

OKLAHOMA INDIGENT DEFENSE SYSTEM
111 N. PETERS AVE
NORMAN, OKLAHOMA 73069
(405) 801-2601

APPELLATE COUNSEL APPLICATION

PLEASE NOTE: Attorneys who fill out this form may be included on the OIDS list of private attorneys who are willing to accept assignments of OIDS cases on appeal. The information on the form will be used to make assignments on a case-by-case basis as the need arises in accordance with the experience level and interests of the private attorney. **PLEASE RETURN THE COMPLETED APPLICATION, A CURRENT RESUME, AND A COPY OF YOUR OBA CARD. THE REQUESTED DOCUMENTS SHOULD BE MAILED TO THE ATTENTION OF NICOLLETTE BRANDT.**

Last Name First Name Middle Initial OBA Number

Doing Business As (*if an entity other than the individual will be the contracting party, such as a partnership or corporation*)

Firm / Office Name

Office Address (City / State / Zip)

Telephone No. Fax No.

Mailing Address (City / State / Zip) (*only if different from above*)

E-mail address, if any

Tax Identification Number to Be Used for State Contract (*FEI number for the individual or entity that will receive the income*)

I. APPLICANT'S BACKGROUND

I affirm that I am a member in good standing with the Oklahoma Bar Association. _____
Initial

Oklahoma Bar Admission: Month: _____ Year: _____

Other bar admissions and dates: _____

Fluency in languages other than English: _____

II. LEGAL EMPLOYMENT

1. Current law position (indicate whether as a partner, associate, sole practitioner, etc.; also indicate if full-time or part-time)

2. General nature of current practice (e.g., criminal -- trial and/or appellate; civil litigation, corporate, gen. practice, etc.)

3. Indicate your legal experience during the last three (3) years, including part-time employment and clerkships. Provide the names, addresses and telephone numbers of employers, including judges, if any, and the dates of employment.

Employer _____
Position _____ Dates _____
Address _____ (From - To)
City, State, Zip _____ Phone _____

Employer _____
Position _____ Dates _____
Address _____ (From - To)
City, State, Zip _____ Phone _____

Employer _____
Position _____ Dates _____
Address _____ (From - To)
City, State, Zip _____ Phone _____

4. Provide the names and telephone numbers of three references of persons who are familiar with your legal work (do not submit letters of recommendation):

5. Have you ever contracted with OIDS to represent indigent defendants at trial or on appeal?

Yes No If yes, explain the circumstances.

III. LITIGATION EXPERIENCE

1. Number of years of criminal litigation experience. _____
2. Number of years of criminal litigation experience in Oklahoma. _____
3. During the last three (3) years, how many criminal cases have you handled as lead counsel at the trial or appellate level? _____
Of this number, how many were in State Court? _____ Federal Court? _____
4. During the last three (3) years, how many of the following types of appeals have you handled or participated in? An appeal may fall in more than one category.
 - a) Capital case, client sentenced to death _____
 - b) First degree murder case, tried as a capital case, client sentenced to life imprisonment without parole _____
 - c) First degree murder case, tried as a capital case, client sentenced to life imprisonment _____
 - d) First degree murder case, client sentenced to life imprisonment without parole _____
 - e) Felony, client sentenced to life imprisonment _____
 - f) Other felonies, sentence less than life imprisonment _____
 - g) Complex, multiple defendant cases _____
 - h) Drug offenses _____
 - i) Sex offenses _____

- j) Juvenile cases _____
 - k) Misdemeanors _____
 - l) Fast tracks _____
 - m) Other (explain) _____
- _____
- _____
- _____

5. Estimate the percentage of your practice that you devoted to handling criminal cases for each of the three (3) preceding years.

_____ %

_____ %

_____ %

6. a) Identify your five (5) most recent criminal trials.

Name and Case Number	Court	Conviction/Sentence
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

7. During the last three (3) years, how many of each of the following types of experts/ witnesses have you consulted with and/or examined?

Ballistics Experts _____ Police Officers _____

OSBI / FBI / DEA / ATF Agents _____	Psychiatrists _____
Chemists / Lab Technicians _____	Psychologists _____
Fingerprint Experts _____	Serologists _____
Medical Examiners _____	Undercover Agents _____
Medical Experts _____	DNA Experts _____
Social Workers _____	Mitigation Experts _____
Other (please specify what) _____	_____

IV. TRAINING

- List the CLE courses you have attended or taught during the last three (3) years that involve the practice of criminal law.

Program Name	Sponsor	Date	Place	Attended (A) or Taught (T)

V. GRIEVANCE MATTERS

- State whether you have been disbarred, suspended, reprimanded, or otherwise disciplined by any segment of the bar including, but not limited to any local, district or state grievance authority of an organized bar. If yes, give full details by attachment to this application.

Yes No

- 2. Do you now have any charges or complaints pending against you in any jurisdiction, either in court or grievance committee, including the Professional Responsibility Commission of the Oklahoma Bar Association, that could result in the filing of a malpractice suit, a grievance committee proceeding or disciplinary action? If yes, give full details by attachment to this application.
 Yes No

- 3. I agree that I will immediately notify the Oklahoma Indigent Defense System of any reason which would render me unfit to continue to provide competent representation.
 Yes No

- 4. In submitting this application, I authorize the Indigent Defense System, or its authorized agent, to contact all persons, firms, officers, corporations, associations, organizations, state and federal agencies, institutions, and any other entities about the information set forth herein and to request any relevant documentation, records or other information necessary to conduct a full investigation of this application, including, but not limited to, the records of grievances in possession of a grievance committee or the general counsel of the Oklahoma Bar Association. I further agree that all information received by the Oklahoma Indigent Defense System shall be confidential and that I have no right of access to any information, documentation or records received by the Oklahoma Indigent Defense System from third parties.

VI. COMPLIANCE WITH TERMS OF CONTRACT AFTER CASE ASSIGNMENT

If you are assigned an appeal for an OIDS client, are you willing to place reasonable restrictions on your other legal practice to ensure that the client served under the contract is competently represented? Yes No

If you are assigned an appeal for an OIDS client, are you willing to provide a copy of your current OBA card for purposes of setting up the contract? Yes No

Do you understand that an unresolved tax liability owed to the Oklahoma Tax Commission will prevent OIDS from entering into a contract with you? Yes No

Do you understand that tax liability owed to the Internal Revenue Service may result in a levy against the proceeds of your contract?

Yes No

Have you provided us with the name and tax identification number of the person or entity that will receive the income from the contract for tax purposes?

Yes No

Do you agree that if you accept a case assignment, you will be lead counsel on the case and personally prepare and argue the appeal on behalf of the OIDS client?

Yes No

Do you understand that subcontracting an appeal to another attorney after you have received an assignment of an OIDS case is strictly prohibited, and do you agree to comply with this requirement?

Yes No

Answer the following questions only if interested in capital contracts:

If seeking assignment of a capital case, will you agree to attend and complete, within one year of your inclusion on the roster, an educational or training program which is focused on the appeal of death penalty cases?

Yes No

If seeking assignment of a capital case, will you agree to become licensed in the United States Supreme Court (if not already)?

Yes No

* The requirements for admission are set forth in Rule 5 of the Rules of the Supreme Court of the United States. Further information may be found at the U.S. Supreme Court website: www.supremecourtus.gov

VII. CASE ASSIGNMENTS AND COMPENSATION

A. CASE ASSIGNMENTS.

Appeals are assigned to private attorneys on a case-by- case basis when the need arises. Compensation for the appeal is based on an hourly rate, subject to a limit on the maximum expenditure, and is inclusive of all overhead and other expenses such as travel. Indicate the types of appeals that you are willing to accept by checking the first column (*below*).

B. COMPENSATION SURVEY (*optional*)

The ability of OIDS to compensate private attorneys for cases assigned under state contracts is limited by funding considerations and is rarely comparable to the compensation received by the same attorneys when they are retained in private cases.

It would be helpful to have your professional opinion on the amount of reasonable compensation that should be paid to appellate counsel in an average case in each of the categories designated above. If you are willing to provide this information based on your experience, please indicate the total dollar amount in the second column (*below*). Your answers to this question will be used for survey purposes only and will not be considered in making case assignments.

Type of Case	(A) ☒ if Willing to Accept	(B) Reasonable Compensation for Average Case
Capital cases: Direct Appeal	<input type="checkbox"/>	_____
Capital cases: Post-Conviction	<input type="checkbox"/>	_____
First degree murder, tried as a capital case, sentence of life or life without parole	<input type="checkbox"/>	_____
First degree murder, not tried as a capital case	<input type="checkbox"/>	_____
Complex cases involving multiple defendants	<input type="checkbox"/>	_____
Other felonies	<input type="checkbox"/>	_____
Juvenile cases	<input type="checkbox"/>	_____
Misdemeanors	<input type="checkbox"/>	_____
Fast tracks	<input type="checkbox"/>	_____

VIII. ADDITIONAL INFORMATION

Provide any additional information you wish to have considered.

IX. WRITING SAMPLE

Attach a copy of a brief you have filed in the Oklahoma Court of Criminal Appeals or a comparable writing sample.

Signature

Date

STATE OF OKLAHOMA)
)
COUNTY OF _____)

I, _____, being duly sworn, state that I have read the foregoing application and answered each question fully and frankly, without concealment, reservation or qualification, and my answers, statements and representations are, to the best of my knowledge, true and complete.

Signature

Subscribed and sworn to before me, on this the _____ day of _____, 20 ____

(SEAL)

Notary Public

My Commission Expires: _____

RELEASE AND WAIVER

STATE OF OKLAHOMA)
)
COUNTY OF _____)

I, _____, am an applicant to accept cases on assignment from the Oklahoma Indigent Defense System.

As a condition of my application, I freely and voluntarily consent to the Oklahoma Indigent Defense System investigating my legal qualifications and legal work experience, and I expressly authorize the release and disclosure of information relating to my legal qualifications and legal work experience to the Oklahoma Indigent Defense System including, but not limited to, files and records containing such information maintained by former and current employers, educational institutions, governmental bodies, professional associations, and investigative, disciplinary or grievance bodies.

I hereby waive any privilege of confidentiality I might have with respect to the release of any such information, documentation and records.

A photocopy of this authorization shall be considered as effective and valid as the original.

Signature

Subscribed and sworn to before me, on this the _____ day of _____, 20 _____

(SEAL)

Notary Public