

**611.18 APPOINTMENT OF PUBLIC DEFENDER.**

If it appears to a court that a person requesting the appointment of counsel satisfies the requirements of this chapter, the court shall order the public defender to represent the person. For a person appealing from a conviction, or a person pursuing a postconviction proceeding and who has not already had a direct appeal of the conviction, according to the standards of sections 611.14, clause (2), and 611.25, subdivision 1, paragraph (a), clause (2), the chief appellate public defender shall be appointed. For a person covered by section 611.14, clause (1), (3), or (4), the chief district public defender shall be appointed to represent that person. If at any stage of the proceedings the court finds that the defendant is financially unable to pay counsel whom the defendant had retained, the court may appoint the public defender to represent the defendant, as provided in this section. Prior to any court appearance, a public defender may represent a person accused of violating the law, who appears to be financially unable to obtain counsel, and shall continue to represent the person unless it is subsequently determined that the person is financially able to obtain counsel. The representation may be made available at the discretion of the public defender, upon the request of the person or someone on the person's behalf. Any law enforcement officer may notify the public defender of the arrest of any such person.

**History:** 1965 c 869 s 5; 1969 c 655 s 2; 1983 c 247 s 214; 1986 c 444; 1991 c 345 art 3 s 4; 1Sp2003 c 2 art 3 s 5; 2012 c 212 s 12