

New Homicide Appointment System

On September 14, 2011, began accepting applications for the new First Judicial District Homicide Appointment System. The First Judicial District will be implementing a totally new system for appointment of counsel in homicide cases. Copies of the order and new rule pertaining to this change are in the Local Rules section of this website. Please review the new rule thoroughly as several components and qualifications have changed. Briefly put, the system for appointing counsel to homicide trials, appeals and PCRA's has been reformed to distribute cases more equitably and to evaluate and monitor counsel performance to better ensure just representation.

The application will be available on the FJD website (www.courts.phila.gov), The Philadelphia Bar Association website (www.philabar.org), The Philadelphia Association of Criminal Defense Lawyers' website (www.pacdl.org) and at the Information Counter on the 2nd floor of the Criminal Justice Center. Applications must be completed and submitted by October 31, 2011 to be considered for homicide appointments commencing January 2, 2012. Please submit completed applications and necessary scanned attachments electronically to HAS@courts.phila.gov. If you are unable to submit the application electronically you may drop it off at the Court Appointment Unit on the 2nd floor of the Criminal Justice Center, 1301 Filbert Street, Philadelphia, PA 19107. Commencing January 2, 2012, anyone who is not on one of the Panels delineated in the new rule (which is also attached) will be ineligible for court appointments in homicide cases.

Although the application process for homicide appointments has changed, all attorneys applying for such consideration must have an office in Philadelphia and must have a Philadelphia Business Privilege License.

We hope **all qualified attorneys** will complete the application and participate in the new Homicide Appointment System. It is an opportunity to help those who can't afford representation in some of the most serious cases litigated in the First Judicial District. The experience could be invaluable.

If you should have any questions regarding the application, please contact Keith Smith, Director of Active Criminal Records at 215.683.7505 or keith.smith@courts.phila.gov.

**FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
APPLICATION FOR HOMICIDE PANEL APPOINTMENT
Under Phila. Crim. Rule 122-1**

***PLEASE READ AND FOLLOW ALL DIRECTIONS
INCOMPLETE, ILLEGIBLE OR IMPROPERLY PREPARED
APPLICATIONS WILL BE REJECTED***

1. Pursuant to FJD AGB Directive No. 2 of 1997: Appointed counsel must maintain a principal office in Philadelphia County to be eligible to receive court appointments.
2. Please read the Rule applicable to each category before answering the questions. A copy of Phila. Crim. Rule 122-1 is attached to the application for your convenience.
3. Where a brief or writing sample is required, submit only one copy. It is requested that these be submitted in .pdf format. Hard copy briefs will not be returned. When applying for multiple panels you need only submit one copy of requested documents.
4. Where a training or education program is listed, please provide the exact title, sponsor, date and subject matter of the program. *You must attach a copy of the certificate of attendance for the program or CLE Board attendance records, along with the published program description or the table of contents from the written course materials/web page.* If the published description/table of contents is not available, please provide a brief description of the subject matter of the program.
5. If you are applying for any of the following panels -- Capital Trial, Non-Capital Trial, Capital Appeal, or Capital PCRA -- you must be in current compliance with Pa.R.Crim.P. 801. A Certificate of Compliance from the Supreme Court of Pennsylvania Continuing Legal Education Board can be obtained on line at https://www.pacle.org/services/cap_counsel.asp. If you are applying for more than one of these panels for which this Certificate or any other document is required, you need provide the Certificate/document only once.
6. Applications should be typed. Illegible applications will be rejected.
7. As to any section where a response on a separate page is indicated, you are required to do so; you may also answer any other question on a separate page if you require more space than is available on the Application.
8. Applications should be submitted as PDF attachments by email to: ***HAS@courts.phila.gov***. Attachments in excess of 3 megabytes (mb) should each be submitted by separate email(s). If counsel is absolutely unable to file the application as a PDF, hard copies of the application and attachments may be submitted to the Court Appointments Clerks, Criminal Listings, 206 Criminal Justice Center. There is a scanning fee of \$1.00/pg for applications submitted in hard copy.
9. You may remove application pages which do not relate to the Panel(s) which you seek to join. However, ***no application will be considered without pages 1, 2, 3 and 21.***

**FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
HOMICIDE APPOINTMENT SYSTEM (HAS)
UNDER PHILA. CRIM. RULE 122-1
APPLICATION FOR HOMICIDE PANEL APPOINTMENT
(PLEASE TYPE OR WRITE LEGIBLY)**

NAME _____

ATTORNEY ID _____

PRINCIPAL PHILADELPHIA OFFICE

HOME ADDRESS¹

OFFICE PHONE _____

HOME PHONE _____

MOBILE PHONE _____

EMAIL ADDRESS _____

Date of Admission to:

PA Bar _____

Other Courts _____

Please list foreign languages in which you
are fluent (if any).

For which Panel(s) are you seeking appointment?

1. Capital Trial Panel _____
2. Non-Capital Trial Panel _____
3. Capital Appeals Panel _____
4. Non-Capital Appeals Panel _____
5. Capital PCRA Panel _____
6. Non-Capital PCRA Panel _____

¹ Home information is for purposes of emergency contact, and will not be made public.

Please answer the following questions:

1. Are you familiar with the following (Your affirmative answer to this question is verification that you have read the applicable rules):

Pennsylvania Rules of Criminal Procedure	_____
Pennsylvania Rules of Appellate Procedure	_____
Philadelphia Court Rules -- Common Pleas (Criminal Division)	_____
Philadelphia Court Rules -- Municipal Court (Criminal Division)	_____

Please indicate the basis of that familiarity.

2. Are you readily available to accept appointments to the Panel(s) for which you are seeking certification or do you have any limitations in this regard?

3. (a) Have you ever been disciplined, suspended, disbarred, or placed on inactive status in any jurisdiction or Bar?
- (b) Are you an inactive Pennsylvania Practitioner, or not in compliance with the Pennsylvania Supreme Court=s Continuing Legal Education requirements?
- (c) Do you have any disciplinary complaints pending against you in any jurisdiction?
- (d) Has any court ever found that you abandoned your client, or that you provided ineffective assistance of counsel, or are any claims of ineffectiveness by you currently pending in any court?
- (e) Has any court ever removed you as a criminal defense counsel (trial, appellate, or PCRA) for any reason other than conflict, including at the request of a defendant or *sua sponte* by the Court?
- (f) Has any court ever removed you as criminal defense counsel (trial, appellate or PCRA) or dismissed an appeal due to your failure to file a timely notice of appeal?
- (g) Has any court ever removed you as criminal defense counsel (trial, appellate or PCRA) or dismissed an appeal due to your failure to file an appellate brief?
- (h) Has any appellate court ever precluded you from participating in oral argument due to a failure to file a timely appellate brief?

- (i) Has any appellate court deemed an appellate issue waived on appeal due to your failure to file a timely Statement of Errors Complained of on Appeal pursuant to Pa.R.A.P. 1925(b)?
- (j) Has any appellate court deemed all appellate issues waived on appeal due to your filing a boilerplate Statement of Errors Complained of on Appeal pursuant to Pa.R.A.P. 1925(b)?
- (k) Have you ever had any legal malpractice claims, arising from representation in a criminal case, filed against you where the claim survived summary judgment, resulted in a settlement or is still pending?
- (l) Is there any other information, including but not limited to possible criminal proceedings against you, which you believe the Selection Committee should be aware of?

You must answer each question. If you answered AYes@ to any of the above, please provide a detailed explanation of the circumstances, including copies of any decisions, orders, petitions, claims or other relevant documents. (Respond on a separate page, indicating “Response to Section 3”).

4. CAPITAL TRIAL PANEL (Rule 122-1.II.A.4.)

A. Requirements under Rule 122-1.II.A.4.A.

(1) Are you a member in good standing of the Bar of the Pennsylvania Supreme Court, or admitted to practice *pro hac vice* and a member in good standing of the Bar of the jurisdiction(s) in which you are admitted to practice?

(a) As to the Bar of the Pennsylvania Supreme Court and each Bar to which you are admitted, attach a current Certificate of Good Standing.

(b) If you are in inactive status in any Bar to which you are admitted, please provide the date and reason for your inactive status.

(2) Are you an active trial practitioner with a minimum of 5 years criminal litigation experience?

(a) Describe your criminal litigation experience?

(3) Have you maintained a practice of which, during the 5 year period immediately preceding the date of the filing of the application for membership in this Panel, 75% (by time spent) has consisted of serving as trial counsel in criminal cases before the FJD or before any trial court of record of the Commonwealth of Pennsylvania, or before any federal court within the boundaries of Pennsylvania?

(a) Describe your criminal practice?

(b) Please answer the following questions regarding your practice:

i. How many total active criminal cases do you currently carry as sole or co-counsel?

ii. Of the foregoing, how many are:

Capital _____ Non-Capital _____ Felony _____

iii. How many criminal cases have you taken to a jury trial in the preceding 24 months?

iv. How many criminal cases have you taken to a non-jury trial in the preceding 24 months?

v. Describe the nature of the balance of your practice, if other than as criminal trial counsel.

vi. In the past five years, how many capital cases have you handled as counsel of record?

vii. How many of those capital cases have gone to trial and/or penalty phase?

(4) Have you served as lead counsel in a minimum of 10 felony cases² that were given to the jury for deliberations, and (a) four (4) of which were non-capital homicide cases³ and (b) (i) at least one in which the death penalty was sought and was tried through the penalty phase, or (b)(ii) Two (2) in which the death penalty was sought and where, although resolved prior to trial or at the guilt phase, a thorough investigation was performed for a potential penalty phase?

	Defendant	Case #	Charge	Trial Judge	Trial Date	Result
1			Capital Homicide			
2			Non-Capital Homicide			
3			Non-Capital Homicide			
4			Non-Capital Homicide			
5			Non-Capital Homicide			
6						
7						
8						
9						
10						

² A “felony case” for purposes of this Panel requires that the defendant was arraigned before the jury on a charge of murder, manslaughter, vehicular homicide, or a felony of the first degree.

³ Capital Homicide Trials may be applied to this category.

For any of the foregoing cases which were not tried in the Court of Common Pleas for the FJD, provide a brief discussion of the nature of the case and the issues presented, and indicate where the case was tried. (Respond on a separate page, indicating “Response to Section 4.A.(4)”).

(5) Are you familiar with the practice and procedure of the Pennsylvania Supreme Court, as pertains to the appeal of capital cases?

(a) Describe the basis of your familiarity?

(6) Describe your training or experience demonstrating your knowledge of principles of criminal and constitutional law as they apply to death penalty cases. (Respond on a separate page, indicating “Response to Section 4.A.(6)”).

(a) Attach two (2) filed motions, memoranda or briefs written primarily by you addressing a legal issue at the pre-trial or trial stages of a death penalty case.

(7) (a) Describe the basis of your knowledge of the Pennsylvania Rules of Criminal Procedure, the Pennsylvania Rules of Evidence, and the case law as promulgated by the Pennsylvania Courts and the U.S. Supreme Court, and your familiarity with and experience in the use of expert witnesses, and forensic, psychiatric, scientific and medical evidence including, but not limited to, mental health, pathology and DNA profiling evidence. (Respond on a separate page, indicating “Response to Section 4.A.(7)(a)”).

(b) Describe the basis of your familiarity with, and experience in, the use of mitigation consultants and experts, expert witnesses and forensic, psychiatric, scientific and medical testimony specifically as it applies to the investigation and preparation of the penalty phase of a capital trial. (Respond on a separate page, indicating “Response to Section 4.A.(7)(b)”).

(8) Are you in full and current compliance with the minimal educational requirements mandated by the Pennsylvania Supreme Court in Pa.R.Crim.P. 801(2)?

(a) Attach a current copy of your current Certificate of Compliance from the Supreme Court of Pennsylvania Continuing Legal Education Board (Certificate can be obtained on line by entering your name at https://www.pacle.org/services/cap_counsel.asp).

5. NON-CAPITAL TRIAL PANEL (Rule 122-1.II.A.5.)

A. Requirements under Rule 122-1.II.A.5.A.

(1) Are you a member in good standing of the Bar of the Pennsylvania Supreme Court, or admitted to practice *pro hac vice* and a member in good standing of the Bar of the jurisdiction(s) in which you are admitted to practice?

(a) As to the Bar of the Pennsylvania Supreme Court and each Bar to which you are admitted, attach a current Certificate of Good Standing.

(b) If you are in inactive status in any Bar to which you are admitted, please provide the date and reason for your inactive status.

(2) Are you an active trial practitioner and during the 5 year period immediately preceding the date of the filing of the application for membership in this Panel, not less than 75% (by time spent) of your practice has consisted of serving as trial counsel in criminal cases before the FJD or before any trial court of record of the Commonwealth of Pennsylvania, or before any federal court within the boundaries of Pennsylvania?

(a) Describe your criminal litigation experience? (Respond on a separate page, indicating "Response to Section 5.A.(2)(a)").

(b) Please answer the following questions regarding your practice:

i. How many total active criminal cases do you currently carry as sole or co-counsel?

ii. Of the foregoing, how many are:

Non-Capital _____ Felony _____

iii. How many criminal cases have you taken to a jury trial in the preceding 24 months?

iv. How many criminal cases have you taken to a non-jury trial in the preceding 24 months?

v. Describe the nature of the balance of your practice, if other than as criminal trial counsel.

(3) Have you served as lead counsel in a minimum of 10 felony cases⁴ that were given to the jury for deliberations, at least one of which was a non-capital homicide case, except that if you only sat as second chair in that non-capital homicide case, you must have participated as second chair in at least 2 non-capital homicide cases?

	Defendant	Case #	Charge	Trial Judge	Trial Date	Result
1			Homicide			
2						
3						
4						
5						
6						
7						
8						
9						
10						

For any of the foregoing cases which were not tried in the Court of Common Pleas for the FJD, provide a brief discussion of the nature of the case and the issues presented and indicate where the case was tried. (Respond on a separate page, indicating “Response to Section 5.A.(3)”).

⁴ A “felony case” for purposes of this Panel requires that the defendant was arraigned before the jury on at least a felony of the second degree or an offense which is punishable by a maximum sentence of 10 years.

(4) Are you familiar with the practice and procedure of the Pennsylvania Superior Court? Describe the basis of your familiarity.

(5) Describe the basis of your knowledge of the Pennsylvania Rules of Criminal Procedure, the Pennsylvania Rules of Evidence, and Pennsylvania case law and your familiarity with and experience in the use of expert witnesses, and forensic and medical evidence including, but not limited to, mental health, pathology and DNA profiling evidence. (Respond on a separate page, indicating “Response to Section 5.A.(5)”).

(a) Attach two (2) filed motions, memoranda or briefs written primarily by you addressing a legal issue in a non-capital homicide or felony case.

(6) Are you in full and current compliance with the minimal educational requirements mandated by the Pennsylvania Supreme Court in Pa.R.Crim.P. 801(2)?

(a) Attach a current copy of your current Certificate of Compliance from the Supreme Court of Pennsylvania Continuing Legal Education Board (Certificate can be obtained on line by entering your name at https://www.pacle.org/services/cap_counsel.asp).

8. CAPITAL APPEALS PANEL (Rule 122-1.II.A.8.)

A. Requirements under Rule 122-1.II.A.4.8.

(1) Are you a member in good standing of the Bar of the Pennsylvania Supreme Court, or admitted to practice *pro hac vice* and a member in good standing of the Bar of the jurisdiction(s) in which you are admitted to practice?

(a) As to the Bar of the Pennsylvania Supreme Court and each Bar to which you are admitted, attach a current Certificate of Good Standing.

(b) If you are in inactive status in any Bar to which you are admitted, please provide the date and reason for your inactive status.

(2) Have you represented clients in appellate or post conviction matters in at least 8 “significant cases”, as defined in Pa.R.Crim.P. 801(1)(c), had primary responsibility for at least 5 briefs in those significant cases, and have prior experience within the last 5 years as appellate or PCRA counsel, in federal or state court, in at least one case in which a sentence of death was imposed?

	Defendant	Case #	Charge	Trial Judge	Trial Date	Result
1			Death Sentence Imposed			
2						
3						
4						
5						
6						
7						
8						

For any of the foregoing cases which were not tried in the Court of Common Pleas for the First Judicial District of Pennsylvania, provide a brief discussion of the nature of the case and the issues presented, and indicate where the case(s) was tried. (Respond on a separate page, indicating “Response to Section 8.A.(2)”).

(3) Submit with this application at least one appellate brief written primarily by you which demonstrates excellence in written legal advocacy. If you did not write the entire appellate brief, please indicate those sections that were written exclusively by you.

(4) Are you familiar with the practice and procedure of the Pennsylvania Supreme Court, particularly as pertains to the appeal of capital cases?

(a) Describe the basis of your familiarity?

(5) Describe your training or experience demonstrating your knowledge of principles of criminal and constitutional law as they apply to death penalty cases. (Respond on a separate page, indicating “Response to Section 8.A.(5)”)

(6) Are you in full and current compliance with the minimal educational requirements mandated by the Pennsylvania Supreme Court in Pa.R.Crim.P. 801(2)?

(a) Attach a current copy of your current Certificate of Compliance from the Supreme Court of Pennsylvania Continuing Legal Education Board (Certificate can be obtained online by entering your name at https://www.pacle.org/services/cap_counsel.asp).

9. NON-CAPITAL APPEALS PANEL (Rule 122-1.II.A.9.)

A. Requirements under Rule 122-1.II.A.4.9.

(1) Are you a member in good standing of the Bar of the Pennsylvania Supreme Court, or admitted to practice *pro hac vice* and a member in good standing of the Bar of the jurisdiction(s) in which you are admitted to practice?

(a) As to the Bar of the Pennsylvania Supreme Court and each Bar to which you are admitted, attach a current Certificate of Good Standing.

(b) If you are in inactive status in any Bar to which you are admitted, please provide the date and reason for your inactive status.

(2) Are you familiar with the practice and procedure of the Pennsylvania Superior Court?

(a) Describe the basis of your familiarity?

(3) Are you an experienced and active trial or appellate practitioner (whether via direct appeals or appeals of PCRA cases) with at least 5 years experience in the field of criminal defense?

(a) Describe your experience. (Respond on a separate page, indicating “Response to Section 8.A.(5)”)

(4) Have you filed briefs within the past 5 years as appellate counsel in the Pennsylvania Supreme, Superior Court or the Third Circuit Court of Appeals in no fewer than 3 capital or non-capital homicide matters and 5 felony matters?

	Defendant	Case #	Charge	Trial Judge	Trial Date	Result
1			Homicide			
2			Homicide			

3			Homicide			
4						
5						
6						
7						
8						

(5) Submit with this application a filed brief written primarily by you. If you did not write the entire brief, please indicate those sections that were written exclusively by you.

10. CAPITAL PCRA PANEL (Rule 122-1.II.A.10.)

A. Requirements under Rule 122-1.II.A.10.A.

(1) Are you a member in good standing of the Bar of the Pennsylvania Supreme Court, or admitted to practice *pro hac vice* and a member in good standing of the Bar of the jurisdiction(s) in which you are admitted to practice?

(a) As to the Bar of the Pennsylvania Supreme Court and each Bar to which you are admitted, attach a current Certificate of Good Standing.

(b) If you are in inactive status in any Bar to which you are admitted, please provide the date and reason for your inactive status.

(2) Are you an active trial practitioner with a minimum of 5 years criminal litigation experience?

(a) Describe your criminal litigation experience?

(3) Have you maintained a practice of which, during the 5 year period immediately preceding the date of the filing of the application for membership in this Panel, 75% (by time spent) has consisted of serving as trial or appellate or PCRA counsel regarding criminal cases before the FJD or before any court of the Commonwealth of Pennsylvania or before any federal court within the boundaries of Pennsylvania?

(a) Describe your criminal trial, appellate and PCRA experience?

(b) Please answer the following questions regarding your practice:

i. How many total active criminal cases do you currently carry as sole or co-counsel?

ii. Of the foregoing, how many are:
Capital _____ Non-Capital _____ Felony _____

iii. How many criminal cases have you taken to a jury trial in the preceding 24 months?

iv. How many criminal cases have you taken to a non-jury trial in the preceding 24 months?

iii. How many criminal appeals have you briefed in appellate courts in the preceding 24 months?

iv. How many PCRA cases have you litigated to conclusion in the preceding 24 months?

v. Describe the nature of the balance of your practice, if other than criminal trial, appellate or PCRA counsel.

(4) i. Have you served as lead counsel in a minimum of eight (8) “significant cases” that were given to the jury for deliberations and/ or represented clients in appellate or post conviction matters in at least eight (8) “significant cases, as defined in Pa.R.Crim.P. 801(1)(c); had primary responsibility for at least five (5) briefs in those significant cases; and have prior experience, within the last five (5) years, as PCRA or appellate counsel before any court in the Commonwealth of Pennsylvania, including federal court, in at least one (1) case in which a sentence of death was imposed?

	Defendant	Case # and type (Trial, Appeal, PCRA)	Charge	Trial Judge or Appeals Court	Trial Date	Result
1			Death Sentence Imposed			
2						
3						
4						
5						
6						
7						
8						

For any of the foregoing cases which were not litigated in the Court of Common Pleas for the FJD, provide a brief discussion of the nature of the case and the issues presented and indicate where the case was litigated. (Respond on a separate page, indicating “Response to Section 10.A.(4)”).

(5) Submit with this Application at least one (1) sample of a filed legal writing for which you were primarily responsible. This writing must advocate the position of a party in an adversary proceeding and must demonstrate excellence in written legal advocacy.

(6) Are you familiar with the practice and procedure of the Philadelphia Court of Common Pleas and of the Pennsylvania Supreme Court, particularly as it pertains to the handling of appeals in post-conviction matters in which a sentence of death has been imposed?

(a) Describe the basis of your familiarity?

(7) Describe your training or experience demonstrating your knowledge of principles of criminal and constitutional law as they apply to death penalty cases. (Respond on a separate page, indicating “Response to Section 10.A.(7)”).

(a) Attach two (2) filed motions, memoranda or briefs written primarily by you addressing a legal issue in a death penalty case. If you did not write the entire appellate brief, please indicate those sections that were written exclusively by you.

(8) Describe the basis of your knowledge of the Pennsylvania Rules of Criminal Procedure, the Pennsylvania Rules of Evidence, and the case law of not only Pennsylvania but also of the U.S. Supreme Court, and your familiarity with, and experience in, the use of expert witnesses, and forensic, psychiatric and medical evidence including, but not limited to, mental health, pathology and DNA profiling evidence. (Respond on a separate page, indicating “Response to Section 10.A.(8)”).

(9) Are you in full and current compliance with the minimal educational requirements mandated by the Pennsylvania Supreme Court in Pa.R.Crim.P. 801(2)?

(a) Attach a current copy of your current Certificate of Compliance from the Supreme Court of Pennsylvania Continuing Legal Education Board (Certificate can be obtained on line by entering your name at https://www.pacle.org/services/cap_counsel.asp).

11. NON-CAPITAL PCRA PANEL (Rule 122-1.II.A.11.)

A. Requirements under Rule 122-1.II.A.11.A.

(1) Are you a member in good standing of the Bar of the Pennsylvania Supreme Court, or admitted to practice *pro hac vice* and a member in good standing of the Bar of the jurisdiction(s) in which you are admitted to practice?

(a) As to the Bar of the Pennsylvania Supreme Court and each Bar to which you are admitted, attach a current Certificate of Good Standing.

(b) If you are in inactive status in any Bar to which you are admitted, please provide the date and reason for your inactive status.

(2) Have you maintained a practice of which, during the 3 year period immediately preceding the date of the filing of the application for membership in this Panel, not less than 25% (by time spent) has consisted of serving as counsel representing petitioners who have filed a post-conviction petition pursuant to the PCRA before any court in the Commonwealth of Pennsylvania?

(a) Describe your PCRA experience?

(b) Please answer the following questions regarding your practice:

i. How many total active criminal cases do you currently carry as sole or co-counsel?

ii. Of the foregoing, how many are:
Capital _____ Non-Capital _____ Felony _____

iii. How many criminal cases have you taken to a jury trial in the preceding 24 months?

iv. How many criminal cases have you taken to a non-jury trial in the preceding 24 months?

iii. How many criminal appeals have you briefed in appellate courts in the preceding 24 months?

iv. How many PCRA cases have you litigated to conclusion in the preceding 24 months?

v. Describe the nature of the balance of your practice, if other than criminal trial, appellate or PCRA counsel.

(3) i. Do you have experience, within the past 3 years, as PCRA counsel in no fewer than 10 felony cases, including two (2) cases in which a PCRA hearing was held, or one (1) case in which a PCRA hearing was held *and* you have completed one CLE program on Pennsylvania post-conviction practice within the past year?

	Defendant	Case #	Charge	Trial Judge	Trial Date	Result
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						

For any of the foregoing cases which were not litigated in the Court of Common Pleas for the FJD, provide a brief discussion of the nature of the case and the issues presented and indicate where the case was litigated. (Respond on a separate page, indicating “Response to Section 11.A.(3)i”).

ii. If you have completed one CLE program on Pennsylvania post-conviction practice within the past year, attach a copy of the certificate of attendance for the program and the published program description or the table of contents from the written course materials.

(4) Have you participated in the preparation and litigation of 3 adversary hearings where factual issues were contested? (This may include the 2 PCRA hearings required in ¶3).

	Defendant	Case #	Charge and Hearing Type	Hearing Judge	Hearing Date	Result
1						
2						
3						

For any of the foregoing cases which were not litigated in the Court of Common Pleas for the FJD, provide a brief discussion of the nature of the case and the issues presented and indicate where the case was litigated. (Respond on a separate page, indicating “Response to Section 11.A.(4)”).

(5) Submit with this Application at least one (1) Amended PCRA Petition and at least one Finley letter written and filed by you within the past two (2) years.

(6) Are you familiar with the practice and procedure of the Pennsylvania Superior Court?

(a) Describe the basis of your familiarity?

**12. INITIAL YEAR CONSIDERATION OF ALTERNATIVE QUALIFICATIONS
(Rule 122-1.II.A.12.)**

As to any of the foregoing Homicide Panels for which an experienced attorney seeks appointment, but does not meet the technical requirements of this new local rule, the attorney may petition the Selection Committee to review his or her credentials and to allow such attorney to explain how he or she will be able to meet the spirit if not the letter of this new Rule. There are no exceptions to the requirements of Pa.R.Crim.P. 801 as regards any of the Capital Panels. If the Selection Committee approves the attorney for inclusion on a Panel, such attorney must thereafter comply with all the performance standards of Rule 122-1 which pertain to the Panel for which the attorney has been selected.

If, you desire such consideration:

- A. Provide as fully as possible all the information requested in the section of this Application for the Panel to which you are applying.

- B. As to any requirement which you are unable to fulfill, provide a written statement, with any appropriate attachments, setting forth in detail, your basis for asserting that your experience, knowledge and training are clearly equivalent to the standards for the Panel to which you seek admission. (Respond on a separate page, indicating “Response to Section 12.B.”).

I understand and agree that the HAS Selection Committee may investigate my responses set forth in this application and attachments hereto, including making inquiry of judges, attorneys, court administrators or others, and requesting documents from appropriate sources.

I hereby certify that the facts set forth in the foregoing, and any attachments, are true and correct to the best of the undersigned's knowledge, information and belief and are verified subject to the penalties for unsworn falsification to authorities under Pennsylvania Crimes Code ' 4904 (18 Pa. C.S. ' 4904).

Signature

Print Name

Date: _____

If you would like to be contacted by the Criminal Justice Section of the Philadelphia Bar Association regarding resources available to criminal defense lawyers, please indicate below:

___ Yes, by email at _____

___ Yes, by phone at _____

___ Yes, by regular mail at my office address _____

___ No