

493—14.5(13B,600A,815) Claims for attorney fees. Claims for attorney fees shall be submitted on Juvenile claim forms. Except as provided in this rule, claims for attorney fees for representing the respondent in proceedings for termination of parental rights cases under Iowa Code chapter 600A shall be reviewed by the state public defender in the same manner as provided in 493—Chapter 12.

14.5(1) For cases to which the attorney was appointed on or after May 5, 2005, the order of appointment must contain the following additional findings:

- a.* The respondent requests appointment of counsel;
- b.* Both the petitioner, or the person on whose behalf the petition is filed, and the respondent are indigent, unless the petitioner is a private child-placing agency as defined in Iowa Code section 238.2, in which case the petitioner need not be indigent;
- c.* The respondent, because of lack of skill or education, would have difficulty in presenting the respondent's version of a disputed set of facts, particularly when presentation requires the examining or cross-examining of witnesses or the offering or dissecting of complex documentary evidence; and
- d.* The respondent has a colorable defense to the termination of parental rights, or there are substantial reasons that make termination of parental rights inappropriate.

14.5(2) For cases to which the attorney was appointed on or after May 5, 2005, in addition to the other requirements provided in 493—Chapter 12, a copy of both the petitioner's and respondent's financial affidavit must accompany the claim.

14.5(3) The provisions for review of the state public defender's action provided in 493—Chapter 12 shall apply to claims submitted under this chapter.