

APPELLATE DEFENDER ACT (EXCERPT)
Act 620 of 1978

780.714 Appellate defender, deputy appellate defender, and assistant appellate defender; qualifications, duties, and restrictions; court employees.

Sec. 4.

(1) An individual shall not serve as an appellate defender, deputy appellate defender, or assistant appellate defender unless the individual is an attorney licensed to practice law in this state.

(2) The appellate defender, the deputy appellate defender, and each assistant appellate defender shall do all of the following:

(a) Take and subscribe to the oath required by the constitution before taking office.

(b) Perform duties as may be provided by law.

(c) Represent the following individuals:

(i) An indigent adult only subsequent to a conviction or entry of a guilty plea or plea of nolo contendere at the trial court level.

(ii) An indigent youth only subsequent to an appealable order.

(3) The appellate defender and the deputy appellate defender shall not engage in the practice of law or as an attorney or counselor in a court of this state except in the exercise of the duties prescribed by this act.

(4) For purposes of this act, the appellate defender, the deputy appellate defender, each assistant appellate defender, and support personnel are considered court employees and are not classified civil service employees.

History: 1978, Act 620, Imd. Eff. Jan. 6, 1979 ;-- Am. 2023, Act 299, Eff. Oct. 1, 2024