

# THE SUPREME COURT OF OHIO

## Application for Certification for Appointment as Counsel for Indigent Defendants in Capital Cases Rule 20, Rules of Superintendence for the Courts of Ohio

Please type or print clearly

Name \_\_\_\_\_ Atty. Reg. No. \_\_\_\_\_

County \_\_\_\_\_

Firm/Office \_\_\_\_\_

Street Address \_\_\_\_\_

City/State/Zip Code \_\_\_\_\_

Telephone \_\_\_\_\_ FAX \_\_\_\_\_

Year Admitted to Practice in Ohio \_\_\_\_\_

Number of Years Experience in:

Criminal Litigation \_\_\_\_\_ Civil Litigation \_\_\_\_\_ Appellate Litigation \_\_\_\_\_

Associated with following public defender's office: \_\_\_\_\_  
(if applicable)

**List Specialized Training in Death Penalty Trials and Appeals:** - [Must have 12 hours of specialized training as approved by the Committee in the **two years prior** to making application.]

Date/Location	Seminar/Course Title	Sponsor	Hours
---------------	----------------------	---------	-------

A. \_\_\_\_\_

B. \_\_\_\_\_

C. \_\_\_\_\_

List below all qualifications that apply as listed in the following sections of Part II of Sup.R. 20 .

**A. LEAD TRIAL COUNSEL** - [Must have at least **five** years of civil or criminal litigation or appellate experience]

Must meet qualifications in **both** (1) and (2) below.

**NOTE:** In the items below, “trial” means a case concluded by submission to the trial court or jury for decision and verdict or with a judgment of acquittal under Rule 29 of the Rules of Criminal Procedure.

A capital case for purposes of Sup.R. 20 means a case in which the death sentence could have been or was imposed.

**1. Have at least one of the following qualifications:**

\_\_\_\_\_ Experience as lead counsel in the jury trial of at least one capital case;

\_\_\_\_\_ Experience as co-counsel in the trial of at least two capital cases;

**For either category checked above, please provide the following information: [If several cases apply, list only the two most recent.]**

**Caption of Case:** \_\_\_\_\_

**Case Number:** \_\_\_\_\_

County: \_\_\_\_\_ Trial Judge: \_\_\_\_\_

Name of Co-Counsel, if any: \_\_\_\_\_

Charge(s) against the Defendant: \_\_\_\_\_

Jury Trial: \_\_\_\_\_Yes \_\_\_\_\_No

Approximate Date of Trial or Other Disposition: \_\_\_\_\_

Disposition (plea, trial, conviction, etc.): \_\_\_\_\_

Was Death Sentence Imposed: \_\_\_\_\_

Sentence: \_\_\_\_\_

\_\_\_\_\_Privately retained \_\_\_\_\_Court-appointed. If court-appointed, approximate date of appointment and appointing judge: \_\_\_\_\_

**Caption of Case:** \_\_\_\_\_

**Case Number:** \_\_\_\_\_

County: \_\_\_\_\_ Trial Judge: \_\_\_\_\_

Name of Co-Counsel, if any: \_\_\_\_\_

Charge(s) against the Defendant: \_\_\_\_\_

Jury Trial: \_\_\_\_\_ Yes \_\_\_\_\_ No

Approximate Date of Trial or Other Disposition: \_\_\_\_\_

Disposition (plea, trial, conviction, etc.): \_\_\_\_\_

Was Death Sentence Imposed: \_\_\_\_\_

Sentence: \_\_\_\_\_

\_\_\_\_\_ Privately retained \_\_\_\_\_ Court-appointed. If court-appointed, approximate date of appointment and appointing judge: \_\_\_\_\_

**2. Have at least one of the following qualifications:**

\_\_\_\_\_ Experience as lead counsel in the jury trial of at least one murder or aggravated murder case;

\_\_\_\_\_ Experience as lead counsel in ten or more criminal or civil jury trials, at least three of which were felony jury trials;

\_\_\_\_\_ Experience as lead counsel in either: three murder or aggravated murder jury trials; one murder or aggravated murder jury trial and three felony jury trials; or three aggravated or first or second degree felony jury trials in a court of common pleas in the three years prior to making application.

**For any category checked above, please provide the following information: [If several cases apply, list only the most recent. Attach an additional sheet of paper if necessary.]**

**Caption of Case:** \_\_\_\_\_

**Case Number:** \_\_\_\_\_

County: \_\_\_\_\_ Trial Judge: \_\_\_\_\_

Name of Co-Counsel, if any: \_\_\_\_\_

Charge(s) against the Defendant: \_\_\_\_\_

Jury Trial: \_\_\_\_\_ Yes \_\_\_\_\_ No

Approximate Date of Trial or Other Disposition: \_\_\_\_\_

Disposition (plea, trial, conviction, etc.): \_\_\_\_\_

Was Death Sentence Imposed: \_\_\_\_\_

Sentence: \_\_\_\_\_

\_\_\_\_\_ Privately retained \_\_\_\_\_ Court-appointed. If court-appointed, approximate date of appointment and appointing judge: \_\_\_\_\_

**Caption of Case:** \_\_\_\_\_

**Case Number:** \_\_\_\_\_

County: \_\_\_\_\_ Trial Judge: \_\_\_\_\_

Name of Co-Counsel, if any: \_\_\_\_\_

Charge(s) against the Defendant: \_\_\_\_\_

Jury Trial: \_\_\_\_\_ Yes \_\_\_\_\_ No

Approximate Date of Trial or Other Disposition: \_\_\_\_\_

Disposition (plea, trial, conviction, etc.): \_\_\_\_\_

Was Death Sentence Imposed: \_\_\_\_\_

Sentence: \_\_\_\_\_

\_\_\_\_\_ Privately retained \_\_\_\_\_ Court-appointed. If court-appointed, approximate date of appointment and appointing judge: \_\_\_\_\_

**Caption of Case:** \_\_\_\_\_

**Case Number:** \_\_\_\_\_

County: \_\_\_\_\_ Trial Judge: \_\_\_\_\_

Name of Co-Counsel, if any: \_\_\_\_\_

Charge(s) against the Defendant: \_\_\_\_\_

Jury Trial: \_\_\_\_\_ Yes \_\_\_\_\_ No

Approximate Date of Trial or Other Disposition: \_\_\_\_\_

Disposition (plea, trial, conviction, etc.): \_\_\_\_\_

Was Death Sentence Imposed: \_\_\_\_\_

Sentence: \_\_\_\_\_

\_\_\_\_\_ Privately retained \_\_\_\_\_ Court-appointed. If court-appointed, approximate date of

appointment and appointing judge: \_\_\_\_\_

**B. TRIAL CO-COUNSEL** - [Must have at least **three** years of civil or criminal litigation or appellate experience]

Have at least one of the following qualifications:

- \_\_\_\_\_ Experience as co-counsel in one murder or aggravated murder trial;
- \_\_\_\_\_ Experience as lead counsel in one first-degree felony jury trial;
- \_\_\_\_\_ Experience as lead or co-counsel in at least two felony jury or civil jury trials in a court of common pleas in the three years prior to making application.

**For any category checked above, please provide the following information: [If several cases apply, list only the two most recent.]**

**Caption of Case:** \_\_\_\_\_

**Case Number:** \_\_\_\_\_

County: \_\_\_\_\_ Trial Judge: \_\_\_\_\_

Name of Co-Counsel, if any: \_\_\_\_\_

Charge(s) against the Defendant: \_\_\_\_\_

Jury Trial: \_\_\_\_\_ Yes \_\_\_\_\_ No

Approximate Date of Trial or Other Disposition: \_\_\_\_\_

Disposition (plea, trial, conviction, etc.): \_\_\_\_\_

Was Death Sentence Imposed: \_\_\_\_\_

Sentence: \_\_\_\_\_

\_\_\_\_\_ Privately retained \_\_\_\_\_ Court-appointed. If court-appointed, approximate date of appointment and appointing judge: \_\_\_\_\_

**Caption of Case:** \_\_\_\_\_

**Case Number:** \_\_\_\_\_

County: \_\_\_\_\_ Trial Judge: \_\_\_\_\_

Name of Co-Counsel, if any: \_\_\_\_\_

Charge(s) against the Defendant: \_\_\_\_\_

Jury Trial: \_\_\_\_\_ Yes \_\_\_\_\_ No

Approximate Date of Trial or Other Disposition: \_\_\_\_\_

Disposition (plea, trial, conviction, etc.): \_\_\_\_\_

Was Death Sentence Imposed: \_\_\_\_\_

Sentence: \_\_\_\_\_

\_\_\_\_\_ Privately retained \_\_\_\_\_ Court-appointed. If court-appointed, approximate date of

appointment and appointing judge: \_\_\_\_\_

**C. APPELLATE COUNSEL** - [Must have at least **three** years of civil or criminal litigation or appellate experience]

Must meet both of the following requirements:

\_\_\_\_\_ Have 12 hours of specialized training as approved by the Committee, **6** of those 12 hours on subjects that will assist in the appeal of cases in which the death penalty was imposed in the **two years prior** to making application;

\_\_\_\_\_ Have experience as counsel in the appeal of at least three felony convictions in the three years prior to making application.

**If you have experience as counsel in the appeal of three felony convictions, please provide the following information: [If several cases apply, list only the three most recent.]**

**Caption of Case and Case Number:**

\_\_\_\_\_

Originating County:\_\_\_\_\_ Appellate District:\_\_\_\_\_

Name of Co-Counsel on appeal, if any:\_\_\_\_\_

Felony Conviction that was Appealed (burglary, manslaughter, etc.):

\_\_\_\_\_

Approximate Date of Disposition of Appeal:\_\_\_\_\_

Type of Disposition (affirmed, reversed, etc.):

\_\_\_\_\_

Sentence:\_\_\_\_\_

Were you privately retained or court-appointed for the appeal. If court-appointed, approximate date of appointment and appointing judge:

\_\_\_\_\_

**Caption of Case and Case Number:**

\_\_\_\_\_

Originating County:\_\_\_\_\_ Appellate District:\_\_\_\_\_

Name of Co-Counsel on appeal, if any: \_\_\_\_\_

Felony Conviction that was Appealed (burglary, manslaughter, etc.):  
\_\_\_\_\_

Approximate Date of Disposition of Appeal: \_\_\_\_\_

Type of Disposition (affirmed, reversed, etc.):  
\_\_\_\_\_

Sentence: \_\_\_\_\_

Were you privately retained or court-appointed for the appeal. If court-appointed, approximate date of appointment and appointing judge:

\_\_\_\_\_

**Caption of Case and Case Number:**

\_\_\_\_\_

Originating County:\_\_\_\_\_ Appellate District:\_\_\_\_\_

Name of Co-Counsel on appeal, if any: \_\_\_\_\_

Felony Conviction that was Appealed (burglary, manslaughter, etc.):  
\_\_\_\_\_

Approximate Date of Disposition of Appeal: \_\_\_\_\_

Type of Disposition (affirmed, reversed, etc.):  
\_\_\_\_\_

Sentence: \_\_\_\_\_

Were you privately retained or court-appointed for the appeal. If court-appointed, approximate date of appointment and appointing judge:

\_\_\_\_\_

#### **D. EXCEPTIONAL CIRCUMSTANCES**

If you do not satisfy the requirements under A, B or C above or do not have specialized training in death penalty trials and appeals, you may be certified as lead trial counsel, trial co-counsel, or appellate counsel if it can be demonstrated to the satisfaction of the Committee that competent representation will be provided to the defendant. In so determining, the Committee may consider the following:

1. Specialized training on subjects that will assist counsel in the trial or appeal of cases in which the death penalty may be or was imposed;
2. Experience in the trial or appeal of criminal or civil cases;
3. Experience in the investigation, preparation, and litigation of capital cases that were resolved prior to trial;
4. Any other relevant considerations.

**If you believe there are exceptional circumstances qualifying you as lead trial counsel, trial co-counsel, or appellate counsel, please attach a statement explaining those circumstances.**

#### **Return application to:**

Tammy White  
Supreme Court of Ohio  
65 South Front Street, Fifth Floor  
Columbus, OH 43215  
614-387-9330  
800-826-9010  
FAX 614-387-9329

**Rev. 9/10/07**