



THE BAR ASSOCIATION OF  
SAN FRANCISCO

**Lawyer Referral and Information Service**

301 Battery Street, 3rd Floor  
San Francisco, CA 94111  
Telephone: (415) 477-2374  
Fax: (415) 477-2389  
URL: <http://www.sfbar.org>

**APPLICATION FOR  
CRIMINAL LAW PANELS**

Name: \_\_\_\_\_ State Bar number: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail address: \_\_\_\_\_

Full time SF office address: \_\_\_\_\_

Mailing address (if different): \_\_\_\_\_

Number of years of continuous active practice in California: \_\_\_\_\_

Experience Qualifications

An applicant who is a certified Criminal Law Specialist and whose current certification will last through the current membership may substitute the experience listed on the Specialist application/recertification in lieu of completing most of experience sections of the following subpanels: misdemeanors, misdemeanor appeals and regular felony cases. Certified Criminal Law Specialists must demonstrate additional experience in order to qualify for all other classes of felony cases. (i.e.: serious felonies, homicide and special circumstance)

**SUBSTANTIAL EQUIVALENT EXPERIENCE**

**If you cannot meet the requirements for membership in a particular subpanel, but believe that you qualify by reason of substantial, equivalent experience, you should submit a letter outlining such experience, as provided for in Rule 6 of the Lawyer Referral and Information Service Rules. However, applicants must complete as much of this application as possible, supplementing by letter, with the substantial equivalent experience.**

**COURT APPOINTMENT PANEL – GENERAL REQUIREMENTS**

In order to be a member of this panel, an attorney must be a member of at least one class of the Criminal Panel, and agree to the following:

- A. Agree to and comply with the LRIS Attorney Application and Agreement
- B. To appear in court on the assigned date at the assigned times
- C. To accept, as sole compensation, the monies awarded by the court and pay the required fee to the Lawyer Referral and Information Service
- D. Maintain principal place of practice in San Francisco
- E. Maintain two-thirds of practice in San Francisco
- F. Applicant must not be a member of any other court appointed panel with similar requirements;

G. Applicant must provide verification that during the year prior to submitting this application, applicant attended at least 15 units of Continuing Legal Education approved for credit by the State Bar of California relating directly to criminal defense. **This is a continuing annual obligation and complies with the State Bar Guidelines on the Delivery of Services in Indigent Defense.** Five of the 15 required units may be completed through self-study (Please note: separate MCLE requirements are needed for Class 3, 4, 5, Appeals [Part B] and the MDO/SVP/NGI Offender Panel [Part C]).

Please list any court appointed panels to which you belong:

---

---

I, the undersigned, have read the foregoing conditions for membership to the Criminal Law Court Appointment panel and agree to abide by them.

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

## **PART A - CRIMINAL PANELS (COURT APPOINTMENTS AND PRIVATE REFERRALS)**

### **QUALIFICATIONS AND REQUIREMENTS**

#### **Class I. - MISDEMEANORS**

Note: The Court retains the discretion to assign a more qualified attorney to any case when the circumstances warrant.

In order to be referred/appointed to any misdemeanor case, you must:

- A. Be a certified criminal law specialist  
**OR**
- B. Qualify for Part A, Class 2, 3 or 4 (i.e., qualify for referrals/appointments for regular felony, serious felony, and/or homicide cases);  
**OR**
- C. Within the past three years, you must have handled as attorney of record:
  - 1. One criminal trial that was submitted to the jury for deliberation; **AND**
  - 2. Ten criminal matters which included substantive pleadings and/or hearings;  
**AND**
  - 1. Certify that at least 15 units of Continuing Legal Education approved for credit by the State Bar of California relating directly to criminal defense have been completed within the year preceding the submission of this application (5 of these units may be satisfied through self-study – the remaining 10 units must be “participatory”);
  - 2. Certify that at least twenty percent of your current practice is in criminal law.

**If you are also applying for Class 2 – REGULAR FELONIES, you must show that in some of the cases listed in Class 1 or Class 2, you were counsel for the defendant rather than the government. Please check the box provided to indicate whether you represented the defendant in the matter listed.**

A.  I am a certified specialist in Criminal Law and the “Task and Experience” pages of the application/recertification are enclosed. Date of Certification: \_\_\_\_\_

**OR**

**B.** I qualify for Part A  Class 2  Class 3  Class 4

**OR**

**C.**  
1. One criminal trial that was submitted to the jury for deliberation as attorney of record:

<b>Case name</b>	<b>Case number</b>	<b>Charges</b>	<b>Jurisdiction and Primary Judge</b>	<b>Dates of Trial</b>
------------------	--------------------	----------------	---------------------------------------	-----------------------

1. \_\_\_\_\_  
Check this box if you were counsel for the defendant:

2. Ten criminal matters as attorney of record which included substantive pleadings and/or hearings:

<b>Case name</b>	<b>Case number</b>	<b>Charges</b>	<b>Jurisdiction and Primary Judge</b>	<b>Dates of Representation</b>
------------------	--------------------	----------------	---------------------------------------	--------------------------------

1. \_\_\_\_\_  
Nature of matter: \_\_\_\_\_

2. \_\_\_\_\_  
Nature of matter: \_\_\_\_\_

3. \_\_\_\_\_  
Nature of matter: \_\_\_\_\_

4. \_\_\_\_\_  
Nature of matter: \_\_\_\_\_

5. \_\_\_\_\_  
Nature of matter: \_\_\_\_\_

6. \_\_\_\_\_  
Nature of matter: \_\_\_\_\_

7. \_\_\_\_\_  
Nature of matter: \_\_\_\_\_

8. \_\_\_\_\_  
Nature of matter: \_\_\_\_\_

9. \_\_\_\_\_  
Nature of matter: \_\_\_\_\_

10. \_\_\_\_\_

Nature of matter: \_\_\_\_\_

**AND**

- 1. I certify that I have completed at least 15 units of Continuing Legal Education approved for credit by the State Bar of California relating directly to criminal defense have been completed within the year preceding the submission of this application (5 of these units may be satisfied through self-study, the remaining 10 units must be “participatory”);

	<b>Title of Training</b>	<b>Date(s) of training</b>	<b>Number of Hours</b>	<b>Provider</b>	<b>Self-Study (S) Participate (P)</b>
1.					
2.					
3.					
4.					
5.					

- 2. I certify that at least twenty percent of my current practice is in criminal law.

**I hereby declare under penalty of perjury that all of the information in this application is true and correct and that I had full responsibility for all cases listed in the application, or if not, I have attached an explanation, and that at least twenty percent of my current practice is in criminal law**

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

**Class 2 - REGULAR FELONIES**

A regular felony is: *Any felony which is not classified as a serious felony (as defined on page 7)*

NOTE: The Court retains the discretion to assign a more qualified attorney to any case when the circumstances warrant.

In order to be referred/appointed to any regular felony cases, you must:

- A.** Be a certified criminal law specialist

**OR**

**B.** Qualify for Part A, Class 3 or 4 (i.e. qualify for referrals/appointments for serious felony or homicide cases);

**OR**

**C.** Within the past five years, you must have handled as attorney of record:

- 1. Two criminal trials that were submitted to the jury for deliberation (one of which must have been a felony); **AND**
- 2. An additional criminal court trial or juvenile felony trial; **AND**
- 3. Five preliminary hearings to completion; **AND**
- 4. Five motions in felony cases for which separate substantive pleadings were filed;

**AND**

- 1. Certify that at least 15 units of Continuing Legal Education approved for credit by the State Bar of California relating directly to criminal defense have been completed within the year preceding the submission of this application (5 of these units may be satisfied through self-study, the remaining 10 units must be “participatory”);
- 2. Certify that at least twenty percent of your current practice is in criminal law.

**If you are also applying for Class 3 – SERIOUS FELONIES, you must show that in the majority of the cases listed in Class 2 or Class 3, you were counsel for the defendant rather than the government. Please check the box provided to indicate whether you represented the defendant in the matter listed.**

I am a certified specialist in Criminal Law and the “Task and Experience” pages of the application/recertification are enclosed. Date of Certification: \_\_\_\_\_

**OR**

**A.** I qualify for Part A  Class 3  Class 4

**OR**

**B. 1.** Two criminal trials that were submitted to the jury for deliberation (one of which must have been a felony) as attorney of record:

	Case name	Case number	Charges	Jurisdiction and Name of Judge	Dates of Trial
1.	_____	_____	_____	_____	_____
	Check this box if this case was a felony: <input type="checkbox"/>				
	Check this box if you were counsel for the defendant: <input type="checkbox"/>				
2.	_____	_____	_____	_____	_____
	Check this box if this case was a felony: <input type="checkbox"/>				
	Check this box if you were counsel for the defendant: <input type="checkbox"/>				

2. An additional criminal court trial or juvenile felony trial as attorney of record:

	Case name	Case number	Charges	Jurisdiction and Name of Judge	Dates of Trial
1.	_____	_____	_____	_____	_____
	Check this box if this case was a felony: <input type="checkbox"/>				

Check this box if you were counsel for the defendant:

**3. Five preliminary hearings to completion as attorney of record:**

	<b>Case name</b>	<b>Case number</b>	<b>Charges</b>	<b>Jurisdiction and Name of Judge</b>	<b>Dates of Preliminary Hearing</b>
1.	_____	_____	_____	_____	_____
	Check this box if you were counsel for the defendant: <input type="checkbox"/>				
2.	_____	_____	_____	_____	_____
	Check this box if you were counsel for the defendant: <input type="checkbox"/>				
3.	_____	_____	_____	_____	_____
	Check this box if you were counsel for the defendant: <input type="checkbox"/>				
4.	_____	_____	_____	_____	_____
	Check this box if you were counsel for the defendant: <input type="checkbox"/>				
5.	_____	_____	_____	_____	_____
	Check this box if you were counsel for the defendant: <input type="checkbox"/>				

**4. Five motions in felony cases for which separate substantive pleadings were filed as attorney of record:**

	<b>Case name</b>	<b>Case number</b>	<b>Charges</b>	<b>Jurisdiction and Name of Judge</b>	<b>Type of Motion</b>	<b>Date filed</b>
1.	_____	_____	_____	_____	_____	_____
	Check this box if you were counsel for the defendant: <input type="checkbox"/>					
2.	_____	_____	_____	_____	_____	_____
	Check this box if you were counsel for the defendant: <input type="checkbox"/>					
3.	_____	_____	_____	_____	_____	_____
	Check this box if you were counsel for the defendant: <input type="checkbox"/>					
4.	_____	_____	_____	_____	_____	_____
	Check this box if you were counsel for the defendant: <input type="checkbox"/>					
5.	_____	_____	_____	_____	_____	_____
	Check this box if you were counsel for the defendant: <input type="checkbox"/>					

**AND**

1. I certify that I have completed at least 15 units of Continuing Legal Education approved for credit by the State Bar of California relating directly to criminal defense have been completed within the year preceding the submission of this application (5 of these units may be satisfied through self-study, the remaining 10 units must be “participatory”);

	Title of Training	Date(s) of training	Number of Hours	Provider	Self-Study (S) Participate (P)
1.					
2.					
3.					
4.					
5.					

2. I certify that at least twenty percent of my current practice is in criminal law.

**I hereby declare under penalty of perjury that all of the information in this application is true and correct and that I had full responsibility for all cases listed in the application, or if not, I have attached an explanation, and that at least twenty percent of my current practice is in criminal law**

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

**Class 3 - SERIOUS FELONIES**

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 for which registration under Penal Code section 290 is a potential consequence
5. Any felony in which it is alleged that a firearm was used pursuant to Penal Code sections 12022.53 (c) or (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
10. All offenses in which 186.22(b)(1)(B) et seq is alleged

NOTE: The Court retains the discretion to assign a more qualified attorney to any case when the circumstances warrant.

In order to be referred/appointed any serious felony cases:

**Within the past five years, you must have handled as attorney of record:**

1. Three felony trials that were submitted to the jury for deliberation (two of which in serious felony [as defined above] or homicide cases); **AND**
2. Seven preliminary hearings to completion (two must be serious felony [as defined above] or homicide cases); **AND**
3. Ten substantial criminal or juvenile motions (two of in serious felony [as defined above] or homicide cases); **AND**
4. One extraordinary writ in which further briefing was requested; **AND**
5. **Within the past three years fulfilled** the following:
  - a. Attended 45 units of Continuing Legal Education directly relating to criminal defense approved for credit by the State Bar of California within the three years preceding submission of this application. (15 of these units may be self-study, the balance must be “participatory”)
    - a. Fifteen (15) of these 45 units must relate directly to the defense of murder, gang or sex cases, and/or forensic evidence in serious criminal trial litigation; **AND**
6. Membership for this panel must be renewed every **three** years by a new application accompanied by proof of completion of 45 units of CLE credit as outlined above; **AND**
7. Certify that at least twenty percent of your current practice is in criminal law.

You may submit for consideration serious cases which do not fall within the above definition of serious felony with a statement containing the nature of the charges and an explanation of the complexities of the case, if you believe such cases should be considered as substantially equivalent experience.

**If you are also applying for Class 4 – HOMICIDE AND LIFE SENTENCE CASES, you must show that in the majority of the Class 3 cases listed below, you were counsel for the defendant rather than the government. Please check the box provided to indicate whether you represented the defendant in the matter listed.**

**A.** Three felony trials that were submitted to the jury for deliberation (two of which in serious felonies [as defined above] or homicide cases) as attorney of record:

Case name	Case number	Charges	Jurisdiction and Name of Judge	Dates of Trial
1. _____	_____	_____	_____	_____
Check this box if this case was a serious felony or homicide case: <input type="checkbox"/>				
Check this box if you were counsel for the defendant: <input type="checkbox"/>				
2. _____	_____	_____	_____	_____
Check this box if this case was a serious felony or homicide case: <input type="checkbox"/>				
Check this box if you were counsel for the defendant: <input type="checkbox"/>				
3. _____	_____	_____	_____	_____
Check this box if this case was a serious felony or homicide case: <input type="checkbox"/>				
Check this box if you were counsel for the defendant: <input type="checkbox"/>				



**AND**

**B.** Seven preliminary hearings to completion (two of which in serious felonies [as defined above] or homicide cases) as attorney of record:

	<b>Case name</b>	<b>Case number</b>	<b>Charges</b>	<b>Jurisdiction and Name of Judge</b>	<b>Dates of Preliminary Hearing</b>
1.	_____	_____	_____	_____	_____
	Check this box if this case was a serious felony or homicide case: <input type="checkbox"/>				
	Check this box if you were counsel for the defendant: <input type="checkbox"/>				
2.	_____	_____	_____	_____	_____
	Check this box if this case was a serious felony or homicide case: <input type="checkbox"/>				
	Check this box if you were counsel for the defendant: <input type="checkbox"/>				
3.	_____	_____	_____	_____	_____
	Check this box if this case was a serious felony or homicide case: <input type="checkbox"/>				
	Check this box if you were counsel for the defendant: <input type="checkbox"/>				
4.	_____	_____	_____	_____	_____
	Check this box if this case was a serious felony or homicide case: <input type="checkbox"/>				
	Check this box if you were counsel for the defendant: <input type="checkbox"/>				
5.	_____	_____	_____	_____	_____
	Check this box if this case was a serious felony or homicide case: <input type="checkbox"/>				
	Check this box if you were counsel for the defendant: <input type="checkbox"/>				
6.	_____	_____	_____	_____	_____
	Check this box if this case was a serious felony or homicide case: <input type="checkbox"/>				
	Check this box if you were counsel for the defendant: <input type="checkbox"/>				
7.	_____	_____	_____	_____	_____
	Check this box if this case was a serious felony or homicide case: <input type="checkbox"/>				
	Check this box if you were counsel for the defendant: <input type="checkbox"/>				

**AND**

**C.** Ten substantial criminal or juvenile motions as attorney of record, (two of which in serious felonies [as defined above] or homicide cases) as attorney of record:

	<b>Case name</b>	<b>Case number</b>	<b>Charges</b>	<b>Jurisdiction and Name of Judge</b>	<b>Type of Motion</b>	<b>Date filed</b>
1.	_____	_____	_____	_____	_____	_____
	Check this box if this case was a serious felony or homicide case: <input type="checkbox"/>					
	Check this box if you were counsel for the defendant: <input type="checkbox"/>					

2. \_\_\_\_\_  
 Check this box if this case was a serious felony or homicide case:   
 Check this box if you were counsel for the defendant:
3. \_\_\_\_\_  
 Check this box if this case was a serious felony or homicide case:   
 Check this box if you were counsel for the defendant:
4. \_\_\_\_\_  
 Check this box if this case was a serious felony or homicide case:   
 Check this box if you were counsel for the defendant:
5. \_\_\_\_\_  
 Check this box if this case was a serious felony or homicide case:   
 Check this box if you were counsel for the defendant:
6. \_\_\_\_\_  
 Check this box if this case was a serious felony or homicide case:   
 Check this box if you were counsel for the defendant:
7. \_\_\_\_\_  
 Check this box if this case was a serious felony or homicide case:   
 Check this box if you were counsel for the defendant:
8. \_\_\_\_\_  
 Check this box if this case was a serious felony or homicide case:   
 Check this box if you were counsel for the defendant:
9. \_\_\_\_\_  
 Check this box if this case was a serious felony or homicide case:   
 Check this box if you were counsel for the defendant:
10. \_\_\_\_\_  
 Check this box if this case was a serious felony or homicide case:   
 Check this box if you were counsel for the defendant:

**AND**

**D.** One extraordinary writ in which further briefing was requested as attorney of record:

Case name	Case number	Charges	Jurisdiction and Name of Judge	Type of Writ	Date filed
1. _____	_____	_____	_____	_____	_____
Check this box if you were counsel for the defendant: <input type="checkbox"/>					

**AND**

**E.** I certify that I attended 45 units of Continuing Legal Education directly relating to criminal defense cases approved for credit by the State Bar of California within the three years preceding submission of this application. (15 of these units may be self-study, the balance must be “participatory”) **AND** that fifteen (15) of these 45 units relate directly to the defense of murder, gang or sex cases, and/or forensic evidence in serious criminal trial litigation as follows:

1. Completed 30 Continuing Legal Education Units directly relating to criminal defense

	<b>Title of Training</b>	<b>Date(s) of Training</b>	<b>Number of Hours</b>	<b>Provider</b>	<b>Self-Study (S) Participate (P)</b>
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					

1.a. Completed 15 Continuing Legal Education Units relating directly to the defense of murder, gang or sex cases, and/or forensic evidence in serious criminal trial litigation

	<b>Title of Training</b>	<b>Date(s) of training</b>	<b>Number of Hours</b>	<b>Provider</b>	<b>Self-Study (S) Participate (P)</b>
1.					
2.					
3.					
4.					
5.					

AND

I certify that at least twenty percent of my current practice is in criminal law.

I hereby declare under penalty of perjury that all of the information in this application is true and correct and that I had full responsibility for all cases listed in the application, or if not, I have attached an explanation, and that at least twenty percent of my current practice is in criminal law.

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

**Class 4 – HOMICIDE**

In order to be referred/appointed any homicide, you must:

- A. Qualify for Part A, Class 3 (serious felonies, **however**, you must show that in the majority of the Class 3 cases listed above, you were *counsel for the defendant* rather than the government. Please make sure to check the box provided above to indicate you represented the defendant in the matter listed); **AND**
- B. 1. **Within the past seven years**, have been **lead counsel** in three homicide trials that were submitted to the jury for deliberation; **OR**  
 2. **Within the past seven years**, have been **lead counsel** in two homicide jury trials and one jury trial in a life sentence case that were submitted to the jury for deliberation; **OR**  
 3. **Within past seven years** have been **lead counsel** in two homicide jury trials, (**one** of which was in the past **three** years) and **five** additional felony jury trials that were submitted to the jury for deliberation within the last **ten (10)** years; **AND**
- C. **Within the past three years fulfilled** the following:
  - 1. Completed 45 units of Continuing Legal Education directly relating to criminal defense cases approved for credit by the State Bar of California within the three years preceding submission of this application. (15 of these units may be self-study, the balance must be “participatory”); **AND**
    - a. Fifteen (15) of these 45 units must relate directly to the defense of murder cases; **AND**
- D. Membership for this panel must be renewed every three years by a new application accompanied by proof of completion of 45 units of CLE credit as outlined above, **AND**
- E. Certify that at least twenty percent of your current practice is in criminal law.

NOTE: The Court retains the discretion to assign a more qualified attorney to any case when the circumstances warrant

A. I qualify for Part A, Class 3 (Serious Felonies)

AND

**B. 1.** Within the past seven years, been **lead counsel** in three homicide trials that were submitted to the jury for deliberation (Please note that having experience as a “second chair” in a homicide jury trial does not satisfy the requirements):

Case name	Case number	Charges	Jurisdiction and Name of Judge	Dates of Trial
-----------	-------------	---------	--------------------------------	----------------

1. \_\_\_\_\_  
 Name(s) of counsel for co-defendant: \_\_\_\_\_

Name(s) of opposing counsel: \_\_\_\_\_

2. \_\_\_\_\_

Name(s) of counsel for co-defendant: \_\_\_\_\_

Name(s) of opposing counsel: \_\_\_\_\_

3. \_\_\_\_\_

Name(s) of counsel for co-defendant: \_\_\_\_\_

Name(s) of opposing counsel: \_\_\_\_\_

**OR**

**B. 2.** Within the past seven years, been **lead counsel** in two homicide jury trials and one jury trial in a life sentence case that were submitted to the jury for deliberation (Please note that having experience as “second chair” in a homicide jury trial does not satisfy the requirements):

<b>Case name</b>	<b>Case number</b>	<b>Charges</b>	<b>Jurisdiction and Name of Judge</b>	<b>Dates of Trial</b>
------------------	--------------------	----------------	---------------------------------------	-----------------------

1. \_\_\_\_\_

Name(s) of counsel for co-defendant: \_\_\_\_\_

Name(s) of opposing counsel: \_\_\_\_\_

Homicide case     Life sentence case

2. \_\_\_\_\_

Name(s) of counsel for co-defendant: \_\_\_\_\_

Name(s) of opposing counsel: \_\_\_\_\_

Homicide case     Life sentence case

3. \_\_\_\_\_

Name(s) of counsel for co-defendant: \_\_\_\_\_

Name(s) of opposing counsel: \_\_\_\_\_

Homicide case     Life sentence case

**OR**

**B. 3.** Within past **seven** years have been lead counsel in **two** homicide jury trials submitted to the jury for deliberation, (**one** of which was in the past **three** years) and **five additional** felony jury trials that were submitted to the jury for deliberation within the last **ten** (10) years preceding this application (Please note that having experience as a “second chair” in a homicide jury trial does not satisfy the requirements):

<b>Case name</b>	<b>Case number</b>	<b>Charges</b>	<b>Jurisdiction and Name of Judge</b>	<b>Dates of Trial</b>
------------------	--------------------	----------------	---------------------------------------	-----------------------

1. \_\_\_\_\_

Name(s) of counsel for co-defendant: \_\_\_\_\_

Name(s) of opposing counsel: \_\_\_\_\_

Homicide case

2. \_\_\_\_\_

Name(s) of counsel for co-defendant: \_\_\_\_\_

Name(s) of opposing counsel: \_\_\_\_\_

Homicide case

3. \_\_\_\_\_

Name(s) of counsel for co-defendant: \_\_\_\_\_

Name(s) of opposing counsel: \_\_\_\_\_

Homicide case

4. \_\_\_\_\_

Name(s) of counsel for co-defendant: \_\_\_\_\_

Name(s) of opposing counsel: \_\_\_\_\_

Homicide case

5. \_\_\_\_\_

Name(s) of counsel for co-defendant: \_\_\_\_\_

Name(s) of opposing counsel: \_\_\_\_\_

Homicide case

6. \_\_\_\_\_

Name(s) of counsel for co-defendant: \_\_\_\_\_

Name(s) of opposing counsel: \_\_\_\_\_

Homicide case

7. \_\_\_\_\_

Name(s) of counsel for co-defendant: \_\_\_\_\_

Name(s) of opposing counsel: \_\_\_\_\_

Homicide case

**AND**

**C. Within the past three years fulfilled the following:**

Completed 45 units of Continuing Legal Education directly relating to criminal defense cases approved for credit by the State Bar of California within the three years preceding submission of this application (15 of these units may be self-study, the balance must be “participatory”); **AND** fifteen (15) of these 45 units must relate directly to the defense of murder cases;

1. Completed 30 Continuing Legal Education Units directly relating to criminal defense:

	<b>Title of Training</b>	<b>Date(s) of Training</b>	<b>Number of Hours</b>	<b>Provider</b>	<b>Self-Study (S) Participate (P)</b>
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					

1.a. Completed 15 Continuing Legal Education Units directly related to the defense of murder cases:

	<b>Title of Training</b>	<b>Date(s) of training</b>	<b>Number of Hours</b>	<b>Provider</b>	<b>Self-Study (S) Participate (P)</b>
1.					
2.					
3.					
4.					
5.					

I certify that at least twenty percent of my current practice is in criminal law.

I hereby declare under penalty of perjury that all of the information in this application is true and correct and that I had full responsibility for all cases listed in the application, or if not, I have attached an explanation, and that at least twenty percent of my current practice is in criminal law

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

### Class 5 – SPECIAL CIRCUMSTANCES CRIMES

In order to be referred/appointed any case in which special circumstances are alleged, you must:

- A. Have been **lead defense counsel** within the last ten (10) years in **either**,
  - 1. Ten serious or violent felony jury trials within the meaning of Penal Code sections 667.5c or 1192.7c, including at least two homicide cases, that were submitted to the jury for deliberation; **OR**
  - 2. Five serious or violent felony jury trials within the meaning of Penal Code sections 667.5c or 1192.7c, including at least three homicide cases, that were submitted to the jury for deliberation; **AND**
- B. **Within the past three years** fulfilled one of the following:
  - 1. Have handled homicide or serious felony cases in which four (4) experts were called by applicant or cross-examined by applicant, at least one of whom was a psychiatric expert; **OR**
  - 2. Have attended training (at least two [2] MCLE units) dedicated to expert witnesses and which specifically addressed aspects of mental health in the criminal law context related to homicide or serious felonies; **AND**
- C. Be an active practitioner with at least ten years litigation experience; be familiar with the practices and procedures of the California criminal courts; and have demonstrated the necessary proficiency, diligence, and quality of representation appropriate to such cases; **AND**
- D. **Within the past three years** fulfilled the following:
  - 1. Completed 45 units of Continuing Legal Education approved for credit by the State Bar of California directly relating to criminal within the three years prior to this application (15 of these units may be self-study, the balance must be “participatory”);
    - a. Fifteen (15) of these units must relate directly to the defense of capital cases and must have been completed within the **two** years prior to this application.
  - 2. Membership for this panel must be renewed every three years by a new application and must be accompanied by proof of completion of 45 units of CLE credit as outlined above, **AND**
- E. Certify that at least twenty percent of your current practice is in criminal law.

NOTE: The Court retains the discretion to assign a more qualified attorney to any case when the circumstances warrant

- A. 1. Within the last **ten** (10) years, I have completed **ten** serious or violent felony jury trials within the meaning of Penal Code sections 667.5c or 1192.7c, including at least **two** homicide cases, that were submitted to the jury for deliberation:

Case name	Case number	Charges	Jurisdiction and Name of Judge	Dates of Trial
1. _____	_____	_____	_____	_____



Name(s) of co-counsel/counsel for co-defendant: \_\_\_\_\_

Name(s) of opposing counsel: \_\_\_\_\_

Check this box if this case was a homicide case:

2. \_\_\_\_\_

Name(s) of co-counsel/counsel for co-defendant: \_\_\_\_\_

Name(s) of opposing counsel: \_\_\_\_\_

Check this box if this case was a homicide case:

3. \_\_\_\_\_

Name(s) of co-counsel/counsel for co-defendant: \_\_\_\_\_

Name(s) of opposing counsel: \_\_\_\_\_

Check this box if this case was a homicide case:

4. \_\_\_\_\_

Name(s) of co-counsel/counsel for co-defendant: \_\_\_\_\_

Name(s) of opposing counsel: \_\_\_\_\_

Check this box if this case was a homicide case:

5. \_\_\_\_\_

Name(s) of co-counsel/counsel for co-defendant: \_\_\_\_\_

Name(s) of opposing counsel: \_\_\_\_\_

Check this box if this case was a homicide case:

6. \_\_\_\_\_

Name(s) of co-counsel/counsel for co-defendant: \_\_\_\_\_

Name(s) of opposing counsel: \_\_\_\_\_

Check this box if this case was a homicide case:

7. \_\_\_\_\_

Name(s) of co-counsel/counsel for co-defendant: \_\_\_\_\_

Name(s) of opposing counsel: \_\_\_\_\_

Check this box if this case was a homicide case:

8. \_\_\_\_\_

Name(s) of co-counsel/counsel for co-defendant: \_\_\_\_\_

Name(s) of opposing counsel: \_\_\_\_\_

Check this box if this case was a homicide case:

9. \_\_\_\_\_

Name(s) of co-counsel/counsel for co-defendant: \_\_\_\_\_

Name(s) of opposing counsel: \_\_\_\_\_

Check this box if this case was a homicide case:

10. \_\_\_\_\_

Name(s) of co-counsel/counsel for co-defendant: \_\_\_\_\_

Name(s) of opposing counsel: \_\_\_\_\_

Check this box if this case was a homicide case:

**OR**

**A. 2.** Within the last ten (10) years, I have completed **five** serious or violent felony jury trials within the meaning of Penal Code sections 667.5c or 1192.7c, including at least **three** homicide cases, that were submitted to the jury for deliberation:

Case name	Case number	Charges	Jurisdiction and Name of Judge	Dates of Trial
-----------	-------------	---------	--------------------------------	----------------

1. \_\_\_\_\_

Name(s) of co-counsel/counsel for co-defendant: \_\_\_\_\_

Name(s) of opposing counsel: \_\_\_\_\_

Check this box if this case was a homicide case:

2. \_\_\_\_\_

Name(s) of co-counsel/counsel for co-defendant: \_\_\_\_\_

Name(s) of opposing counsel: \_\_\_\_\_

Check this box if this case was a homicide case:

3. \_\_\_\_\_

Name(s) of co-counsel/counsel for co-defendant: \_\_\_\_\_

Name(s) of opposing counsel: \_\_\_\_\_

Check this box if this case was a homicide case:

4. \_\_\_\_\_

Name(s) of co-counsel/counsel for co-defendant: \_\_\_\_\_

Name(s) of opposing counsel: \_\_\_\_\_

Check this box if this case was a homicide case:

5. \_\_\_\_\_

Name(s) of co-counsel/counsel for co-defendant: \_\_\_\_\_

Name(s) of opposing counsel: \_\_\_\_\_

Check this box if this case was a homicide case:

**AND**

**B. 1.** Within the last three (3) years, have handled homicide or serious felony cases in which four (4) experts were called by applicant or cross-examined by applicant, at least one of whom was a psychiatric expert:

Case name	Case number	Charges	Jurisdiction and Name of Judge	Dates of Trial/Hearing
-----------	-------------	---------	--------------------------------	------------------------

1. \_\_\_\_\_

Name(s) of co-counsel/counsel for co-defendant: \_\_\_\_\_

Name(s) of opposing counsel: \_\_\_\_\_

Check this box if the psychiatric expert was called  or cross-examined:

Name of expert/specialty: \_\_\_\_\_

2. \_\_\_\_\_

Name(s) of co-counsel/counsel for co-defendant: \_\_\_\_\_

Name(s) of opposing counsel: \_\_\_\_\_

Check this box if the psychiatric expert was called  or cross-examined:

Name of expert/specialty: \_\_\_\_\_

3. \_\_\_\_\_

Name(s) of co-counsel/counsel for co-defendant: \_\_\_\_\_

Name(s) of opposing counsel: \_\_\_\_\_

Check this box if the psychiatric expert was called  or cross-examined:

Name of expert/specialty: \_\_\_\_\_

4. \_\_\_\_\_

Name(s) of co-counsel/counsel for co-defendant: \_\_\_\_\_

Name(s) of opposing counsel: \_\_\_\_\_

Check this box if the psychiatric expert was called  or cross-examined:

Name of expert/specialty: \_\_\_\_\_

**OR**

**B. 2.** Within the last three (3) years, have attended training (at least two [2] MCLE units) dedicated to expert witnesses and which specifically addressed aspects of mental health in the criminal law context related to homicide or serious felonies:

Title of training	Date(s) of training	Number of hours	Provider
-------------------	---------------------	-----------------	----------

1. \_\_\_\_\_

2. \_\_\_\_\_

C. Please check all that apply:

- I have been an active practitioner with at least ten years litigation experience;
- I am familiar with the practices and procedures of the California criminal courts;
- I have the necessary proficiency, diligence and quality of representation appropriate for such cases.

**AND**

D. Within the past **three** years fulfilled the following:

I have completed 45 units of Continuing Legal Education approved for credit by the State Bar of California directly relating to criminal within the three years prior to this application (15 of these units may be self-study, the balance must be “participatory”); fifteen (15) of these units must relate directly to the defense of capital cases and must have been completed within the **two** years prior to this application.

1. Completed 30 Continuing Legal Education Units directly relating to criminal defense:

	Title of training	Date(s) of training	Number of hours	Provider	Self-Study (S) Participate (P)
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					

1. a. 15 Continuing Legal Education Units directly related to the defense of capital cases:

	Title of training	Date(s) of training	Number of hours	Provider	Self-Study (S) Participate (P)
1.					

2.					
3.					
4.					
5.					

**E. I hereby declare under penalty of perjury that all of the information in this application is true and correct and that I had full responsibility for all cases listed in the application, or if not, I have attached an explanation, and that at least twenty percent of my current practice is in criminal law**

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

**PART B – QUALIFICATIONS FOR APPEALS**

**Class 1 - MISDEMEANOR APPEALS/PANEL APPOINTMENTS AND/OR REFERRALS**

In order to be appointed to or referred an appeal arising out of a misdemeanor matter, a panel member must:

**A.** Be a certified criminal law specialist

**OR**

**B.** Qualify for Part A, Class 1 (i.e. the Misdemeanor Panel);

**AND**

- 1.** Within the past five (5) years, have filed an appeal or at least one extraordinary writ in the Superior Court of Court of appeal in which a decision was rendered as attorney of record; **AND**
- 2.** Provide proof of completion of a seminar on appellate law in criminal cases (six [6] units or more) which is approved for Continuing Legal Education by the State Bar of California **within five years** prior to the submission of this application and provide proof every five years of completion of such appellate law seminar in criminal cases; **AND**
- 3.** Complete fifteen (15) units annually required of every attorney on the misdemeanor and/or felony panels

**A.** I am a certified specialist in Criminal Law and the “Task and Experience” pages of the application/recertification are enclosed. Date of Certification: \_\_\_\_\_

**OR**

**B.** I qualify for Part A, Class 1

**AND**

- 1.** Within the last five (5) years, I have filed an appeal or at least one extraordinary writ in the Superior Court of Court of appeal in which a decision was rendered as attorney of record;

Case name	Case number	Charges	Jurisdiction and Name of Judge	Type of Writ or Appeal	Date filed
_____	_____	_____	_____	_____	_____

2. Completion of a seminar on appellate law in criminal cases (six [6] units or more) which is approved for Continuing Legal Education by the State Bar of California within **five** years prior to the submission of this application Seminar in Criminal Appeals:

	<b>Title of Seminar</b>	<b>Date(s) of seminar</b>	<b>Number of hours</b>	<b>Provider</b>

3. I certify that I have completed at least 15 units of Continuing Legal Education approved for credit by the State Bar of California relating directly to criminal defense have been completed within the year preceding the submission of this application (5 of these units may be satisfied through self-study, the remaining 10 units must be “participatory”);

	<b>Title of Training</b>	<b>Date(s) of training</b>	<b>Number of Hours</b>	<b>Provider</b>	<b>Self-Study (S) Participate (P)</b>
1.					
2.					
3.					
4.					
5.					

**Class 2 - REGULAR FELONY APPEAL REFERRALS**

In order to be referred an appeal arising out of a felony matter, a panel member must:

- A. Qualify for Part A, Class 2 (i.e. the Felony Panel); **AND**
- B. Have completed work in at least two appeals or at least two extraordinary writs in which a decision was rendered as attorney of record; **AND**
- C. Provide proof of completion of a 6 units seminar on appellate law in criminal for which Continuing Legal Education approved for credit by the State Bar of California is provided **within five years** prior to the submission of this application and provide proof every five (5) years of completion of a six units appellate law seminar in criminal cases; **AND**
- D. Attend fifteen (15) units annually as required of every attorney on the misdemeanor and/or felony panels.

	<b>Case name</b>	<b>Case number</b>	<b>Charges</b>	<b>Jurisdiction and Name of Judge</b>	<b>Type of Writ or Appeal</b>	<b>Date filed</b>
1.	_____	_____	_____	_____	_____	_____

2. \_\_\_\_\_

C. Seminar in criminal appeals:

	Title of Seminar	Date(s) of seminar	Number of hours	Provider
1.				

**Class 3 - SERIOUS FELONY APPEAL REFERRALS**

In order to be referred an appeal arising out of a serious felony matter, a panel member must:

- A. Qualify for Part A, Class 3 (i.e. Serious Felony Panel); **AND**
- B. Have completed work in at least two appeals or at least two extraordinary writs in which an opinion was rendered as attorney of record; **AND**
- C. Provide proof of completion of a 6 units seminar criminal appeals for which Continuing Legal Education approved for credit by the State Bar of California is provided **within five years** prior to the submission of this application and provide proof every five (5) years of completion of a six units appellate law seminar in criminal cases; **AND**
- D. Complete fifteen (15) units annually as required of every attorney on the misdemeanor and/or felony panels, and every three years, provide proof of completion of an additional ten (10) units relating directly to the defense of murder, gang or sex cases, and/or forensic evidence serious criminal trial litigation.

	Case name	Case number	Charges	Jurisdiction and Name of Judge	Type of Writ or Appeal	Date filed
1.	_____	_____	_____	_____	_____	_____
2.	_____	_____	_____	_____	_____	_____

A. Seminar in criminal appeals:

	Title of Seminar	Date(s) of seminar	Number of hours	Provider

**I hereby declare under penalty of perjury that all of the information in this application is true and correct and that I had full responsibility for all cases listed in the application, or if not, I have attached an explanation and that at least twenty percent of my current practice is in criminal law**

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

## **PART C – QUALIFICATIONS FOR MDO/SVP/NGI OFFENDER PANEL**

- I. MDO/NGI: In order to be appointed or referred any case pursuant to Penal Code Section 2970 (MDO), Penal Code Section 1026.2 (NGI extensions) and Penal Code Section 1608, you must:**
- A. Qualify for Part A, Class 3 serious felonies AND**
  - B. Within the past five years applicant must have completed three hearings involving psychiatric expert testimony AND**
  - C. Within the past three years applicant must have fulfilled six MCLE units in any of the following areas:**
    - 1. Psychiatric/psychological/mental health expert witnesses and testimony
    - 2. Forensic psychiatry and psychological issues
    - 3. DSM disorders, diagnosis, evaluation and treatment
    - 4. Paraphilia and Pedophilia – specific diagnosis, evaluation and treatment
    - 5. Future dangerousness research, testing and evaluation
- II. SVP: In order to be appointed to or referred any case pursuant to Welfare and Institutions Code Section 6600 et. seq., applicant must:**
- A. Fulfill all the requirements in Part C., I. (A-C) above AND**
  - B. Within the past five years have completed, as counsel of record**
    - 1. One trial where an NGI plea has been entered and adjudicated **OR**
    - 2. One trial pursuant to Penal Code section 1368 (court or jury) **OR**
    - 3. One trial pursuant to Panel Code section 2970 **OR**
    - 4. One trial pursuant to Welfare and Institutions Code section 6600 et. seq. **OR**
    - 5. One trial pursuant to Welfare and Institutions Code section 5200 et. seq. **OR**
    - 6. One trial pursuant to Penal Code section 1026.2 **AND**
  - C. Complete MCLE units offered by BASF/Superior Court, or by BASF/Superior Court-approved provider(s), devoted exclusively to SVP cases, each time such a training is offered AND**

### **ALL APPLICANTS TO PART C., I. AND II, PLEASE NOTE:**

- A. Membership in the panel must be renewed every three years by a new application accompanied by proof of completion of the MCLE requirements as outlined above AND**
- B. Applicant must certify that at least twenty percent of his/her current practice is in criminal law.**
- C. Compensation for cases pursuant to Welfare and Institutions section 6600 et. seq. will be at the serious felony rate. Compensation for cases pursuant to Penal Code section 2970, cases pursuant to Penal Code section 1026.2 and Penal Code section 1608 will be at the regular felony rate.**
- D. If you cannot meet the requirements for membership in a particular subpanel, but believe that you qualify by reason of substantial, equivalent experience, you should submit a letter outlining such experience, as provided for in Rule 6 of the Lawyer Referral and Information Service Rules. However, applicants must complete as much of this application as possible, supplementing by letter, with the substantial equivalent experience.**



**QUALIFICATIONS**

**(Part C. I., MDO/NGI only, complete 1-3) (Part C. II., SVP only, complete 1-5)**

1. I qualify for Part A  Class 3 (Serious Felonies)

**AND**

2. Within the past **five** years I have completed **three** hearings involving psychiatric expert testimony.

	<b>Case name</b>	<b>Case number</b>	<b>Charges</b>	<b>Jurisdiction &amp; Name of Judge</b>	<b>Expert Name</b>	<b>Hearing Date</b>
1.	_____	_____	_____	_____	_____	_____
2.	_____	_____	_____	_____	_____	_____
3.	_____	_____	_____	_____	_____	_____

**AND**

3. Within the past **three** years I fulfilled **six** MCLE units in any of the following areas:

- a. Psychiatric/psychological/mental health expert witnesses and testimony
- b. Forensic psychiatry and psychological issues
- c. DSM disorders, diagnosis, evaluation and treatment
- d. Paraphilia and Pedophilia – specific diagnosis, evaluation and treatment
- e. Future dangerousness research, testing and evaluation

	<b>Title of Training and/or Session within training relating directly to the requirements listed above</b>	<b>Date(s) of training</b>	<b>Number of Units</b>	<b>Provider</b>
1.				
2.				
3.				
4.				
5.				

**AND**

4. **REQUIRED FOR SVP** (Welfare & Institutions Code Section 6600 et. seq.), (Part C., II) within the past **five** years I have completed, as counsel of record:

a. One trial where an NGI plea has been entered and adjudicated

<b>Case name</b>	<b>Case number</b>	<b>Charges</b>	<b>Jurisdiction and Primary Judge</b>	<b>Dates of Trial</b>
_____	_____	_____	_____	_____

**OR**

b. One trial pursuant to Penal Code section 1368 (court or jury)

<b>Case name</b>	<b>Case number</b>	<b>Charges</b>	<b>Jurisdiction and Primary Judge</b>	<b>Dates of Trial</b>
_____	_____	_____	_____	_____

**OR**

c. One trial pursuant to Penal Code section 2970

<b>Case name</b>	<b>Case number</b>	<b>Charges</b>	<b>Jurisdiction and Primary Judge</b>	<b>Dates of Trial</b>
_____	_____	_____	_____	_____

**OR**

d. One trial pursuant to Welfare and Institutions Code section 6600 et. seq.

<b>Case name</b>	<b>Case number</b>	<b>Charges</b>	<b>Jurisdiction and Primary Judge</b>	<b>Dates of Trial</b>
_____	_____	_____	_____	_____

**OR**

e. One trial pursuant to Welfare and Institutions Code section 5200 et. seq.

<b>Case name</b>	<b>Case number</b>	<b>Charges</b>	<b>Jurisdiction and Primary Judge</b>	<b>Dates of Trial</b>
_____	_____	_____	_____	_____

**OR**

f. One trial pursuant to Penal Code section 1026.2

Case name	Case number	Charges	Jurisdiction and Primary Judge	Dates of Trial
_____	_____	_____	_____	_____

AND

**5. Additionally, for SVP appointment on cases (Welfare and Institutions Code section 6600 et. seq.,)**

Applicant must have completed all of the above requirements and completed the BASF/Superior Court MCLE training or a BASF/Superior Court – approved training devoted exclusively to SVPs each time the trainings are offered:

**Name of Provider, Title of Seminar and Date Attended – Seminar devoted to Section 6600 et. seq.:**

\_\_\_\_\_

**I hereby declare under penalty of perjury that all of the information in this application is true and correct and that I had full responsibility for all cases listed in the application, or if not, I have attached an explanation, and that at least twenty percent of my current practice is in criminal law**

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

**PART D - LOW FEE CRIMINAL REFERRAL PANEL**

Attorneys who serve on this panel must agree to charge less than their customary rate. Attorneys must be a member of the respective panel.

I agree to serve on the low fee panel for:  Misdemeanors  Regular Felonies  Serious Felonies

**PART E - QUALIFICATIONS FO FAMILY LAW CONTEMPT PANEL**

**Court Appointment Family Law Contempt**

This is a separate panel, administered by the LRIS Court Programs and the Superior Court with additional qualification procedures. Applicant must qualify for Part A, Class 2 of this application and have handled three contempt proceedings, including at least one in family court within the last five years. Applicant must provide a statement of his or her familiarity with Family Law as it related to family law contempt proceedings

County	Court	Case #	Case Title	Filing Date
1. _____	_____	_____	_____	_____
2. _____	_____	_____	_____	_____
3. _____	_____	_____	_____	_____

Statement of my familiarity with Family Law as it relates to family law contempt proceedings:

---

---

---

---

---

---

**I declare under penalty of perjury that I had full responsibility for all cases listed in the application, or if not, I have attached an explanation.**

Date: \_\_\_\_\_ Signature: \_\_\_\_\_