

HENDERSON COUNTY APPLICATION/AFFIDAVIT

Criminal Felony, Misdemeanor or Juvenile Courts Attorney Appointment List

PLEASE COMPLETE THIS ENTIRE PAGE

Date: _____

Name: _____ Birth Date: _____

Business Address: _____ Day Phone: _____

Home Phone: _____ FAX No. _____

Cell Phone: _____

E-Mail Address: _____

***Note: You will receive notification of appointments by fax and/or email.**

EDUCATION

1. Undergraduate School: _____ Date Graduated: _____
2. Date licensed to practice law in Texas: _____ Bar Card No.: _____
3. Are you fluent in any language other than English? Which language(s)?

4. Have you attended the Advanced Criminal Law Course within the last four years?
_____ Yes _____ No
5. Have you had at least ten hours of CLE in Criminal Law and at least six hours in Juvenile Law in the last calendar year? _____ Yes _____ No If "yes" where and when.

6. Have you ever been sanctioned or reprimanded by the State Bar? _____ Yes _____ No
If "yes" where and when _____
Do you have any pending grievances? _____ Yes _____ No If "yes", explain.

EXPERIENCE-GENERAL

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

EXPERIENCE-CRIMINAL

Have you ever worked in a criminal prosecutor's office? _____ Yes _____ No
If "yes," where and when: _____

Have you ever served as the lead counsel in the defense or prosecution of a criminal or juvenile case? _____ Yes _____ No If "yes," how many times? ___ Misdemeanor ___ Felony ___ Juvenile

Type of juvenile case(s): _____

How many criminal or juvenile jury trials have you tried as lead counsel? _____ Misdemeanor _____ Felony _____ Juvenile In the last 12 months: ___ Misdemeanor ___ Felony ___ Juvenile

Type of Juvenile case(s): _____

Have you ever tried a capital murder case where the State was seeking the death penalty? _____ Yes _____ No If "yes," specify case and when it was tried: _____

_____ First Chair _____ Second Chair

Check those that apply.

___ Have at least five years of experience in criminal litigation

___ Have tried to verdict as lead defense counsel a significant number of felony cases (at least 5-10)

___ Have trial experience in the use of and challenges to mental health or forensic expert witness

___ Have investigated and presented mitigating evidence at the penalty phase of a death penalty trial

___ Have participated in continuing legal education courses or other training relating to criminal defense in death penalty cases

EXPERIENCE-APPELLATE

Do you want to be assigned appellate appointments? _____ Yes _____ No

Number of briefs filed: _____ Number of oral arguments: _____

SPECIAL QUALIFICATIONS

Are you board certified in criminal law? _____ Yes _____ No
Are you board certified in juvenile law? _____ Yes _____ No
Are you licensed to practice in federal court? _____ Yes _____ No
If "yes," have you received an appointment from federal court in the last year? ___ Yes ___ No

If you possess any additional special qualifications or experience you would like to consider in lieu of those required by the qualifications to represent criminal defendants:

Based on the Henderson County Qualifications I am qualified to receive appointments on the following:

_____ Felony 3g/1st *Juvenile (Check those that apply)
_____ Felony 2nd /3rd () Determinate or habitual felony 3g/1st degree
_____ Felony SJF () Other felonies
_____ Misdemeanor () Misdemeanors
_____ Appeals

I do not qualify technically to receive court appointments for _____
case(s) because _____

I wish to apply for an exception to the qualifications to receive court appointments for the following reason(s): _____

If you are applying for a grace period exception, please indicate when you will have your qualifications met _____

Do you want to be listed as a Spanish-speaking attorney? _____ Yes _____ No
Are you willing to accept clients who speak the languages listed in question number four?
_____ Yes _____ No

*****If you need additional space to answer any of the questions please place the answers on an additional page.**

CERTIFICATION OF KNOWLEDGE OF STANDING RULES FOR PROCEDURES FOR TIMELY AND FAIR APPOINTMENT OF COUNSEL FOR INDIGENT ACCUSED PERSONS IN HENDERSON COUNTY, TEXAS

I certify, under oath, that I have received, read, and understand the Henderson County Plan and Standing Rules and Orders for Procedures for Timely and Fair Appointment of Counsel and will comply with said plan, rules and orders.

I certify, under oath, that I shall maintain an office with a phone which is answered by a receptionist or answering service from 8:00 a.m. to 12:00 p.m. and from 1:00 p.m. to 5:00 p.m. Monday through Friday (except Henderson County holidays as set out in the official Henderson County calendar approved by the Henderson County Commissioner’s Court) and by which a receptionist or/and answering service can promptly locate me and notify me of appointment or hearing setting. I agree I will maintain a FAX number to which FAXES may be received 24 hours a day, seven days a week, an email address and physical address. These numbers are as follows:

OFFICE RECPTIONIST _____

FAX NUMBER _____

CELLULAR _____

E-MAIL ADDRESS _____

PHYSICAL ADDRESS _____

I will give written notice of any change in these notification numbers to the Indigent Defense Coordinator and to each County Court at Law, District Court and Juvenile Judges in Henderson County prior to change.

I will make every reasonable effort to contact the defendant by the end of the first working day after the date of appointment as stated in **Sec. 6, Art. 26.052 (j) (1) CCP. The Henderson County Plan requires you to personally interview the Defendant within seven days of the appointment.**

I will represent the defendant until charges are dismissed, the defendant is acquitted, appeals are exhausted, or you are relieved of your duties by the Court or replaced by other counsel after a finding of good cause is entered on record as stated in Sec. 6, Art. 26.052 (j) (2) CCP.

The presiding Court may replace an attorney who violates this practice. A majority of the judges of the County Courts and Statutory Courts or the District Courts, as appropriate trying criminal cases in the county may remove from consideration for appointment an attorney who intentionally or repeatedly violates this practice as stated in Sec. 6, Art. 26.052 (k) CCP.

I, _____, certify, under oath, that I will zealously represent my Client, but always within the bounds of the law and legal ethics of Texas.

I understand that I must timely submit my bill for:

1. Indigent legal representation within 15 days of the date a case is disposed of by a plea or bench trial; or
2. Indigent legal representation within 15 days of the date of judgment in trial; or
3. Indigent appeal representation within 15 days of the date a mandate is returned on appeal.

I understand and acknowledge that failure to comply, without showing of good cause, with these time requirements shall result in my waiver of right for such compensation and my services will have been performed **PRO BONO**.

I understand that I have a continuing duty to file an Amended Affidavit within 30 days of the date any of the above information changes.

I hereby, have been sworn upon oath, depose, state, and certify that the above information is true and correct.

Witness my signature on this the _____ day of _____, _____.

AFFIANT

Print Name: _____

Bar No. _____

Subscribed and Sworn to before me this the _____ day of _____, _____.

NOTARY PUBLIC/PERSON AUTHORIZED TO
ADMINISTER OATHS

Print Name: _____

Capacity: _____