
Rules of
Public Defender Commission
Division 10—Office of State Public Defender
Chapter 2—Definition of Eligible Cases

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**Title 18—PUBLIC DEFENDER
COMMISSION**

**Division 10—Office of State Public
Defender**

Chapter 2—Definition of Eligible Cases

**18 CSR 10-2.010 Definition of Eligible
Cases**

PURPOSE: This rule establishes the types of cases for which the State Public Defender System will provide representation to indigent accused.

(1) The director and defenders shall provide legal services to an eligible person—

(A) Who is detained or charged with a felony, including appeals from a conviction in a case;

(B) Who is detained or charged with a misdemeanor which will probably result in confinement in the county jail upon conviction, including appeals from a conviction in a case;

(C) Who is detained or charged with a violation of probation or parole;

(D) For whom the federal constitution or the state constitution requires the appointment of counsel; and

(E) For whom, in a case in which s/he faces a loss or deprivation of liberty, any law of this state requires the appointment of counsel.

(2) Any person filing a motion pursuant to Supreme Court Rule 27.26 shall not be represented by a defender of the State Public Defender System.

(3) The State Public Defender Director shall not assign, refer or appoint counsel for the movant in a motion filed pursuant to Supreme Court Rule 27.26, but shall refer all cases to the appropriate court.

AUTHORITY: sections: 600.017(10), 600.042.1(8) and 600.042.2, RSMo 1982. Original rule filed Jan. 9, 1985, effective April 11, 1985.

**Original authority: 600.017, RSMo 1982; 600.042, RSMo 1982, amended 1991, 1993, 1995, 1999.*