



Criminal Application

2019 Fifteenth Judicial Circuit

Court Appointed Attorney Registry

INSTRUCTIONS

Dear Attorney:

Thank you for your interest in applying for the Fifteenth Judicial Circuit Court Appointed Attorney Registry. Please be aware that there are three phases to the application process:

- Review and approval of the application by the Chief Judge or his designee(s)
- Entering into a contract with the Justice Administrative Commission; and
- Being placed on the court appointed wheel which is maintained and administered by the Palm Beach County Clerk and Comptroller's Office.

Due to the administrative time used in the management of the court appointed wheel, applications will only be received from May 1-May 15. **THERE WILL BE NO EXTENSIONS.** Changes to categories must be done during the application period. If removed from a wheel during the year, the attorney will NOT be able to seek reinstatement until the next application period. Please read all information below.

A. APPLICATION INFORMATION

1. Attorneys seeking court appointed cases in the Fifteenth Judicial Circuit shall submit a completed application and submit any other information requested by Court Administration.
 - a. **NEW ATTORNEYS:** New attorneys must complete the information sheet for each wheel on which the attorney seeks to be placed. The information sheet sets forth the minimum requirements. At the Chief Judge's discretion, a limit may be placed on the number of attorneys approved for each wheel.
 - b. **RENEWING ATTORNEYS:**
 - If you wish to remain on the wheels for which you are currently approved and are not adding any new wheels - use the Short Renewal Form. At the Chief Judge's discretion, a limit may be placed on the number of attorneys approved for each wheel. Having been approved for a 2018-2019 wheel does not guarantee approval for a 2019-2020 wheel.
 - If you wish to remain on current wheels and add new wheels, complete both the Short Form (for the renewing wheels) and the applicable information sheets in the regular application (for the new wheels). The information sheet sets forth the minimum requirements.
 - Renewals do NOT have to resubmit supporting case information for categories in which they are currently approved.
 - Due to the large number of attorneys on the various wheels, and the limited administrative support, do NOT contact Court Administration or the Clerk's Office to inquire as to the wheels for which you currently are approved. Check the correspondence from Court Administration (sent last year) approving the categories.

2. All applicants must attach a copy of the Florida Bar print-out showing completed CLE courses and documentation proving the required trials (such as print-outs from the clerk’s office, judgments, commitments, etc.) It is the responsibility of the attorney to provide documentation to keep his/her application current. **Failure to attach the required information will make the application ineligible for consideration.**
3. All Attorneys must also complete the Attorney Certification Form - **including renewals.**
4. By submitting an application, the attorney certifies that he/she has read and is familiar with the Policies and Procedures for Appointment of Counsel found in Administrative Orders 2.603 and 2.604 which can be found on the Circuit’s website at www.15thcircuit.com as well as Florida Statutes §§ 27.40, 27.425, 27.5304, and 27.5305.
5. Processing of the application may take up to 8 weeks.
 - a. The application is reviewed and approved by the Chief Judge or designee(s). At the Chief Judge's discretion, a committee may be formed to review the applications.
 - b. Once the application is reviewed and approved by the Chief Judge or designee, the attorney will receive a letter from Court Administration which will either list the case types and locations approved or will list the deficiencies which must be remedied in order for the application review process to continue. Failure to remedy the deficiencies will result in the application being rejected.
 - c. Once approved, the attorney must sign a contract with the Justice Administrative Commission (“JAC”).
 - d. After Court Administration has received confirmation that the JAC contract has been signed, court administration will notify the clerk’s office to add the attorney to the court appointed wheel(s).

B. APPOINTMENT INFORMATION

1. Applicants must understand and agree that conflict case appointments are randomly chosen by a computerized program (“wheel”) maintained by the Clerk’s Office and that placement on the wheel does not guarantee appointments.
2. Court Administration makes no representations as to the number of cases in which the attorney may be appointed. The number of available cases (i.e. those in which the Office of Public Defender and/or the Office of Criminal Conflict and Civil Regional Counsel cannot provide representation) and the number of attorneys included on the Circuit’s wheel will impact the frequency of appointments.
3. Failure by the attorney to accept appointments for any reason (e.g. rejection of the case, unavailability etc.) may result in the attorney being removed from the court appointed wheel. Once removed from the court appointed list, the attorney must file a new application to be reinstated.

C. REQUIRED NOTIFICATION INFORMATION

Any attorney who is disbarred, suspended etc., or is otherwise the subject of discipline by The Florida Bar or who has had a legal malpractice case filed against him/her, must notify Court Administration within seven (7) days of the filing of the complaint, order or other charging document. In addition, any attorney who is under

criminal investigation or has pending criminal charges against him/her must immediately notify Court Administration. Failure to provide such information may result in his/her immediate removal from the court appointed wheel.

D. JAC CONTRACT INFORMATION

1. Newly approved attorneys must sign a contract with the Justice Administrative Commission (“JAC”) no later than July 15 or thirty (30) days from the date of approval, whichever is later. JAC is the entity which pays the court appointed attorney's fees and costs. JAC contracts can be found at: www.justiceadmin.org. Failure to sign the contract within the time frame listed above will result in the attorney’s application being rejected.
2. Renewing Court Appointed Attorneys must re-execute a contract with the JAC each fiscal year which begins on July 1 and ends on June 30. The JAC will notify the attorney when the renewal contracts are available (usually in June). Failure to sign a renewal contract with JAC by July 15 will result in the attorney being removed from the wheel and requiring a new application during the next open application period.

E. CONTACT INFORMATION

1. Attorneys must maintain a valid email address and must provide notice to Court Administration, to the Clerk, and to the JAC upon any change in his/her address, email address and telephone number, and in his/her status.
2. Failure to comply with the terms of the contract with the JAC or with notifying Court Administration, the Clerk, and the JAC to any changes in status, may result in the attorney being removed from the court appointed wheel.
3. All attorneys on the court appointed wheel agree to accept correspondence through e-mail.

F. SUBMISSION OF APPLICATION

Parts I through IV of the Court Appointed Attorney Application are to be **EMAILED ONLY** no later than May 15, 2019 to:

CAD-AttorneyWheel-1@pbcgov.org



2019 Fifteenth Judicial Circuit Court Appointed Attorney Application

PART I

(You must fill out and return all applicable application pages)

FULL NAME: _____

FLORIDA BAR NUMBER & YEAR ADMITTED: _____

OTHER STATES IN WHICH ADMITTED TO PRACTICE LAW: _____

PRIMARY OFFICE ADDRESS (as listed with The Florida Bar): _____

PALM BEACH COUNTY OFFICE ADDRESS (if different): _____

I agree to meet with 15th Judicial Circuit Court Appointed clients at my Palm Beach County Office and will not require the client to travel outside Palm Beach County (circle one):

 YES NO

I agree to meet with 15th Judicial Circuit Court appointed clients at a corrections facility (for adult criminal and juvenile cases) or at a residential care facility (for guardianship cases) and to accept phone calls from the clients (circle one):

 YES NO

E-MAIL ADDRESS: _____

TELEPHONE NUMBER: _____

FACSIMILE NUMBER: _____

I CERTIFY THAT I HAVE READ AND AGREE TO THE TERMS SET FORTH IN THE THREE (3) PAGE INSTRUCTION SHEET AND ON THIS INFORMATION SHEET. FAILURE TO COMPLY MAY RESULT IN MY REMOVAL FROM THE WHEEL(S).

Signature of Attorney

Date



PART II

2019 Fifteenth Judicial Circuit Court Appointed Attorney General Registry Supplement

1. In the last 10 years, has any trial or appellate court found that you rendered ineffective assistance of counsel through a Florida Rule of Criminal Rule 3.850, Florida Rule of Criminal Procedure 3.851, or other equivalent state or federal hearing?

_____ Yes _____ No

If YES, list all cases, including style of case, judge, and opposing counsel. Also, for each instance, please provide any explanation or circumstance you deem necessary or important to consider in further review of your application.

2. In the last 10 years, has any trial court replaced you with another attorney after conducting a hearing pursuant to *Nelson v. State*, 274 So. 2d 256 (Fla. 4th DCA 1973) or other equivalent state or federal hearing?

_____ Yes _____ No

If YES, list all cases, including style of case, judge, and opposing counsel. Also, for each instance, please provide any explanation or circumstance you deem necessary or important to consider in further review of your application.

Signature of Attorney

Date



PART III

**2019 Fifteenth Judicial Circuit
Court Appointed Attorney Registry**

ATTORNEY CERTIFICATION

NAME: _____ FBN: _____

BUSINESS ADDRESS: _____

BUSINESS PHONE: _____ FAX: _____

EMAIL ADDRESS: _____

In accordance with §27.40(3)(a), *Florida Statutes*, to be included on a Fifteenth Judicial Circuit Court Appointed Attorney Registry, I hereby certify:

1. I meet any minimum requirements established by the Chief Judge and by general law for court appointment; and
2. I am available to represent indigent defendants in cases requiring court appointment of private counsel; and
3. I am willing to abide by the terms of the Justice Administrative Commission Contract for Services; and
4. I further certify to the best of my knowledge and belief, all statements contained in my Court Appointed Attorney Application and herein are true, correct, complete, and made in good faith. I understand any omissions, falsifications, misstatements or misrepresentations above may disqualify me for consideration. If I am accepted for installation on any Fifteenth Judicial Circuit Registry and enter into a contract with the Justice Administrative Commission I understand any omissions, falsifications, misstatements or misrepresentations later discovered to have been made by me herein may be grounds for dismissal. I am required to adhere to the contract, to any applicable policies and administrative orders of the Fifteenth Judicial Circuit, and any policies and procedures of the Justice Administrative Commission (www.JusticeAdmin.org).
5. I agree to meet with 15th Judicial Circuit Court appointed clients at my Palm Beach County office. For appointed clients who are incarcerated, I agree to meet with them at the corrections facility. For appointed clients who are at a residential care facility, I agree to meet with them at the facility. I further agree to accept phone calls from the court appointed clients.
6. I agree to provide 30 days written notice if I wish to be removed from a wheel. I agree that once removed from the court appointed attorney list, I must file a new application to be reinstated.

SIGNATURE OF APPLICANT
DATE



PART IV - REQUESTED WHEELS

PLEASE READ CAREFULLY

SHADED AREA: Place a check mark or an X in the shaded area next to the name of the wheel for which you are applying. Each wheel is on a separate page. Some wheels have multiple categories. If placed on the wheel, you can receive an appointment in any one of the listed categories.

For instance, the First Degree/Life Wheel includes: Felony Life, Felony Life RICO, Felony Punishable by Life, Felony Punishable by Life RICO, Felony 1st degree, Felony 1st Degree RICO, Capital Sexual Battery and Capital (non-death other than capital sexual battery).

CASE CODES: You will also see case codes corresponding to the categories. The case codes are required by the Justice Administrative Commission.

INFORMATION PAGE: Complete the information page by placing your initials next to each affirmation and by providing the requested case information. If you cannot affirm the statement, you will not meet the minimum qualifications for the wheel. Only submit the information pages for the wheels you seek appointments.

CAPITAL/ DEATH PENALTY (FIRST CHAIR)

CATEGORY	CASE CODE
1st Degree Murder (Lead Counsel)	869
SUPPORTING QUESTIONS	PLACE INITIALS AFFIRMING TO STATEMENT
I am currently a member in good standing of The Florida Bar	
My principal office is located in Palm Beach County	
More than 50% of my practice is criminal defense	
I have been a member of the Florida Bar for 9 years or more	
I have completed at least <u>10 hours</u> of criminal law CLE within the 12 months preceding the date of the application AND I have completed at least <u>12 hours</u> of CLE within the 24 months preceding the date of this application devoted specifically to the defense of capital cases (provide printout)	
I am an experienced and active trial practitioner with at least nine years of litigation experience in the field of criminal law.	
I have tried at least 15 criminal cases <ul style="list-style-type: none"> • all were tried to completion, • at least 10 were felony cases, • at least 8 were first degree felonies, • at least 2 were capital cases where the death penalty was sought: • at least 7 of the cases were tried in the past 5 years. • Attach list of cases, or supporting documentation, with the following information: case name, case number, verdict, name of judge, name of co-counsel and role counsel held 	
On a separate sheet of paper I have set forth a description of my familiarity with and experience in the use of expert witnesses and evidence including, but not limited to, psychiatric and forensic evidence.	
On a separate sheet of paper I have set forth the most recent capital case I have tried in the 15th Judicial Circuit, the name of the presiding judge, and an explanation of how my representation exemplified the quality of representation appropriate to capital cases including, but not limited to, the investigation and presentation of evidence in mitigation of the death penalty.	

I agree to accept appointments and make appearances at the following courthouse locations (failure to check off locations will default to all locations):

West Palm Beach Delray Beach
 Palm Beach Gardens Belle Glade

CAPITAL - DEATH PENALTY (SECOND CHAIR)

CATEGORY	CASE CODE
1st Degree Murder (Co-Counsel)	882
SUPPORTING QUESTIONS	PLACE INITIALS AFFIRMING TO STATEMENT
I am currently a member in good standing with the Florida Bar	
My primary office where I meet clients is located in Palm Beach County	
I have been a member of the Florida Bar for 7 or more years	
More than 50% of my practice is criminal defense	
I have completed at least 10 hours of criminal law CLE within the 12 months preceding the date of the application (provide printout)	
I have completed at least 12 hours of CLE within the 24 months preceding the date of this application devoted specifically to the defense of capital cases (provide printout)	
I am an experienced and active trial practitioner with at least seven years of litigation experience in the field of criminal law.	
I have tried at least 15 criminal cases <ul style="list-style-type: none"> • At least 10 jury trials were tried through the prosecutor's case in chief, • at least 8 were felony cases, • at least 5 were first degree felonies, • at least 5 of the cases were tried in the past 5 years. • Attach list of cases, or supporting documentation, with the following information: case name, case number, verdict, name of judge, name of co-counsel and role counsel held 	
On a separate sheet of paper I have set forth a description of my familiarity with and experience in the use of expert witnesses and evidence including, but not limited to, psychiatric and forensic evidence.	
On a separate sheet of paper I have set forth the most recent capital case I have tried in the 15th Judicial Circuit, the name of the presiding judge, and an explanation of how my representation exemplified the quality of representation appropriate to capital cases including, but not limited to, the investigation and presentation of evidence in mitigation of the death penalty.	

I agree to accept appointments and make appearances at the following courthouse locations (failure to check off locations will default to all locations):

West Palm Beach Delray Beach
 Palm Beach Gardens Belle Glade

ADULT 1ST DEGREE & LIFE FELONIES

INCLUDES THE FOLLOWING CATEGORIES	CASE CODE
Felony – Life	871
Felony- Life- RICO	923
Felony-Punishable by Life	898
Felony- Punishable by Life- RICO	922
Felony- 1st Degree	854
Felony- 1st Degree- RICO	921
Capital Sexual Battery	874
Capital (Non-Death Other than Capital Sexual Battery)	838
SUPPORTING QUESTIONS	PLACE INITIALS AFFIRMING TO STATEMENT
I am currently a member in good standing with the Florida Bar	
My primary office where I meet clients is located in Palm Beach County	
I have been a member of the Florida Bar for 5 or more years	
More than 50% of my practice is criminal defense	
I have completed at least 10 hours of criminal law CLE within the 12 months preceding the date of the application (provide printout)	
I have completed at least 12 hours of CLE within the 24 months preceding the date of this application devoted specifically to the defense of capital cases (provide printout)	
I am an experienced and active trial practitioner with at least five years of litigation experience in the field of criminal law.	
I have tried at least 15 criminal cases <ul style="list-style-type: none"> • At least 10 jury trials were tried through the prosecutor's case in chief, • at least 8 were felony cases, • at least 5 were first degree felonies, • at least 5 of the cases were tried in the past 5 years. • Attach list of cases, or supporting documentation, with the following information: case name, case number, verdict, name of judge, name of co-counsel and role counsel held 	

I agree to accept appointments and make appearances at the following courthouse locations (failure to check off locations will default to all locations):

West Palm Beach Delray Beach
 Palm Beach Gardens Belle Glade

ADULT 2ND & 3RD DEGREE FELONIES

INCLUDES THE FOLLOWING CATEGORIES	CASE CODE
Felony- 2nd Degree	861
Felony- 3rd Degree	841
Violation of Probation- Felony (includes VOCC)	844
SUPPORTING QUESTIONS	PLACE INITIALS AFFIRMING TO STATEMENT
I am currently a member in good standing with the Florida Bar	
My primary office where I meet clients is located in Palm Beach County	
I have been a member of the Florida Bar for 3 or more years	
More than 50% of my practice is criminal defense	
I have completed at least 10 hours of criminal law CLE within the 12 months preceding the date of the application (provide printout)	
I am an experienced and active trial practitioner with at least 3 years of litigation experience in the field of criminal law.	
<ul style="list-style-type: none"> • I have tried at least three state or federal jury or non-jury trials • two of which were misdemeanor or felony cases • at least one of the cases were tried within the past 5 years • Attach list of cases, or supporting documentation, with the following information: case name, case number, verdict, name of judge, name of co-counsel and role counsel held 	

I agree to accept appointments and make appearances at the following courthouse locations (failure to check off locations will default to all locations):

West Palm Beach Delray Beach
 Palm Beach Gardens Belle Glade

ADULT MISDEMEANORS

INCLUDES THE FOLLOWING CATEGORIES	CASE CODE
Misdemeanor	836
Criminal Traffic	877
Violation of Probation – Misdemeanor (includes VOCC)	843
Violation of Probation – Misdemeanor (includes VOCC) (CT)	916
SUPPORTING QUESTIONS	PLACE INITIALS AFFIRMING TO STATEMENT
I am currently a member in good standing with the Florida Bar	
I have an office in Palm Beach County where I meet clients	
I have been a member of the Florida Bar for at least 1 year.	
I have completed at least 10 hours of criminal law CLE within the 12 months preceding the date of this application. (provide printout)	
I have tried <ul style="list-style-type: none"> • at least three state or federal jury or non-jury trials • two of which were misdemeanor or felony cases • at least one of the cases were tried within the past 5 years • Attach list of cases, or supporting documentation, with the following information: case name, case number, verdict, name of judge, name of co-counsel and role counsel held 	

I agree to accept appointments and make appearances at the following courthouse locations (failure to check off locations will default to all locations):

_____ **West Palm Beach** _____ **Delray Beach**

_____ **Palm Beach Gardens** _____ **Belle Glade**

ADULT OTHER CRIMINAL (Contempt Proceedings/Extraditions)

INCLUDES THE FOLLOWING CATEGORIES	CASE CODE
Contempt Proceedings	863
Extradition	883
SUPPORTING QUESTIONS	PLACE INITIALS AFFIRMING TO STATEMENT
I am currently a member in good standing with the Florida Bar	
My primary office where I meet clients is located in Palm Beach County	
I have been a member of the Florida Bar for more than 5 years	
More than 50% of my practice is criminal defense	
I have completed at least 10 hours of criminal law CLE within the 12 months preceding the date of the application (provide printout)	
I am an experienced and active trial practitioner with at least five years of litigation experience in the field of criminal law.	
I have handled at least 5 extradition proceedings and 5 contempt hearings <ul style="list-style-type: none"> • Attach list of cases, or supporting documentation, with the following information: case name, case number, name of judge, name of co-counsel and role counsel held 	

I agree to accept appointments and make appearances at the following courthouse locations (failure to check off locations will default to all locations):

_____ **West Palm Beach** _____ **Delray Beach**

_____ **Palm Beach Gardens** _____ **Belle Glade**

SEXUAL VIOLENT PREDATOR (JIMMY RYCE)

INCLUDES THE FOLLOWING CATEGORIES	CASE CODE
Sexual Violent Predator	845
Sexual Violent Predator Appeals	870
SUPPORTING QUESTIONS	PLACE INITIALS AFFIRMING TO STATEMENT
I am a member in good standing with the Florida Bar	
My primary office where I meet clients is located in Palm Beach County. If not, state location.	
I have been a member of the Florida Bar for at least 5 years.	
I have completed at least <u>10 hours</u> of CLE devoted to Criminal Law and at least <u>2 hours</u> of CLE devoted to Jimmy Ryce or sexual violent predators within the 18 months preceding the date of this application. (provide printout)	
I have handled at least 3 Jimmy Ryce trials or appeals within the last 7 years. Attach list of cases, or supporting documentation with the following information: Case Name, case number, date of trial or appeal, name of co-counsel, and role counsel played.	

I agree to accept appointments and make appearances at the following courthouse locations (failure to check off locations will default to all locations):

West Palm Beach

 Delray Beach
 Palm Beach Gardens

 Belle Glade

CERTIFIED AS COMPLEX APPEALS UNDER CHAPTER 394

CATEGORY	CASE CODE
Capital Appeals	842
SUPPORTING QUESTIONS	PLACE INITIALS AFFIRMING TO STATEMENT
I am currently a member in good standing with The Florida Bar	
My principal office is located in Palm Beach County, Florida (if not, state location)	
I have been a member of the Florida Bar for at least five years	
At least 50 percent of my practice is appellate work.	
I have completed at least <u>10 hours</u> of CLE devoted to Criminal law and 10 hours of CLE devoted to appellate law within the 12 months preceding the date of this application. (provide printout)	
I have completed at least five criminal appeals <ul style="list-style-type: none"> • at least three of which were second degree felony appeals or higher • Briefs were filed in at least two criminal appeals within the past 5 years. • Attach list of cases, or supporting documentation with the following information: Case name, date of trial or appeal, applicable citation of opinion, name of opposing counsel, name of judge/judges, name of any co-counsel and the role that counsel played 	

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 Palm Beach Gardens Belle Glade

**NON-CAPITAL APPEALS EXCEPT THOSE CERTIFIED BY TRIAL COUNSEL
AS BEING COMPLEX**

CATEGORY	CASE CODE
Non-Capital Appeals	842
SUPPORTING QUESTIONS	PLACE INITIALS AFFIRMING TO STATEMENT
I am a member in good standing with the Florida Bar.	
My principal office is located in Palm Beach County, Florida (if not, state location).	
I have been a member of the Florida Bar for at least three years.	
At least 50 percent of my practice is appellate work.	
I have completed at least <u>10 hours</u> of CLE devoted to Criminal law and 10 hours of CLE devoted to appellate law within the 18 months preceding the date of this application. (provide printout)	
I have completed at least five criminal appeals, or 10 criminal trials <ul style="list-style-type: none"> • at least five of which were felonies and three criminal appeals • Briefs were filed in at least two criminal appeals within the past 5 years. • Attach list of cases, or supporting documentation with the following information: Case name, date of trial or appeal, applicable citation of opinion, name of opposing counsel, name of judge/judges, name of any co-counsel and the role that counsel played 	

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West Palm Beach

 Delray Beach
 Palm Beach Gardens

 Belle Glade

APPELLATE MISDEMEANOR AND THIRD DEGREE FELONY APPEALS

INCLUDES THE FOLLOWING CATEGORIES	CASE CODE
Misdemeanor and Third Degree Felony Appeals	856, 842, 917
SUPPORTING QUESTIONS	PLACE INITIALS AFFIRMING TO STATEMENT
I am a member in good standing with the Florida Bar.	
My principal office is located in Palm Beach County, Florida (if not, state location).	
I have been a member of the Florida Bar for at least 2 years.	
At least 30 percent of my practice is appellate work.	
I have completed at least <u>10 hours</u> of CLE devoted to Criminal law and 10 hours of CLE devoted to appellate law within the 18 months preceding the date of this application. (provide printout)	
<p>I have completed at least three criminal appeals or five criminal trials:</p> <ul style="list-style-type: none"> • The briefs were filed or the cases were tried within the past 5 years • Attach list of cases, or supporting documentation with the following information: Case name, date of trial or appeal, applicable citation of opinion, name of opposing counsel, name of judge/judges, name of any co-counsel and the role that counsel played 	

I agree to accept appointments and make appearances at the following courthouse locations (failure to check off locations will default to all locations):

West Palm Beach Delray Beach
 Palm Beach Gardens Belle Glade