STATE OF NORTH CAROLINA

_____ County

File Nos.

In The General Court Of Justice
☐ District ☐ Superior Court Division

Name Of Indigent Defendant Or Respondent	APPLICATION AND ORDER FOR DEFENSE EXPERT WITNESS FUNDING IN NON-CAPITAL CRIMINAL AND NON-CRIMINAL CASES AT THE TRIAL LEVEL
Highest Original Charge (Criminal) Or Nature Of Proceeding (Civil)	G.S. 7A-314(d), 7A-454, 7A-498.5(f), 15A-905(c)(2)

INSTRUCTIONS: *Use this form only if you are representing an indigent person at state expense, and then only in a case in which the Court is responsible for approving funds for experts, i.e., non-capital and non-criminal cases at the trial level. Do NOT use this form in case types where counsel must seek prior approval for expert funding from the Office of Indigent Defense Services (IDS) (e.g., potentially capital cases). Do NOT use this form for non-expert flat fee services, such as polygraph examinations, medical procedures, lab testing, or defense requested sentencing plans; to seek prior approval for such services, the attorney should submit a motion and proposed Order to the Court.*

The attorney for the defendant or respondent completes Section I and submits the form and a supporting motion justifying the requested expert services to the Court. If permitted by case law, the attorney for the defendant or respondent may submit this form and the supporting motion ex parte. If funding is approved, the Court completes Section II and the attorney provides a copy of the form to the approved expert. The expert completes Section III and Section IV after services are rendered to apply for payment. The expert then submits the completed form, along with an itemized invoice and any required receipts to IDS Financial Services, P.O. Box 2448, Raleigh, NC 27602. The expert also submits a copy to the requesting attorney.

I. DEFENSE REQUEST

Based on the factual showing in the attached supporting motion as required by *Ake v. Oklahoma* and its progeny, the undersigned attorney for the defendant or respondent named above requests funding for the following expert services. The attorney certifies that the information provided below is true and accurate.

☐ Check here if request and motion are being submitted *ex parte*

Name And Address Of Expert	Is the expert a current State government employee? ☐ Yes ☒ No If Yes, Name And Address Of Employing Government Agency
Cindy C Cottle PhD 4505 Fairmeadow Ln, Ste 106 Raleigh NC 27607	
Total Amount Of Funding Requested (time and expenses)	**Prior Total Funds Approved For This Expert**
$	$

Type Of Expert *(check one; if none apply, skip to expert's highest education level or area of expertise)*

☐ Paralegal ☐ Licensed Private Investigator ☐ Attorney Serving As Expert
☐ Transcriptionist (English Language) ☐ Mitigation Expert/Social Worker

If None Of The Above, Expert's Highest Level Of Education Or Area Of Expertise

☐ High School or GED ☐ Associate's Degree ☐ Linguist *(Federally Certified)* ☐ Bachelor's Degree
☐ Master's Degree ☐ Crime Scene and Related ☐ CPA/Financial Expert ☐ Pharmacy/PharmD
☐ Information Technology ☒ Ph.D./Psy.D. ☐ Medical Doctor ☐ MD With Specialty

NOTE: *The IDS Director may grant deviations from the hourly rates in Section III when necessary and appropriate based on case-specific needs. To request a deviation, complete form AOC-G-310. If a deviation has been approved, attach a copy to this form.*

Expert's Years Of Experience *(check one if applicable)*

☒ Expert has more than 10 years of experience in the field in which he/she is providing services. Start date of experience: 08/2003
☐ Expert has more than 20 years of experience in the field in which he/she is providing services. Start date of experience: _____

Date	Name Of Attorney Requesting Expert Funding	Telephone Number Of Attorney	Signature Of Attorney

II. COURT ORDER

☐ The Court finds that the expert identified in Section I would materially assist in the preparation of the defense in this case and that the denial of such expert assistance would deprive the defendant or respondent of a fair trial or other case resolution. Therefore, it is ORDERED that the defendant or respondent named above is entitled to $ _____ in funds appropriated to the Office of Indigent Defense Services (IDS) to employ the expert witness named in Section I; that the expert's fees and expenses shall not exceed this amount except by further Order of the Court; and that the expert witness named in Section I shall be compensated at the hourly rate specified in Section III and the applicable IDS policy.

☐ The Court finds that the expert identified in Section I would not materially assist in the preparation of the defense in this case. Therefore, it is ORDERED that this motion is denied.

It is ORDERED that *(check one only)*:

☐ The motion submitted by counsel and this Order shall be sealed in the court file and only opened upon further order of the Court.
☐ The motion submitted by counsel and this Order shall be sealed, and counsel shall retain the sealed motion and Order while this case is pending and file both in the court file within 30 days of final disposition at the trial level.

The motion and Order shall not be distributed beyond the defense team and IDS.

Date	Name Of Judge	Signature Of Judge