

AFFIDAVIT OF INDIGENCY AND APPLICATION FOR COUNSEL

STATE OF SOUTH CAROLINA)
)
COUNTY OF SUMTER)

STATE VS _____

CRIMINAL CASE # _____

CHARGE (S) _____

RACE/SEX _____ D.O.B. _____ SSN _____

ADDRESS _____ Apt/Lot# _____

TELEPHONE # _____

DATE OF ARREST _____

CO-DEFENDANT(S) (BY NAME) _____

1. Are you receiving monetary government assistance (SSI, TANF, Disability, etc.)? Yes ___ No ___

2. Are you currently employed? Yes ___ No ___

a.) If "Yes", give name and address of source(s) and your net (take home) wages.

b.) If "No" where did you last work; when did you stop work there; what were your wages?

c.) Single ___ Divorced ___ Widow ___ Separated ___ Married ___

Is your spouse employed? Yes ___ No ___ Is your spouse your alleged victim? Yes ___ No ___

If "Yes", where? _____

Income? _____

d.) Were you claimed on your parents tax return last year? Yes ___ No ___

If so, please list their income: _____

3. How many people including yourself, (biological children/spouse) total are dependent upon you for support? _____

Please list any Court ordered child support here: _____

4. List any money you have received in the past twelve months, which has not already been listed, and the source of the money, such as: self-employment, gifts, inheritances, insurance benefits. _____

5. Do you receive any other non-monetary government benefits (EBT/SNAP, direct housing benefit ?) Yes ___ No ___

If so please list the source and amount of assistance: _____

6. Do you own any real estate or valuable personal property? Yes ___ No ___

If "Yes" describe the property and the value of the property. _____

7. Do you have any money in a checking or savings account? If so, how much? _____

8. Do you own an automobile? Yes ___ No ___ Is it paid for? Yes ___ No ___

If "Yes" Make and Model _____. If not, what are the payments? _____

9. List the amount of all debts you owe, and to whom they are owed.

ALL APPLICATIONS MUST:

- 1) Pay the statutory non-refundable \$40 application fee (in-person or online),
- 2) be completed in full and,
- 3) include a good mailing address and phone number

Ways to submit an application:

- 1) In jail- give to an officer
- 2) Mail or bring in person to:
Sumter Co. Pub. Def.
215 N. Harvin St., Rm #151
Sumter, SC 29150
- 3) Fax to: 803-436-2423
- 4) Email to:
3rdcircuitpd@sumtercountysc.gov

Note: All electronic applications require that the application fee be paid online at:
www.sumtercountysc.org

10. If you have been released on bail, who paid your bond?

How much was the bond? _____

I do solemnly swear that all the information I have given in this affidavit is true to the best of my knowledge. I have made no attempts at any time to misrepresent my true financial status so as to present the appearance that I am unable to employ private counsel. I am financially unable to employ counsel and request that counsel be appointed to represent me.

I understand that the State may file a claim against me for the cost of my representation, and that such a claim will constitute a lien against my property after I have been given thirty days notice and the Court has reduced the claim to a Judgment.

I understand that I am entitled to thirty days notice before a claim against me may be reduced to judgment, and I do hereby waive the right to such notice.

DEFENDANT'S SIGNATURE

DATE

Subscribed and witnessed by me this _____ day of _____, 20____,

WITNESS

INTEROFFICE USE ONLY:

<p>Date Received:</p> <p>Defendant status: Jail / Bond</p> <p>File Status: Existing / Previous / New</p> <p>File # _____ Atty _____</p> <p>Initial/Docket App: _____</p> <p>PH: _____</p> <p>Victim Info: _____</p>	<p>\$40.00 Application Fee:</p> <p>Date: _____</p> <p>Receipt # _____</p> <p>_____ In- Person</p> <p>_____ Online</p> <p>_____ Temp Suspended by Jail</p> <p>_____ Temp Suspended by Judge</p>
	<p>Determination made by: _____</p> <p>Date: _____</p> <p>_____ Approved</p> <p>_____ Denied as non-indigent</p> <p>_____ Denied, do not represent that charge</p> <p>_____ Denied, application fee not Paid</p> <p>_____ Denied, incomplete application</p> <p>_____ Denied, other</p>

SUMTER CO. PUBLIC DEFENDER APPLICATION
FACTS, DISCLOSURE AND ACKNOWLEDGEMENT

1. You must apply for a representation by a Public Defender, it is not automatic.
2. You must qualify as “Indigent” to be eligible for representation by a Public Defender.
3. Currently, Sumter County Public Defenders provide legal representation for:
 - 1) **JUVENILE** Defendants with pending criminal charges at the Family Court level
 - 2) **ADULT** Defendants with pending criminal charges in the General Sessions Court
 - 3) Violation of Probation Hearings
 - 4) All Sumter County Magistrate & Municipal Court charges (excluding ordinance violations & traffic/moving violations)
4. A cash only \$40.00 application fee is due when applying for a Public Defender. This fee is payable immediately upon completion of the application; it cannot be waived and is **non-refundable**.
5. Please print clearly, filling out each section in full. **If your application is not completed in full it will be rejected and you will be required to submit the missing information or complete a new application.**
6. It can take up to one (1) month for your application to be processed, but a receipt and instructions will be given to you at the time your application is turned in.
7. The approval or denial of your application is made solely on the information provided by you on your application and is based on the current year’s Poverty Guidelines, which are published by the Federal Government.
8. Once a decision has been made regarding the approval or denial of your application, a letter will be mailed to the address you listed on your application, therefore, it is very important that you keep your address updated with our office during the application process.
9. If your application for a Public Defender is denied, you must hire private counsel or represent yourself in your court proceedings.

I acknowledge that I have read and understand the above Public Defender Facts, Disclosure and Acknowledgement.

Applicant Signature

Date of Application