

Submitter: Christopher Missiaen  
On Behalf Of:  
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The Jackson County DA's office is pretty flexible with payment arrangements for discovery. Discovery is provided first and the bill is sent later. Even if an attorney is late with payments the DA's office is still pretty flexible. Only when attorneys consistently fail to pay over several months does the Jackson County DA's office demand payment for discovery up-front.

That said, I have some complaints about the fees charged and the process of providing discovery here in Jackson County (see below).

Most of my work is private retained work in Jackson County -- I take 2-3 court appointed cases a year and a handful of cases in other counties. In 2024, I signed up about 40 cases in Jackson County -- my discovery bill for the year was \$2,525. So far in 2025, I've paid \$2,293.75 to Jackson County for discovery -- that's for about 20 cases. Most of my bill for 2025 is from a Title III wire case with about 15 co-defendants -- the DA's office provided the same discovery for every defendant and charged for every defendant. I treat the discovery fees as part of my overhead -- I don't pass the cost on to my clients (not worth the extra paperwork and most of my clients want cost certainty).

My complaints about the discovery system in Jackson County:

1. The Jackson County DA's office regularly re-sends duplicate discovery and charges me again for the same discovery. My legal assistant is very diligent about tracking discovery and has to request refunds from the DA's office on a regular basis. I think that the attorneys who do court-appointed work are not tracking duplicate discovery/billing as closely because the discovery fees are paid by OPDC.
2. Additionally the Jackson County DA's office will often send a new folder with photos/videos that will include all duplicates except for a handful of new items -- we have to pay the fee for the whole folder even though most of the items are duplicates.
3. The Jackson County DA's generally refuses to pay defense attorneys for discovery. I have a policy of charging the Jackson County DA's office the same fees for discovery that they charge me. In some circumstances the office manager at the Jackson County DA's office has authorized payment of my discovery fees. Other times the DA has gone to trial without discovery because they refused to pay the fee (I remember a re-trial of a DUII where the DA did not have a copy of the transcript of

the MTS hearing or the first trial because her office would not pay me for it).

4. In spite of all the money the Jackson County DA's office receives for discovery they do a very poor job of providing complete discovery in a timely manner. For example, in a case I had recently, the Jackson County DA's office told me again and again that there was no audio of my client's statement. I submitted public records requests to all of the law enforcement agencies involved and the audio was provided to the Jackson County DA's office shortly afterwards.

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