
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) Who has been taken into custody pursuant to section 632.489, RSMo, including appeals from a determination that the person is a sexually violent predator;

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

(F) 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; however, the director and the defenders shall not be required to provide legal services to persons charged with violation of county or municipal ordinances.

(2) The State Public Defender System shall not represent a person who faces a loss or deprivation of liberty pursuant to section 632.415, RSMo.

AUTHORITY: sections: 600.017(10), 600.042.1(8), 600.042.3 and 600.043, RSMo 2000. Original rule filed Jan. 9, 1985, effective April 11, 1985. Amended: Filed Feb. 14, 2002, effective Aug. 30, 2002.

**Original authority: 600.017, RSMo 1982; 600.042, RSMo 1982, amended 1991, 1993, 1995, 1999 and 600.043, RSMo 1982.*