



Court Appointments Program

Serious Felony Definition – Effective July 1, 2014

The Serious Felony Definition is changed to include offenses in which gang allegations pursuant to Penal Code Section 186.22 (b) (1) (B) *et seq* are alleged. Commencing July 1, 2014, only attorneys previously qualified under serious felony subpanel will be appointed in cases alleging PC 186.22 (b) (1) (B) *et seq* (subparagraph 10 below), and attorneys handling these cases will be compensated at the serious felony rate if appointed on or after July 1, 2014.

The following crimes are serious felonies for the purpose of referral/appointment, and for compensation by the Court:

1. All felonies that are punishable by life imprisonment
2. Attempted murder (Penal Code section 664/187)
3. Voluntary manslaughter (Penal Code section 192(a))
4. All felony sex crimes requiring registration under Penal Code section 290: (Only Statutory rape [Penal Code section 261.5] would not be a serious felony)
5. Any felony in which it is alleged that a firearm was used pursuant to Penal Code sections 12022.53 (c) and (d)
6. Three or more incidents of the following crimes (For the purpose of this section, three or more incidents contemplates three different times and locations, not just three different victims):
 - a. Residential burglary (i.e. three or more different premises- not just three victims)
 - b. Assault with weapon use or a great bodily injury enhancement
 - c. Robbery, attempted robbery or carjacking
7. All petitions with motions filed under Welfare and Institutions Code section 707 (a) and (c)
8. Arson of an inhabited dwelling (Penal Code section 451(b))
9. Cases in which the District Attorney is seeking a lifetime commitment pursuant to Penal Code Section 6600 (Please note separate qualifications are required under **Part C-MDO/SVP/NGI Offender Panel**)
10. All offenses in which 186.22 (b) (1) (B) *et seq* is alleged.¹

¹ The exact code sections alleged on the Complaint/Information/Indictment must be included on Attorney appointment/billing forms. Simply stating “Gang allegations” is insufficient.