

Court Service Center

New Hampshire Superior Court

HOW TO APPLY FOR COURT APPOINTED COUNSEL

Do I need to apply for court appointed counsel for criminal charges in Superior Court?

- If your charges started in the Circuit Court and you completed a Financial Affidavit form and qualified for court appointed counsel, you already have an attorney appointed to represent you. This attorney will continue to represent you in the Superior Court. **YOU DO NOT NEED TO REAPPLY**
- If you received indictment paperwork without charges being brought in Circuit Court first or before you were able to complete a Financial Affidavit form, **YOU CAN NOW APPLY FOR COURT APPOINTED COUNSEL.**
- If you are charged with a violation of probation, you should fill out a Financial Affidavit if requested by the Court.
- You may hire your own attorney. Court staff cannot recommend specific attorneys to you but can provide you with contact information for the Bar Association or other resources. Click here for the NH Bar Association website.

Form needed to apply for court appointed counsel

- Form needed - Financial Affidavit for Court Appointed Counsel (NHJB-2313-DF)

Instructions for completing the form

- Please fill in the court name, the case name, the case number and the RSA (also called the statute number). This information is found on the Notice of Arraignment and on the Indictment(s).
- Please fill out the case type; the choices are typically homicide, felony (non homicide) and misdemeanor.
- Complete the form fully, **EXCEPT** the Authorization for Release of Information or anything beyond this section.
- If you have any questions about the form or the information requested, you can call the court for clarification.
- The form must be notarized, which means you must swear to it and sign it in front of a notary. You can bring the form into the court and have a member of staff notarize the form. Photo identification is required if you want court staff to do this. You can also have the form notarized elsewhere and mail it into the court.
- Complete the Financial Affidavit and mail it or bring it to the court before your arraignment so if you qualify to have a court appointed attorney, counsel can be appointed before your arraignment.

What happens next? Do I have to pay for my attorney?

- If you are eligible, the court will appoint a lawyer and you will be sent contact information for the lawyer.
- You will also be sent contact information for the Office of Cost Containment. The Office of Cost Containment determines your payment schedule for the cost of the lawyer. Court appointed attorneys are not free, but the payment is minimal compared to hiring an attorney on your own.
- Most attorneys appointed are Public Defenders. Click here for more information on the NH Public Defender's Office.

Forms and Instructions are available from any NH Superior Court

Additional Information can be found at:

www.courts.state.nh.us/superior