

The Supreme Court of Ohio

APPLICATION FOR CERTIFICATION FOR APPOINTMENT AS COUNSEL IN CAPITAL CASES

Please check type(s) of certification for which you are seeking (check all that apply):

☐ Trial Lead Counsel

☐ Trial Co-Counsel

☐ Appellate Counsel

Name:

Attorney registration number:

County:

Employer name:

Employer address:

Telephone number:

Email address:

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 training on the defense of capital cases accredited by the Commission on Appointment of Counsel in Capital Cases in the two years prior to making application. Please provide date, title, sponsor of training, and the number of hours you attended.

A.

B.

Information on certification and the Rules for Appointment of Counsel in Capital Cases can be found on our website at <https://www.supremecourt.ohio.gov/courts/advisory/commissions/counsel-in-capital-cases/>.

A. TRIAL LEAD COUNSEL

Must have at least **five** years of criminal litigation experience in Ohio courts of common pleas or criminal appellate experience in Ohio courts of appeals or the Supreme Court and meet the qualifications pursuant to Appt.Coun.R. 3.02.

Must comply with the general certification requirements of Appt.Coun.R. 3.01, and meet the qualifications in both (1) and (2) below:

1. Must have at least one of the following qualifications:

- ☐ Experience as trial lead counsel in the trial of at least one capital case;
- ☐ Experience as trial 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:

Type of trial: ☐ Jury trial ☐ Three-judge panel

Approximate date of trial:

Disposition (conviction, etc.):

Was death sentence imposed: ☐ Yes ☐ No

Sentence:

☐ Privately retained. ☐ Court-appointed.

If appointed, date of appointment and appointing judge:

TRIAL LEAD COUNSEL QUALIFICATIONS:

Caption of Case:

Case number:

County:

Trial Judge:

Name of co-counsel, if any:

Charge(s) against the defendant:

Type of trial: ☐ Jury trial ☐ Three-judge panel

Approximate date of trial:

Disposition (conviction, etc.):

Was death sentence imposed: ☐ Yes ☐ No

Sentence:

☐ Privately retained. ☐ Court-appointed.

If appointed, date of appointment and appointing judge:

TRIAL LEAD COUNSEL QUALIFICATIONS:

2. Must have at least one of the following qualifications:

- ☐ Experience as trial lead counsel in the jury trial of at least one murder or aggravated murder case in the ten years prior to making application;
- ☐ Experience as trial lead counsel in three aggravated or first or second-degree felony jury trials in a court of common pleas in the five years prior to making application.

For any category checked above, please provide the following information: [if several cases apply, list only the 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:

Disposition (conviction, etc.):

Was death sentence imposed: ☐ Yes ☐ No

Sentence:

☐ Privately retained. ☐ Court-appointed.

If appointed, date of appointment and appointing judge:

TRIAL LEAD COUNSEL QUALIFICATIONS:

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:

Disposition (conviction, etc.):

Was death sentence imposed: ☐ Yes ☐ No

Sentence:

☐ Privately retained. ☐ Court-appointed.

If appointed, 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:

Disposition (conviction, etc.):

Was death sentence imposed: ☐ Yes ☐ No

Sentence:

☐ Privately retained. ☐ Court-appointed.

If appointed, date of appointment and appointing judge:

B. TRIAL CO-COUNSEL

Must have at least **three** years of criminal litigation experience in Ohio court of common pleas or criminal appellate experience in Ohio courts of appeals or the Supreme Court and meet the qualifications pursuant to Appt.Coun.R. 3.03.

Must comply with the general certification requirements of Appt.Coun.R. 3.01, and have at least one of the following qualifications:

- ☐ Experience as trial co-counsel in one murder or aggravated murder trial in the ten years prior to making application;
- ☐ Experience as trial lead counsel in one first or second degree felony jury trial in the five years prior to making application;
- ☐ Experience as trial lead or co-counsel in at least two felony jury trial in a court of common pleas in the five 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:

Type of trial: ☐ Jury trial ☐ Bench trial

Approximate date of trial:

Disposition (conviction, etc.):

Was death sentence imposed: ☐ Yes ☐ No

Sentence:

☐ Privately retained. ☐ Court-appointed.

If appointed, date of appointment and appointing judge:

TRIAL CO-COUNSEL QUALIFICATIONS:

Caption of Case:

Case number:

County:

Trial Judge:

Name of co-counsel, if any:

Charge(s) against the defendant:

Type of trial: ☐ Jury trial ☐ Bench trial

Approximate date of trial:

Disposition (conviction, etc.):

Was death sentence imposed: ☐ Yes ☐ No

Sentence:

☐ Privately retained. ☐ Court-appointed.

If appointed, 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:

Type of trial: ☐ Jury trial ☐ Bench trial

Approximate date of trial:

Disposition (conviction, etc.):

Was death sentence imposed: ☐ Yes ☐ No

Sentence:

☐ Privately retained. ☐ Court-appointed.

If appointed, date of appointment and appointing judge:

C. **APPELLATE COUNSEL**

Must have at least **three** years of criminal litigation experience in Ohio courts of common pleas or criminal appellate experience in Ohio court of appeals or the Supreme Court and meet all qualifications pursuant to Appt.Coun.R. 3.04.

Must comply with the general certification requirements of Appt.Coun.R. 3.01, and meet both of the following requirements:

- ☐ Must have experience as counsel in the appeal of at least three felony convictions in the three years prior to making application;
- ☐ Must have at least **12 hours** of training on the defense of capital cases as approved by the commission, of which at least **6** hours shall be on the appeal of capital cases within two 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:

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:

☐ Privately retained. ☐ Court-appointed for appeal.

If appointed, date of appointment and appointing judge:

APPELLATE COUNSEL QUALIFICATIONS:

Caption of Case:

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:

☐ Privately retained. ☐ Court-appointed for appeal.

If appointed, date of appointment and appointing judge:

Caption of Case:

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:

☐ Privately retained. ☐ Court-appointed for appeal.

If appointed, date of appointment and appointing judge:

D. EXCEPTIONAL CIRCUMSTANCES

The Commission on Appointment of Counsel in Capital Cases may certify an attorney who does not satisfy the applicable requirements of Appt.Coun.R. 3.01 through 3.04 for appointment as counsel for indigent defendants in capital cases if the attorney can demonstrate to the satisfaction of the commission that competent representation will be provided to the defendant. In so determining, the commission may consider the applicable qualifications set forth in Appt.Coun.R. 3.01 through 3.04 and any other relevant considerations.

Please submit completed applications to:

Kirstyn Moyers
Supreme Court of Ohio
Commission on the Appointment of Counsel in Capital Cases
Office of Attorney Services
65 South Front Street, 5th Floor
Columbus, OH 43215

Any questions should be directed to Kirstyn Moyers at 614.387.9337 or Kirstyn.Moyers@sc.ohio.gov.