# NACOGDOCHES COUNTY

# ATTORNEY APPLICATION FOR APPOINTMENT LSIT

*10/23/2019*

You are instructed to answer “yes” or “no” in the spaces provided below. You must answer “yes” or “no” for the minimum qualifications for each type of case (death penalty, felony trials, misdemeanor trials, felony appeals, and misdemeanor appeals) you wish to be appointed for. If you answer “no” for any of the minimum qualifications, please attach a brief statement explaining why you should be on the appointment list without meeting the qualification.

**MISDEMEANOR TRIAL: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (yes or no)**

\_\_\_\_\_1. An attorney must be a licensed practicing attorney and a member in good standing of the State Bar of Texas;

\_\_\_\_\_2. An attorney shall complete a minimum of 6 hours of CLE in the area of criminal law and procedure each year. All attorneys on the appointment list must file a certificate with the court administration office each year attesting to completion of the required CLE or submit documentation showing that the attorney is certified as a specialist in criminal law. Continuing legal education activity completed with-in a one year period immediately preceding an attorney's initial reporting period may be used to meet the educational requirements for the initial year. Continuing legal education activity completed during any reporting period in excess of the minimum of 6 hours for such period may be applied to the

following period's requirement. The carryover provision applies to one year only;

\_\_\_\_\_\_3. The attorney must never have been found ineffective by an appellate court;

\_\_\_\_\_\_4. An attorney may not have been the recipient of any public disciplinary action by the State Bar of Texas or any other attorney licensing authority of any state or the United States;

\_\_\_\_\_\_5. An attorney must maintain an office capable ofreceiving email, fax, and telephone calls;

\_\_\_\_\_\_6. An attorney must have the ability to produce typed motions and orders;

\_\_\_\_\_\_7. Must be of sound mind and good moral standing;

\_\_\_\_\_\_8. Must not be a registered sex offender; and

\_\_\_\_\_9. Must never have been convicted or placed on deferred adjudication for any theft, felony, or crime of moral turpitude since becoming a licensed attorney by any state;

**FELONY TRIALS: \_\_\_\_\_\_\_\_\_\_\_\_\_\_ (yes or no)**

\_\_\_\_\_1. Must meet all Misdemeanor Trial Qualifications;

\_\_\_\_\_2. A minimum of two years of experience OR ten felony jury trials;

\_\_\_\_\_3. A minimum of 33% of practice is in criminal matters;

**CAPITAL CASE TRIALS**: **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (yes or no)**

\_\_\_\_\_1. Lead trial counsel must be on the list of attorneys approved by the local selection

committee of this Administrative Judicial Region for appointment as lead counsel

in death penalty cases, as provided in Article 26.052, Texas Code of Criminal

Procedure.

\_\_\_\_\_2. Second chair counsel must be on the list of attorneys approved by the local selection committee of this administrative judicial region for appointment as lead trial counsel or second chair counsel in death penalty cases, as provided in Article 26.052, Texas Code of Criminal Procedure.

**CAPITAL CASE APPEALS \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (yes or no)**

\_\_\_\_\_1. Appellate counsel must be on the list of attorneys approved by the local selection committee of this administrative judicial region for appointment as appellate counsel in death penalty cases, as provided in Article 26.052, Texas Code of Criminal Procedure.

**FELONY APPEALS \_\_\_\_\_\_\_\_\_\_\_\_ (yes or no)**

\_\_\_\_\_1. Be a member of the State Bar of Texas;

\_\_\_\_\_2. A minimum of 2 years of experience or ten appellate cases;

\_\_\_\_\_3. A minimum of 33% of practice is in criminal law matters;

\_\_\_\_\_4. Meet the same qualifications as felony trial attorneys; AND

\_\_\_\_\_5. Be either Board Certified in Criminal Appellate Law or have an appellate writing sample approved by the appointing judges.

**MISDEMEANOR APPEALS \_\_\_\_\_\_\_\_\_\_\_\_ (yes or no)**

\_\_\_\_\_1. Meet the same CLE hour requirement as the misdemeanor trial attorneys; and

\_\_\_\_\_\_2. Meet the same ineffective assistance test as the trial attorneys.

You acknowledge and understand that if appointed, you must not only represent the defendants in an ethical and competent manner but you must also abide by section 26.04 (j) (1) & (2) of the Code of Criminal Procedure in that you must make every reasonable effort to contact the defendant not later than the end of the first working day after the date on which you are appointed, and to interview the defendant as soon as practicable after you are appointed, and represent the defendant until charges are dismissed, the defendant is acquitted, appeals are exhausted, or the attorney is relieved of his duties by the court or replace by other counsel after a finding of good cause is entered on the record.

I hereby represent to the Courts that I have read and understand the application for appointment lists, and furthermore state that the answers given are true and correct. Please accept this application for said appointments lists.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Bar No.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Address

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Phone & Fax Number

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Email