

Seeking a State-Funded Lawyer in Serious Crimes

In serious crimes, an accused who lacks the financial means to engage a lawyer may ask the court to assign a lawyer to defend him at the State's expense, in accordance with the Law of Criminal Procedure and its Implementing Regulations, and the Mechanism for Engaging a State-Funded Lawyer for the Accused in Serious Crimes.

How is the request submitted?

The accused submits a written request to the administration of the court hearing the case, setting out his details and the details of the case, and including:

- Full name and ID number.
- The case registration number and date, and the charge attributed to him.
- A statement of his sources of income and their amount.
- An acknowledgment that he lacks the financial ability to engage a lawyer, and of the State's right to recover from him the fees it pays if his financial ability is later established.

How does the court consider the request?

The request is referred to the circuit competent to hear the case, which examines it and verifies the accused's financial ability, and may conduct the necessary inquiries into his solvency. It then decides to accept or reject the request by a reasoned and final decision.

Upon accepting the request, the circuit issues the assignment decision without naming the lawyer, and addresses the Ministry of Justice to nominate one. Rejection of the request does not prevent the accused from engaging someone to defend him at his own expense.

Scope of this right

This arrangement concerns the accused in serious crimes who lacks the financial ability to engage a lawyer; it does not mean that representation at the State's expense is available for every case, or without verifying the conditions of the request.

Sources

Law of Criminal Procedure — Article 139

<https://laws.moj.gov.sa/ar/legislation/BdFRJFma6kPhQqhlh2f7eQ>

Implementing Regulations of the Law of Criminal Procedure — Article 96

<https://laws.moj.gov.sa/ar/legislation/WkBXdTzwkb8ux1aEu7dvGw>

Mechanism for Engaging a State-Funded Lawyer for the Accused in Serious Crimes

https://laws.moj.gov.sa/ar/legislation/GE-StIXcjF_Wfc2MFGx8ww

Original article: <https://www.sbrlegal.com/en/knowledge/state-funded-lawyer-serious-crimes.html>

Contact: info@sbrlegal.com · +966 54 555 9808