

**Court Appointed Attorney Certification Application  
Capital**

Virginia Code §§ 19.2-163.8 requires that the Virginia Indigent Defense Commission (“VIDC”) and the Supreme Court of Virginia, compile and maintain a list of attorneys qualified to represent defendants charged with capital murder or sentenced to death. The following information is required of all attorneys who want to appear on the list of attorneys who qualify for court appointment as defense counsel in capital cases.

1. Name: \_\_\_\_\_  
first
middle
last

2. Work Address: Firm Name: \_\_\_\_\_  
 PO Box: \_\_\_\_\_  
 Street: \_\_\_\_\_  
 City: \_\_\_\_\_  
 State: \_\_\_\_\_ Zip: \_\_\_\_\_

3. Work Phone Number: \_\_\_\_\_

4. Work Email Address: \_\_\_\_\_

5. Work Fax Number: \_\_\_\_\_

6. Size of law firm: \_\_\_\_\_

7. Support Staff, if any, available to work on cases: If yes, how many?

Investigators # \_\_\_\_\_  Mitigation Specialists # \_\_\_\_\_  Paralegals # \_\_\_\_\_  Other: \_\_\_\_\_

8. I am an active member of the Virginia State Bar in good standing  Yes  No

9. My Virginia State Bar Number is: \_\_\_\_\_

10. Year licensed to practice in Virginia: \_\_\_\_\_

11. In which circuit(s) do you want to be considered for appointment?(Please see attached map) Check all that apply

1 2 2a 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28  
29 30 31 ALL

12. I am applying to be qualified to represent defendants in the following types of cases:

Capital Appellate  Capital Habeas  Capital Trial Lead Counsel  Capital Trial Co-Counsel

13. I am thoroughly familiar with the following court systems, including specifically the procedural rules regarding timeliness of filings and procedural default:

**Supreme Court of Virginia**  **Virginia Court of Appeals**  **Virginia Circuit Court**  **Juvenile and Domestic Relations District Court**  
 **General District Court**

14. Please list dates, hours, course titles, and sponsoring organization for specialized training received in capital litigation in the past two years:

<i>Date(s) Attended</i>	<i># Hours Attended</i>	<i>Course-Seminar Title</i>	<i>Sponsoring Organization</i>

15. Please list dates, hours, course titles, and sponsoring organization for specialized training in the analysis and introduction of forensic evidence, including DNA testing and evidence of a DNA profile comparison to prove or disprove identification:

<i>Date(s) Attended</i>	<i># Hours Attended</i>	<i>Course-Seminar Title</i>	<i>Sponsoring Organization</i>

**Capital Trial Lead Counsel**

16.  I have had at least five years of criminal litigation practice (defense or prosecution) within the past seven Years,

**AND**

17.  I have acted as lead or primary defense counsel in at least five jury trials, tried to verdict, involving violent crimes with a maximum penalty of twenty years or more,

**AND**

18.  I have served as lead counsel in the defense of at least one capital case within the past five years.

**OR**

19.  I have served as co-counsel in the defense of at least two capital cases within the past seven years.

**Capital Trial Co-Counsel**

20.  I have had at least five years of criminal litigation practice (defense or prosecution) within the past seven years.

**AND**

21.  I have acted as lead or primary defense counsel in at least five jury trials, tried to verdict, involving violent crimes with a maximum penalty of twenty years or more.

**Capital Appellate Representation**

22.  Within the past five years, I have briefed and argued the merits in at least three felony cases, after writs have been granted, in an appellate court.

**OR**

23.  Within the past five years, I have briefed and argued the merits in the appeal of a case in which the death penalty was imposed.

24.  I am thoroughly familiar with the rules and procedures of appellate practice.

**Capital Habeas Corpus Representation**

25.  I possess experience as counsel of record in Virginia or federal post conviction proceedings involving attacks on the validity of one or more felony convictions, as well as a working knowledge of state and federal habeas corpus practice through specialized training in the representation of persons with death sentences.

**OR**

26.  I have served as counsel in at least one capital habeas corpus proceeding in Virginia and/or federal courts during the past three years.

**OR**

27.  I have had at least seven years civil trial and appellate litigation experience in the Courts of Record of the Commonwealth and/or federal courts.

**NOTICE:** After initially qualifying, an attorney shall maintain his or her eligibility for certification by completing every two years thereafter ten (10) hours of MCLE-approved continuing legal education for capital defense of which four (4) hours should involve forensics.

**Certification of Truth Statement**

I hereby certify that the answers provided to the above questions are true and complete.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Please return completed application to the following address:

Attorney Certification  
Virginia Indigent Defense Commission  
1604 Santa Rosa Road, Ste. 109  
Richmond, VA 23229  
Phone: (804) 662-7249 extension 139  
Fax: (804) 662-7452

**Map Showing Virginia Circuits and Districts**

