child); CAC (Parent); CAC (Family-Nonparent); and CAC (Non-Family)
  - Administrative Office of the Courts (AOC) providing feedback and assistance to finalize and distribute by July 1, 2019
- Updated FINGAL-1 Form will allow FAC to track expenditures broken out by GAL and CAC as discussed above.
  - Data will allow FAC to better identify areas of risk related to overall expenditures

## Fee Disparity

- Attorneys appointed to provide GAL and CAC services related to DNA cases in District Court are statutorily allowed to bill \$250. However, attorneys providing the same services in Circuit Court, are allowed to bill \$500.
- Twenty-five (25) district courts in Kentucky have found KRS 620.100 (1) unconstitutional because the law *“discriminates against court-appointed counsel in judicial districts without a Family Court.”*
- FAC is currently paying up to \$500 to attorneys in these districts as a result of valid court orders, but is also seeking a legislative solution to create fee parity.

## Address Questions from Committee