

**387.560 Appointment of counsel for respondent -- Compensation -- Duty of county attorney.**

- (1) Unless an appearance has been entered on behalf of the respondent, the court shall appoint counsel for the respondent within one (1) week of the filing of a petition for determination of disability under KRS 387.500 to 387.770.
- (2) Appointed counsel shall be entitled to compensation for services. If counsel is appointed for a poor person as defined in KRS 453.190, the court shall prescribe reasonable compensation to be paid by the county in which the proceeding is held in accordance with the complexity of the issues, the time involved, and other relevant considerations, except that appointed counsel shall not be compensated at a rate higher than sixty dollars (\$60) an hour for time spent in court and no higher than forty dollars (\$40) an hour for time spent out of court. If the petition is found to be frivolous or not brought in good faith, counsel fees shall be charged to the petitioner.
- (3) In all proceedings under KRS 387.500 to 387.770, it shall be the duty of the county attorney to assist the petitioner, to represent the interest of the Commonwealth, and to assist the court in its inquiry by the presentation of evidence.

**Effective:** July 15, 1994

**History:** Amended 1994 Ky. Acts ch. 338, sec. 6, effective July 15, 1994. -- Created 1982 Ky. Acts ch. 141, sec. 7, effective July 1, 1982.