

**CAPITAL PROGRAM
APPLICATION FOR CERTIFICATION**

BASIC INFORMATION

1. Name of Applicant _____
2. Business Address of Applicant _____
3. City/State _____ 4. ZIP _____
5. Home Address of Applicant _____
6. City/State _____ 7. ZIP _____
8. Telephone No. _____ 9. FAX No. _____
10. Bar Roll Number _____

GENERAL PRINCIPLES OF CERTIFICATION ELIGIBILITY

Please indicate by a check (✓), your assurance that you meet the following eligibility standards:

____ Standard 7-1.1. I am familiar with the practice and procedure of the criminal courts of Louisiana and am a member in good standing of the Louisiana Bar.

OR

____ Standard 7-1.1 I am familiar with the practice and procedure of the criminal courts of Louisiana and have been admitted to practice *pro hac vice* in Louisiana.

AND

____ Standard 7-1.2. I am familiar with the use of expert witnesses and evidence, including but not limited to, psychiatric and forensic evidence.

____ Standard 7-1.3. Within one year of this application for certification, I intend to complete a minimum of 12 hours of LIDB-approved training primarily involving advocacy in the field of capital defense.

____ Standard 7-1.4. I intend to maintain my certification by successfully completing every two years from the date of certification a minimum of 12 hours of LIDB-approved training primarily involving advocacy in the field of capital defense.

Signature of Applicant

ELIGIBILITY CRITERIA FOR TRIAL LEAD COUNSEL

Please indicate by a check (✓), your assurance that you meet the following eligibility standards:

- ____ Standard 7-2.1.(A). I am an experienced and active trial practitioner with at least five years of litigation experience.

- ____ Standard 7-2.1.(B). I have had prior experience as lead counsel in no fewer than nine jury trials tried to completion, at least five of which involved felonies or two which involved the charge of murder.

- ____ Standard 7-2.1.(C). I have had prior experience as lead counsel or associate counsel in at least one case in which the death penalty was sought and was tried through the penalty phase or have prior experience as lead counsel or associate counsel in at least two cases in which the death penalty was sought and where, although resolved prior to trial or at the guilt phase, a thorough investigation was performed for a potential penalty phase.

Signature of Applicant

ELIGIBILITY CRITERIA FOR TRIAL ASSOCIATE COUNSEL

Please indicate by a check (✓), your assurance that you meet the following eligibility standards:

- ____ Standard 7-3.1.(A). I am an experienced and active trial or appellate practitioner with at least three years of litigation experience; and
- ____ Standard 7-3.1.(B). I have prior experience as lead counsel in no fewer than three felony jury trials which were tried to completion, including service as lead or associate counsel in at least one homicide trial.

Signature of Applicant

ELIGIBILITY CRITERIA FOR APPELLATE LEAD COUNSEL

Please indicate by a check (✓), your assurance that you meet the following eligibility standards:

- _____ Standard 7-4.1.(A). I am familiar with the practice and procedure of the Louisiana Supreme Court in the appeal of capital cases.
- _____ Standard 7-4.1.(B). I am an experienced and active trial or appellate practitioner with at least three years experience in the field of criminal defense.
- _____ Standard 7-4.1.(C). I have prior experience within the last three years as lead counsel in the appeal of no fewer than three felony convictions in federal or state court.
- _____ Standard 7-4.1.(D). I have prior experience within the last three years as lead counsel or associate counsel in the appeal or post-conviction application, in federal or state court, of at least one case where a sentence of death was imposed.

Signature of Applicant

ELIGIBILITY CRITERIA FOR APPELLATE ASSOCIATE COUNSEL

Please indicate by a check (✓), your assurance that you meet the following eligibility standards:

- ____ Standard 7-5.1.(A). I am familiar with the practice and procedure of the Louisiana Supreme Court in the appeal of capital cases.
- ____ Standard 7-5.1.(B). I have less experience than an attorney qualified to serve as lead appellate counsel, but have demonstrated adequate proficiency in appellate advocacy in the field of felony defense.

Signature of Applicant

GENERAL PRINCIPLES OF ALTERNATIVE ELIGIBILITY

Please indicate by a check (✓), your assurance that you meet the following eligibility standards:

- ____ Standard 7-6.1.(A). I am attaching a written and signed recommendation for certification from a district court judge having jurisdiction over felony matters and who is familiar with my qualifications and experience as an attorney. The recommendation from the district court judge includes: (1) certification that I am in substantial compliance with the minimum standards required in this Chapter; (2) details of those qualifications and experiences which cause the judge to recommend me; and (3) details the particular facts and circumstances, familiar to the judge, which demonstrate my competency and commitment to handle a capital case.
- ____ Standard 7-6.1.(B). I will promptly and diligently work to satisfy those standards of Parts II-IV which are not required for certification under Part VI of this Chapter.
- ____ Standard 7-6.1.(C). I will not represent at trial an indigent client charged with a capital crime or file a brief as appellate lead counsel prior to successfully completing a minimum of 12 hours of Board-approved training primarily involving advocacy in the field of capital defense.
- ____ Standard 7-6.1.(D). I meet the appropriate requirements under Standard 7-6.2 for trial lead counsel, Standard 7-6.3 for trial associate counsel, or Standard 7-6.4 for appellate lead counsel.

Signature of Applicant

ALTERNATIVE ELIGIBILITY CRITERIA FOR TRIAL LEAD COUNSEL

Please indicate by a check (✓), your assurance that you meet the following eligibility standards:

- ____ Standard 7-6.2.(A). I satisfy Standards 7-1.1, 7-1.2, and 7-2.1(A) of this Chapter.
- ____ Standard 7-6.2.(B). I substantially satisfy Standard 7-2.1(A) or 7-2.1(B) of this Chapter.
- ____ Standard 7-6.2.(C). In the case of certification by the Louisiana Indigent Defender Board, I will successfully complete a minimum of 12 hours of Board-approved training primarily involving advocacy in the field of capital defense prior to the start of trial in a capital case I may have been appointed to handle.

Signature of Applicant

ALTERNATIVE ELIGIBILITY CRITERIA FOR TRIAL ASSOCIATE COUNSEL

Please indicate by a check (✓), your assurance that you meet the following eligibility standards:

- ____ Standard 7-6.3.(A). I satisfy Standards 7-1.1, 7-1.2, and 7-3.1(A) of this Chapter.
- ____ Standard 7-6.3.(B). I substantially satisfy Standard 7-3.1(B) of this Chapter.
- ____ Standard 7-6.3.(C). In the case of certification by the Louisiana Indigent Defender Board, I will successfully complete a minimum of 12 hours of Board-approved training primarily involving advocacy in the field of capital defense prior to the start of trial in a capital case I may have been appointed to handle.

Signature of Applicant

ALTERNATIVE ELIGIBILITY CRITERIA FOR APPELLATE LEAD COUNSEL

Please indicate by a check (✓), your assurance that you meet the following eligibility standards:

- ____ Standard 7-6.4.(A). I satisfy Standards 7-1.1, 7-1.2, 7-4.1(A) and 7-4.1(B) of this Chapter.
- ____ Standard 7-6.4.(B). I substantially satisfy Standard 7-4.1(C) or 7-4.1(D) of this Chapter.
- ____ Standard 7-6.4.(C). In the case of certification by the Louisiana Indigent Defender Board, the applicant, I will successfully complete a minimum of 12 hours of Board-approved training primarily involving advocacy in the field of capital defense prior to filing a brief in the appeal of a capital case I may have been appointed to handle.

Signature of Applicant

CERTIFICATION REQUIRED BY ALL APPLICANTS

Please indicate by a check (✓), your agreement to the following terms:

I have read, understand, and agree to abide by the following Parts and the applicable Standards contained in this Chapter:

- ____Part VII. Monitoring and Removal, including Standards 7-7.1, 7-7.2, 7-7.3, and 7-7.4.
- ____Part VIII. Number of Attorneys for Capital Defense, including Standards 7-8.1 and 7-8.2.
- ____Part IX. Workload, including Standards 7-9.1 and 7-9.2.
- ____Part X. Support Services, including Standard 7-10.1.

Signature of Applicant