

IN THE SUPREME COURT OF THE STATE OF ARIZONA

FILED  
NOV 19 1996  
NOEL K. DESSAINT  
CLERK SUPREME COURT  
BY *LLR*

In the Matter of: )  
)  
Appointment of Counsel )  
)  
in State Post-Conviction )  
)  
Relief Proceedings )  
)

ADMINISTRATIVE ORDER  
NO. 96-53

A.R.S. §13-4041 mandates that the Supreme Court appoint counsel to represent indigent capital defendants in state post-conviction relief proceedings who meet certain statutory criteria. Additionally, subsection C mandates the Supreme Court, by January 1, 1997, to establish and maintain a list of qualified candidates. Further, in Supreme Court No. R-96-0030, the Court adopted Rule 6.8, Arizona Rules of Criminal Procedure outlining minimum standards for appointment of counsel in capital cases. In order to establish a list of qualified candidates it is necessary to develop an application and solicit responses of qualified attorneys who may wish to be included on the list.

Now, therefore, in accordance with the authority granted the Supreme Court in AZ Const. Art. VI, Section 3, A.R.S. §13-4041 and Rule 6.8, Arizona Rules of Criminal Procedure, it is ordered that the attached application form is adopted. Notice of the availability of the application forms will be made available by 1) publication in the Arizona Business Gazette, 2) publication in the Arizona Attorney, 3) publication in the Maricopa Lawyer, 4) publication in The Writ for Pima County, and 5) mailing to the following:

1. Arizona Association of Defense Counsel
2. Arizona Attorneys for Criminal Justice
3. All attorneys who are certified as Criminal Specialists
4. State Bar Section for Criminal Justice
5. Each president for the County Bar Associations
6. State Bar Appellate Practice Section
7. Presiding Judges
8. Speaker of the House of Representatives
9. President of the State Senate
10. Any other entity or individual deemed advisable by the Administrative Director of the Court.

The Administrative Director of the Court is delegated the responsibility and all powers necessary to adopt a procedure to reimburse the counties in accordance with the statute.

IT IS FURTHER ORDERED this Administrative Order is effective immediately upon signature of this order.

**DATED AND ENTERED** this 19<sup>th</sup> day of November, 1996, at the Arizona Courts Building in Phoenix, Arizona.

**STANLEY G. FELDMAN**  
Chief Justice

ARIZONA SUPREME COURT  
1501 West Washington Street  
Phoenix, AZ 85007

APPLICATION FOR APPOINTMENT AS COUNSEL  
IN CAPITAL POST-CONVICTION PROCEEDINGS

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State & Zip: \_\_\_\_\_

Telephone: (\_\_\_\_) \_\_\_\_\_ FAX: (\_\_\_\_) \_\_\_\_\_

State Bar Number: \_\_\_\_\_

1. Date admitted to practice law in Arizona: \_\_\_\_\_

2. Are you a member in good standing with the Arizona State Bar?

Yes [ ]

No [ ]

3. Legal Education:

School

Degree

Year of Graduation

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

4. Have you ever been the subject of a disciplinary proceeding by the State Bar of Arizona 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 disciplinary proceeding.

5. During the past 10 years, have you been arrested, summoned, charged or convicted of any criminal offense (excluding minor traffic infractions)?

Yes [ ]

No [ ]

If yes, please explain:

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

6. Are you fluent and able to competently represent a client in any language other than English?

Yes [ ]

No [ ]

If yes, please specify language(s): \_\_\_\_\_

7. How many years of criminal litigation experience do you have?

\_\_\_\_\_

8. Are you currently certified as a Criminal Law Specialist by the State Bar of Arizona?

Yes [ ]

No [ ]

If yes, please specify date certified: \_\_\_\_\_

9. In how many completed felony jury trials have you been lead counsel?

\_\_\_\_\_

10. In how many completed death penalty jury trials have you been:

Lead Counsel? \_\_\_\_\_

Co-Counsel? \_\_\_\_\_

11. In how many appeals or post-conviction proceedings in a case in which the death sentence was imposed have you been lead counsel?

Appeals: \_\_\_\_\_ Post-Conviction Proceedings: \_\_\_\_\_

12. In how many appeals of felony convictions have you been lead counsel?

\_\_\_\_\_

How many appeals were from murder convictions? \_\_\_\_\_

13. In how many post-conviction proceedings that resulted in evidentiary hearings have you been lead counsel?

\_\_\_\_\_

14. In how many post-conviction proceedings that resulted in petitions for review have you been lead counsel?

\_\_\_\_\_

15. Please list the names of up to three judges before whom you have appeared in

Trials: \_\_\_\_\_

Appeals: \_\_\_\_\_

Post-Conviction Proceedings: \_\_\_\_\_

\_\_\_\_\_

16. Please list attendance at twelve or more hours of relevant training or educational programs in the area of capital defense within the past twelve months.

<u>Course Title and Description</u>	<u>No. of Hours</u>	<u>Date</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

17. Do you currently have a contract for representation of indigent criminal defendants in any state, local or federal court?

Yes [ ]                      No [ ]

If yes, where? \_\_\_\_\_

18. Please state any additional information you wish to provide to support your application.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

I request that my name be placed on the list of attorneys eligible for appointment as post-conviction counsel in capital cases. I have read A.R.S. § 13-4041 as amended July 18, 1996 and agree to accept appointment as counsel pursuant to the terms of the statute.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)