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# CLERMONT COUNTY COURT OF COMMON PLEAS

## Application for Appointment as Assigned Counsel

### (Attorney Qualifications pursuant to OAC 120-1-10)

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

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

Telephone # \_\_\_\_\_ Fax # \_\_\_\_\_

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

Attorney registration # \_\_\_\_\_ Date of Admission: \_\_\_\_\_

Multilingual \_\_\_\_\_ yes \_\_\_\_\_ no. If yes, language(s) spoken: \_\_\_\_\_

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Please complete the sections for which you qualify and wish to receive appointment.

**All Attorneys** appointed to represent indigent clients in felony cases must meet the following requirements: Within two years prior to the appointment, completion of a minimum of twelve hours of continuing legal education in criminal practice and procedure.

\_\_\_\_\_ **Felony OVI:** completion of a minimum of six hours of continuing legal education focused on OVI practice and procedure and whatever requirements are specified for the particular degree of felony.

\_\_\_\_\_ **Fourth or fifth degree felonies:** counsel must have at least one year of experience as an attorney practicing in the area of criminal law. **Training:** Within two years prior to appointment, minimum 12 hours CLE in criminal practice and procedure.

\_\_\_\_\_ **Third degree felonies:** counsel must have: (1) At least one year of experience as an attorney practicing in the area of criminal law; AND (2) Within six years preceding the appointment, prior experience as lead trial counsel in at least one criminal jury trial, or as co-counsel in at least two jury trials. **Training:** Within two years prior to appointment, minimum 12 hours CLE in criminal practice and procedure.

\_\_\_\_\_ **First or second degree felonies:** counsel must have: (1) At least three years of experience as an attorney practicing in the area of criminal law; AND (2) Within ten years preceding the appointment, prior experience as lead trial counsel in two criminal jury trials, at least one of which involved felony charges, or as lead counsel in one felony jury trial and as co-counsel in two additional jury trials. **Training:** Within two years prior to appointment, minimum 12 hours CLE in criminal practice and procedure.

\_\_\_\_\_ **Life sentence cases:** (whether eligible or ineligible for parole) counsel must have: (1) At least five years of experience as an attorney practicing in the area of criminal law; AND (2) Within ten years preceding the appointment, prior jury trial experience as lead counsel in five felony jury trials, at least three of which were felonies of the first or second degree; OR as lead counsel in three jury trials, at least one of which was a third degree felony, and as co-counsel in an additional five jury trials, at least three of which were felonies of the first or second degree. **Training:** Within two years prior to appointment, minimum 12 hours CLE in criminal practice and procedure.

## **CAPITAL CASES**

\_\_\_\_\_ **Lead trial counsel:** counsel must have: (1) At least five years of criminal litigation experience; AND (2) Experience as lead counsel for the defense in a jury trial of at least one capital case OR experience as co-counsel for the defense in a jury trial for at least two capital cases; AND (3) Within ten years preceding appointment, experience as lead counsel in a jury trial of at least one murder or aggravated murder case OR within five years preceding appointment, experience as lead counsel in three aggravated or first or second degree felony jury trials. **Training:** (1) Must meet qualifications of Supreme Court Rules for Appointment of Counsel in Capital Cases (formerly Rule 20); AND (2) Must appear on list of attorneys qualified to accept appointments in capital cases promulgated by the Commission on Appointment of Counsel in Capital Cases(formerly the Rule 20 Commission); OR (3) Must have a waiver of pre-qualification issued by the Commission on Appointment of Counsel in Capital Cases(formerly the Rule 20 Commission).

\_\_\_\_\_ **Trial co-counsel:** counsel must have: (1) At least three years of criminal litigation experience; AND (2) Within 10 years preceding appointment, experience as co-counsel in one murder or aggravated murder jury trial OR within five years preceding appointment, experience as lead counsel in one first or second degree felony jury trial OR within five years preceding appointment, experience as lead or co-counsel in at least two felony jury or civil jury trials. **Training** (1) Must meet qualifications of Supreme Court Rules for Appointment of Counsel in Capital Cases (formerly Rule 20); AND (2) Must appear on list of attorneys qualified to accept appointments in capital cases promulgated by the Commission on Appointment of Counsel in Capital Cases(formerly the Rule 20 Commission); OR (3) Must have a waiver of pre-qualification issued by the Commission on Appointment of Counsel in Capital Cases(formerly the Rule 20 Commission).

## **ADULT APPEALS**

\_\_\_\_\_ **Misdemeanors and 4<sup>th</sup> and 5<sup>th</sup> degree felonies:** in lieu of required training, at least one year experience as an attorney. **Training:** (1) Minimum six hours CLE in criminal or appellate practice and procedure; OR (2) Successful completion of clinical education program focusing on appellate practice.

\_\_\_\_\_ **3<sup>rd</sup> degree felonies:** counsel must have: (1) At least one year experience as attorney practicing in appellate law; AND (2) Within six years preceding appointment, filed appeals in three cases resolved by plea OR one appeal of a case resolved by trial. **Training:** Within two years prior to appointment, counsel must have a minimum of 12 hours CLE in criminal practice and procedure, at least six of which must be in appellate practice.

\_\_\_\_\_ **1<sup>st</sup> and 2<sup>nd</sup> degree felonies:** counsel must have: (1) At least two years' experience as attorney practicing in appellate law; AND (2) Within 10 years preceding appointment, filed appeals in three cases resolved by trial. **Training:** Within two years prior to appointment, counsel must have a minimum of 12 hours CLE in criminal practice and procedure, at least six of which must be in appellate practice.

\_\_\_\_\_ **Cumulative sentences of 25 years or more:** counsel must have: (1) At least five years' experience as an attorney practicing in appellate law; AND (2) Within 10 years preceding the appointment, filed appeals in five cases resolved by trial. **Training:** Within two years prior to appointment, counsel must have a minimum of 12 hours CLE in criminal practice and procedure, at least six of which must be in appellate practice.

By my signature, I certify that I have read and understand these requirements for appointment of counsel. I have checked the felony categories for which I am eligible for appointment under these standards. I will notify the Court if an appointment is made in a category where I do not meet the above requirements. I understand I may be requested to document my qualifications for appointment, as well as, my malpractice insurance.

\_\_\_\_\_  
Date Printed Name Signature

Please return this completed form to:

Diana Owens  
Court Administrator  
Clermont County Common Pleas Court  
270 East Main Street  
Batavia, Ohio 45103  
513-732-7394  
[dowens@clermontcountyohio.gov](mailto:dowens@clermontcountyohio.gov)