Settlement and hearing notice to be posted on Comptroller's and OIDS websites.

Important Notice Of Settlement Regarding Payment Of Guardian Ad Litem Fees In Appointed Cases, And Payment Of Pre-June 14, 2011 Appointed Fee Vouchers

NOTICE TO ALABAMA LAWYERS PROVIDING INDIGENT REPRESENTATION:

1. If you were ever appointed as *guardian ad litem* ("GAL") in any Domestic Relations case where the fees were not taxed as costs to a party (i.e., to be paid by the State),
2. OR, if you were ever appointed to any indigent representation (criminal or otherwise) prior to June 14, 2011 (whether the case has been concluded or not),

the proposed settlement in *Belin v. White, et al.*, Montgomery Circuit Court No. CV 2011-901488 may affect your rights. The settlement in this action provides for payment of fees for indigent GAL representation in domestic relations cases and pre-June 14, 2011 indigent representation of any kind within the parameters of the action. If you are or may be affected by this settlement you should read the notice, complaint and settlement agreement.

PAYMENTS TO LAWYERS UNDER THIS SETTLEMENT ARE NOT AUTOMATIC.

The State does not have records of fee vouchers previously submitted and denied, or not yet submitted. Therefore you must submit a fee voucher in order to be paid under this proposed settlement.

Many Alabama lawyers may not have submitted fee declarations for payments to which they are entitled under this settlement, or submitted fee declarations which were returned unpaid.

You should also promptly re-submit all fee declarations previously returned or denied, and submit any previously unfiled declarations for any GAL representation and any criminal or other cases concluded prior to June 14, 2011.

The Action

On November 17, 2011 Larry Belin, Esq., an Alabama lawyer, filed a civil action in Montgomery Circuit Court alleging that Hon. Thomas L. White, Jr., in his capacity as the Alabama State Comptroller, was improperly denying (or would deny when submitted) payment of indigent representation fee declarations submitted by Alabama lawyers who were appointed as *guardians ad litem* in certain domestic relations cases. The complaint sought class relief on behalf of all Alabama lawyers who were or would be affected by this policy, described in the amended complaint as "the GAL Class".

On March 28, 2012 the complaint was amended to include further allegations that Hon. Ricky J. McKinney, in his official capacity as Director of the Alabama Office of Indigent Defense Services ["OIDS"], was improperly denying (or would deny when submitted) payment for fee declarations in cases where Alabama lawyers had been appointed to represent indigents in criminal and civil matters prior to June 14, 2011, if the

fee declaration was not submitted within certain time limits after the case was concluded. The complaint sought class relief on behalf of all Alabama lawyers who were or would be affected by this policy, described in the amended complaint as "the Pre-June 14, 2011 Class".

The complaint as amended sought declaratory and injunctive relief for the classes described above, along with attorney's fees, interest and costs. A copy of the amended complaint

The Proposed Settlement

The Comptroller and the Director of OIDS have agreed to settle the action by withdrawing the memoranda and policies described above, and

a) pay all indigent fee declarations for GAL appointments in domestic relations cases where such fees are not taxed as costs to a party, provided the declaration is regular in form and judicially approved as presently required; and

b) pay all fee declarations in all cases (criminal or otherwise) where the appointment was made prior to June 14, 2011 without imposing the 90-day time limit set by Act no. 2011-678 for cases with an appointment on or after June 14, 2011, provided the declaration is regular in form and judicially approved as presently required.

The Defendants have agreed to exercise their best efforts to pay all amounts due under the Settlement within 15 business days after receipt of a fee declaration, provided the declaration is regular in form and judicially approved as presently required. No interest will be paid.

Attorney's fees (if approved by the Court) will be deducted from payments to class members, but will not exceed 7% (seven percent) of all payments, and court costs not exceeding $1,000 will be reimbursed.

The Settlement proposes to certify the classes described above under Rule 23(b)(2), Ala.R.Civ.P. This means that the certification is a mandatory class with all relief being ordered in favor of all members of both classes (i.e., there is no right to be excluded or "opt out" of the settlement).

Copies of the Complaint and Settlement Agreement

A copy of the settlement agreement can be viewed by clicking this link (INSERT LINK]. The two policies at issue are stated in the memorandums attached as Exhibits A and B to the amended complaint, which can be viewed by clicking this link [INSERT LINK].

Hearing on Fairness and Final Approval

The Montgomery Circuit Court, Hon. Eugene W. Reese, Circuit Judge, has preliminarily approved the settlement, and the Court has scheduled a fairness hearing on final Sept. 12, 2012 at 9:00 am/pm in Courtroom No. 4B at the Montgomery County Courthouse, 251 South Lawrence Street Montgomery, Alabama 36104.

Comments, Objections and/or Appearances

Any class member in the case may submit written comments or objections to the

Court, which must be received by the Circuit Clerk on or before Aug. 31, 2012, with a copy of such comments or objections to counsel for the parties at the addresses below. Further, any class member may appear at the hearing and be heard provided that notice of intent to appear must be received by the Circuit Clerk on or before Aug. 31, 2012, with a copy of such comments or objections to counsel for the parties at the addresses below.

Further Information

Please do not contact the Court. Any class member desiring more information about the case or the proposed settlement may contact Plaintiff's attorney by email, fax, phone or letter at the address below.

By Order of Hon. Eugene W. Reese

Circuit Judge, Montgomery Circuit Court

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