

Superior Court of California, County of San Bernardino



Indigent Defense Program
247 West Third Street, 11th Floor
San Bernardino, CA 92415-0302
909-780-8727

Capital/LWOP Case Panel Application for Capital/LWOP Case Appointments

The Superior Court of California, County of San Bernardino has established a panel of qualified attorneys to represent indigent defendants in Capital and Life Without Parole (LWOP) cases, where the Public Defender has conflicted off the case.

Criminal Law Attorneys who are interested in being appointed to represent Capital and LWOP cases in the San Bernardino County Courts may apply for placement on the Capital/LWOP Case Panel.

Attorneys must meet the following minimum qualifications:

- Membership in California State Bar for a minimum of ten (10) years or practice as an attorney for ten (10) years, or at least ten (10) years criminal law litigation experience;
- Attorney of record in at least twenty-five (25) completed felony jury trials;
- Attorney of record in at least five (5) completed jury trials where the charge at Superior Court arraignment was a violation of Penal Code section 187;
- Attendance at six (6) or more hours of continuing legal education lectures or seminars in the area of capital case or death penalty defense within twelve months or twelve (12) hours during the last two years, or an agreement to attend the next available capital case conference. Education requirements must be fulfilled prior to first appointment under the Panel. Attorneys applying for inclusion on the Panel list must have completed within two years prior to application at least fifteen (15) hours cumulative of capital case defense training approved for Minimum Continuing Legal Education (MCLE) credit by the State Bar of California.
- Complete and submit a Judicial Council Form CR-191 upon filing of a sentence of capital for a case on which the attorney has been appointed as appointed defense counsel.

No attorney will be appointed to represent a defendant in a capital or LWOP case unless at time of appointment the attorney is on the approved Capital/LWOP Case Panel.

Attorneys must be willing to abide by the terms and conditions and requirements set forth in the Capital/LWOP Attorney Fee Schedule Agreement. They must also be willing to accept appointments on a countywide basis in all divisions of the San Bernardino County Courts.

Failure to comply with any of the terms and conditions including continuing legal education requirements may constitute grounds for removal from the Capital/LWOP Case Panel.

Applications and the Fee Schedule Agreement for Capital/LWOP case appointments may be obtained by contacting the Indigent Defense Program Administrator.

Submit completed applications to:

CourtIndigentDefense@sb-court.org

or

Superior Court of California, County of San Bernardino
Capital/LWOP Case Panel Administrator
247 West Third Street, 11th Floor
San Bernardino CA 92415-0302.

Superior Court of California, County of San Bernardino

Capital/LWOP Case Panel

Application for Capital/LWOP Case Appointments

First Name Middle Last Firm Name

Office Address City Zip Code

() _____ () _____
(Area Code) Telephone Number (Area Code) FAX Number

E-mail address: _____

Mailing Address City Zip Code
(if different from Office Address)

CA State Bar Number Date Began Practice in San Bernardino County

ATTACH COPY OF STATE BAR ATTORNEY PROFILE INFORMATION WEBPAGE
<http://members.calbar.ca.gov/fal/MemberSearch/QuickSearch>

[1] Have you been the subject of a complaint or disciplinary proceeding by the State Bar of California or by the Bar of any other state?

____ Yes ____ No

If yes, please attach a detailed description of the nature, date and result of the complaint or disciplinary proceeding.

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☐ Check this box if you have attached additional pages regarding your work history.

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[4] **Minimum Qualifications**

1. Membership in the State Bar of California for a minimum of ten (10) years or practice as an attorney for ten (10) years, or ten (10) years practice in criminal law litigation;
2. Attorney of record in at least twenty-five (25) felony trials which must have been completed jury trials;
3. Attorney of Record in at least five (5) completed Penal Code 187 jury trials;
4. Attendance at six (6) or more hours of continuing legal education lectures or seminars in the area of capital case or death penalty defense within twelve months; or, twelve (12) hours within two years; or, an agreement to attend the next available Capital Case conference within 12 months from placement on the Capital/LWOP Panel of attorneys. Attorneys applying for inclusion on the Panel list must have completed within two years prior to application at least fifteen (15) hours cumulative of capital case defense training approved for Minimum Continuing Legal Education (MCLE) credit by the State Bar of California.

I certify that I meet the above listed minimum qualifications, and I declare under penalty of perjury that the information provided by me in this Application is true and correct.

Executed this ____ day of _____, _____ at _____, California.
(month) (year) (city)

Printed Name

Signature

[5] Please list twenty-five (25) of your felony trials below, indicating the five (5) Penal Code section 187 completed jury trials. If cases listed are from other than the San Bernardino Superior Court, or if a San Bernardino Court case preceding the year 2000 (pre-OTS), attach five (5) copies of the docket sheets or minute orders for the day of verdict to this application.
(Your application will be returned if complete information is not provided)

	<i>Case Number and Name</i>	<i>Court</i>	<i>Filing Year</i>
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[6] Please list your qualifying continuing legal education in the area of capital case or death penalty defense, including dates and hours of attendance.

[illegible]

[7] If you do not possess all of the specific requirements for inclusion on the panel but believe that you are otherwise qualified for inclusion on the panel, please set forth below the specific requirements you do not possess, and your special experience or qualifications which you believe justify consideration of your application.

[8] **Terms and Conditions**

The undersigned hereby agrees to:

- a) Allow the information contained in the application to be furnished to the Courts;
- b) Indemnify, defend and hold harmless the Superior Court of California, County of San Bernardino, the County of San Bernardino, and their agents, officers and employees against any and all liability and damages of any nature whatsoever, including but not limited to, all tortious conduct including professional negligence, slander, defamation, unfair competition, interference with contractual advantage, bodily injury, death, personal injury, or property damage arising from or in any way connected with the operation of this Capital/LWOP Case Panel Program or any services hereunder.

- I have read the Capital/LWOP Case Panel Fee Schedule Agreement and agree to abide by the terms and conditions of the Agreement.

 Printed Name

 Signature