

## **ATTORNEY APPLICATION FOR APPOINTMENT**

ALL INFORMATION REQUESTED IS **REQUIRED** TO RECEIVE APPOINTMENTS

NAME: \_\_\_\_\_

BAR CARD #: \_\_\_\_\_

PHYSICAL ADDRESS (not a post office box): \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_

TELEPHONE #: \_\_\_\_\_ FAX #: \_\_\_\_\_

CELLULAR PHONE #: \_\_\_\_\_

E-MAIL ADDRESS: \_\_\_\_\_

Will you keep your fax machine on between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, except for holidays? YES NO

Year and month licensed to practice law in Texas: \_\_\_\_\_

Law School: \_\_\_\_\_ Year graduated: \_\_\_\_\_

**I UNDERSTAND THAT UPON ACCEPTANCE OF AN APPOINTMENT, RESPONSIBILITY FOR REPRESENTATION UNDER SUBSECTION 26.04 (j)(2) OF TITLE 1 OF THE CODE OF CRIMINAL PROCEDURES EXTENDS TO THE OCCURRENCE OF THE ONE OF THE FOLLOWING: DISMISSAL OF CHARGES, ACQUITTAL OF THE DEFENDANT, APPEALS ARE EXHAUSTED, OR I AM PERMITTED OR ORDERED TO WITHDRAW AS COUNSEL FOR THE DEFENDANT AND THAT BEFORE I CAN COMPLETELY WITHDRAW THAT I MUST COMPLY WITH SUBSECTION 26.04 (j)(3) OF TITLE 1 OF THE CODE OF CRIMINAL PROCEDURE.**

**An attorney must have practiced criminal law on a regular basis for a minimum of four years and must have tried at least four felony cases as first chair (“lead counsel”) to juries in the preceding ten years in order to qualify for 1<sup>st</sup> degree felony cases; must have tried at least two felony cases as first chair (“lead counsel”) to juries in the preceding ten years in order to qualify for 2<sup>nd</sup> degree felony cases; and must have tried at least three cases (either felony or misdemeanor or a combination of both) in order to qualify for 3<sup>rd</sup> degree felony cases. Please provide the case number, date of jury trial, verdict and date of verdict related to the above referenced trials in the space provided below.**

<b>CASE NUMBER</b>	<b>DATE OF TRIAL</b>	<b>DISPOSITION/DATE</b>

**I. INCLUSION ON THE APPOINTMENT LIST**

1. I ask that my name BE CONSIDERED FOR INCLUSION on the list of licensed attorneys eligible for court appointments in Nueces County, Texas, and I state that I am presently certified or qualified to accept appointments in the following types of cases based on the requirements listed above:

(Circle or check as applicable Yes or No)

- |                                    |     |    |
|------------------------------------|-----|----|
| 2. Non-Death Capital Cases Only    | YES | NO |
| 3. 1 <sup>st</sup> Degree Felonies | YES | NO |
| 4. 2 <sup>nd</sup> Degree Felonies | YES | NO |
| 5. 3 <sup>rd</sup> Degree Felonies | YES | NO |
| 6. State Jail Felonies             | YES | NO |
| 7. Direct Appeals                  | YES | NO |
| 8. Post-Judgment writs             | YES | NO |
| 9. Misdemeanors                    | YES | NO |
| 10. Juveniles                      | YES | NO |

**II. LICENSURE**

1. Are you currently a licensed attorney in good standing with the State of Texas and the Texas Supreme Court? YES NO
2. Are you fluent in any language other than English? Which language(s)?
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3. Are you Board Certified in Criminal Law? YES NO

**YOU MUST ATTACH A COPY OF YOUR LATEST CLE REPORT FROM THE STATE BAR SHOWING 9 HOURS OF CRIMINAL CLE FROM LAST YEAR**

4. Have you ever been publicly sanctioned or reprimanded by the State Bar? YES NO
- Explain if "Yes":
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- 

5. Do you have any pending grievances? YES NO
- Explain if "Yes":
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- 

6. Have you been found by a trial judge and/or appellate court to have provided ineffective assistance of counsel? YES NO

**III. EXPERIENCE – GENERAL**

Briefly describe your legal experience and the type of law you have practiced including what percentage has been criminal law:

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**IV. EXPERIENCE – CRIMINAL**

Have you ever served in a criminal prosecutor’s office? YES NO

If “yes,” when and where:

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If you have never tried a criminal jury trial as lead counsel, have you assisted as co-counsel in any criminal cases?

Misdemeanor \_\_\_\_\_ Felony \_\_\_\_\_ In the last 12 months \_\_\_\_\_

If you have never tried a criminal jury trial in any capacity, what qualifies you to accept appointments for those cases you are seeking to be appointed to (please use extra pages as necessary)?

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Have you ever tried a capital murder case where the State was seeking the death penalty?

YES NO

If “yes,” when:

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Initial if applicable:

\_\_\_\_ Trial experience in the use of and challenges to mental health or forensic expert witness.

**V. OTHER SKILLS**

Indicate areas in which you have unique training or skill.

- |   |     |    |
|---|-----|----|
| 1. Mental health cases  | YES | NO |
| 2. Level V deaf interpreter   | YES | NO |
| 3. Do you want to be listed as a Spanish speaking attorney?         |     |    |
|   | YES | NO |
| 4. Other skills (please describe and use extra pages as necessary): |     |    |

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***In submitting this application I understand that I MUST, not later than October 15 of each year, and on a form prescribed by the Texas Indigent Defense Commission, submit to the county information for the preceding fiscal year that describes the percentage of the attorney's practice time that was dedicated to work based on appointments accepted in the county under this article and Title 3, Family Code. I also understand that I MUST submit, not later than December 31 of each calendar year, a copy of my State Bar transcript showing that I have completed 9 hours of criminal CLE in that calendar year in order to stay on the appointment lists. FAILURE TO DO SO WILL RESULT IN REMOVAL FROM THE APPOINTMENT LISTS AND WILL REQUIRE SUBMISSION OF A NEW APPLICATION IN ORDER TO RECEIVE APPOINTMENTS.***

***I also agree that by accepting appointment(s) that I will visit my client, if in custody, within 72 hours of the appointment and will further submit to the Court in which the case is pending written acceptance of the appointment(s).***

By my signature, I attest the following: a) ***I understand that if I accept an appointment to a felony case wherein the defendant also has misdemeanor case(s) and is not currently represented by counsel, that I will accept those misdemeanor appointments as well;*** b) the information I have provided in this application is true and accurate; c) I certify I will give written notice of any change in the notification numbers to each County Court at Law and District Court within three working days of the change and prior to, if possible; d) ***I understand that by accepting appointments, I am obligated to represent the defendant through the disposition of the case, and that a motion to withdraw before the disposition of the case is subject to denial by the trial court absent extraordinary circumstances;*** and e) I certify that I have a continuing duty to file an amended affidavit within 10 days of the date if any of the above information changes.+

Witness my signature on this the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

\_\_\_\_\_  
SIGNATURE

Print Name: \_\_\_\_\_

SWORN TO AND SUBSCRIBED before me on \_\_\_\_\_  
(date).

\_\_\_\_\_  
Notary Public in and for the State of Texas

My commission expires: \_\_\_\_\_

***Please attach any other information that would qualify you for appointments in specialized areas.***