

Application For Death Penalty Appointments Eighth Administrative Judicial Region

Last name: _____

First name: _____

State Bar Card #: _____

Date licensed to practice law: _____

Physical address (not a post office box): _____

Mailing Address: _____

Telephone #: _____

Fax #: _____

Pager #: _____

Cellular Phone #: _____

E-mail address: _____

This Application is for: Initial Certification or Recertification

Please Circle: Yes or no

Yes No 1. Have you read the Second Amended Standards For The Qualification Of Attorneys For Appointment To Death Penalty Cases In The Eighth Administrative Judicial Region Of Texas Pursuant To Article 26.052 Of The Texas Code Of Criminal Procedure¹?

Yes No 2. Are you currently in good standing with the State Bar of Texas?

Yes No 3. Are you currently under indictment or charged for a criminal offense other than class C traffic offenses?

Yes No 4. Are you certified by the Texas Board of Legal Specialization in criminal law?

_____ ¹ Hereinafter, referred to as the Second Amended Standards 8th AJR.

- Yes No 5. Are you a member of the State Bar College?
- Yes No 6. Has there been any finding by any State Bar of Texas grievance committee, disciplinary tribunal or court that you have violated any of the Texas Rules of Disciplinary Conduct?
- Yes No 7. Do you have an appeal pending of any finding by any State Bar of Texas grievance committee, disciplinary tribunal or court that you have violated any of the Texas Rules of Disciplinary Conduct?
- Yes No 8. Have you ever been sanctioned for failure to appear before a court?
- Yes No 9. Has a court ever found that you have provided ineffective assistance of counsel?
- Yes No 10. Have you ever been convicted or placed on deferred adjudication for any offense other than a class C offense?
- _____ 11. What percentage of your practice is criminal law?
- _____ 12. Approximately how many criminal cases have you tried to conclusion before a jury? (include hung juries, but exclude agreed competency hearings)
- _____ 13. Of the trials in Question 12, how many were felony cases?
- _____ 14. Of the trials in Question 12, how many were misdemeanor?
- _____ 15. Approximately how many appeals have you pursued in which you authored the brief (excluding subcontracted briefs)?
- Yes No 16. Do you have unique training or skill in mental health cases?
- Yes No 17. Do you have training or skill as a deaf interpreter?
- Yes No 18. Are you fluent in any other language other than English?
If so, please list. _____
- Yes No 19. Do you represent any municipality as a judge or attorney?
If so, please list. _____
- Yes No 20. Do you have any legal conflicts that would prohibit you from taking appointments?
If so, please state. _____

Required Attachments

1. Applicant's State Bar of Texas Continuing Legal Education Annual Reporting Form which reflects compliance with the Minimum Educational Requirements. (A printout is available from the State Bar website).
2. An Attendance Report for the year preceding the application from the State Bar of Texas MCLE Department reflecting completion of ten (10) hours of Accredited CLE in the specific area of death penalty litigation in the year preceding the application. (A printout is available from the State Bar website).
3. If there has been any finding by any State Bar of Texas grievance committee, disciplinary tribunal or court that you have violated any of the Texas Rules of Disciplinary Conduct, attach the decision and a written explanation.
4. If you have been sanctioned for failure to appear before a Court, attach any applicable court documents and, if desired, a written explanation.
5. If a Court has found that you have provided ineffective assistance of counsel, attach any applicable documents and, if desired, a written explanation.
6. If you have ever been convicted of or placed on deferred adjudication for any offense other than a class C traffic offense, attach copies of all final orders (or those deferring adjudication) and judgments.
7. If you are applying for appointments to appeals, list the information showing you meet the requirement of the Second Amended Standards 8th AJR. This information includes the style of the case, cause number, court, opposing counsel, and ultimate disposition entered in the appeal.
8. If you are applying for trial appointments, list the information showing you meet the requirements of the Second Amended Standards 8th AJR. This information includes the style of the case, cause number, court, judge presiding, opposing counsel, and verdict entered.
9. Applications to represent indigent defendants in writs of habeas corpus in death penalty cases filed under the Code of Criminal Procedure, Art. 11.071 are handled on a statewide basis. Pursuant to Government Code, Sec. 78.056, the presiding judges are responsible for publishing a statewide list of attorneys qualified as habeas counsel. If you are interested in serving as habeas counsel, you should make an application to be on the statewide list. The application form can be found at <http://www.txcourts.gov/organizations/policy-funding/administrative-judicial-regions/>

Request for Appointments

I am applying to be considered for the following appointments: (check all that applies)

_____ 1. Death Penalty Lead Counsel.

_____ 2. Death Penalty Second Chair.

_____ 3. Death Penalty Appeals.

Oath

I, _____, the undersigned attorney, hereby states under oath that all of the above and attached information is correct, that I have read and understand the qualifications set out in the Second Amended Standards for the Qualification of Attorneys for Appointment to Death Penalty Cases in the Eighth Administrative Judicial Region of Texas Pursuant to Article 26.052 of the Texas Code of Criminal Procedure and that I meet those qualifications. I understand that I have a duty to promptly notify the Presiding Judge of the Eighth Administrative Judicial Region of any matter that may make me ineligible to receive appointments under those standards, and to notify the Presiding Judge, in writing, of any changes to the information contained in this application. I understand that I may be removed from the appointment list for failure to meet any qualification stated in the Second Amended Standards for the Qualification of Attorneys for Appointment to Death Penalty Cases in the Eighth Administrative Judicial Region of Texas Pursuant to Article 26.052 of the Texas Code of Criminal Procedure.

Attorney

On the _____ day of _____, 20____ personally appeared before me, _____, who after being properly identified and placed under oath swore that all of the information stated on the foregoing Application For Death Penalty Appointments is true and correct.

Signature: _____

Name: _____

Office of person taking oath: _____

Oath may be administered by a criminal district court judge, criminal court clerk or notary public. Notary seal and date commission expires, if applicable.

(Below is for office use only:)

On the _____ day of _____, 20____, the Committee on Capital Appointments for the Eighth Administrative Judicial Region, considered the foregoing application and it is hereby _____ approved, _____ denied. Comments: _____

Hon. David Evans, Presiding Judge, 8th Admin. Region