

AMENDED STANDARDS FOR THE QUALIFICATIONS OF ATTORNEYS FOR
APPOINTMENT TO DEATH PENALTY CASES IN TARRANT COUNTY, TEXAS,
PURSUANT TO ARTICLE 26.052 OF THE TEXAS CODE OF CRIMINAL
PROCEDURE

Pursuant to the requirements of Article 26.052 of the Texas Code of Criminal Procedure, a minimum of two (2) attorneys, designated as lead counsel and as second chair, are to be appointed as trial counsel in death penalty cases from the List of Attorneys Qualified for Appointment to Death Penalty Cases in Tarrant County, Texas, which shall be compiled pursuant to these Standards; unless the state gives notice in writing that the state will not seek the death penalty.

To be qualified for appointment as trial counsel, as appellate counsel, or to apply for a writ of certiorari in the United States Supreme Court in death penalty cases, an attorney must possess the following qualifications:

1. Counsel must be a member of the State Bar of Texas;
2. Counsel must be familiar with the Texas Penal Code, the Texas Code of Criminal Procedure, and the local rules of practice for criminal courts in Tarrant County, Texas;
3. For appointment as trial counsel in a death penalty case, counsel must have a minimum of five (5) years experience in the litigation of criminal cases. Counsel shall have tried to a verdict, as lead defense counsel, a significant number of felony cases, including homicide trials and other trials for offenses punishable as second or first degree felonies, or capital felonies. Counsel must have trial experience in the use of and challenges to mental health or forensic expert witnesses, and investigating and presenting mitigating evidence at the penalty phase of a death penalty trial. Counsel must exhibit proficiency and commitment to providing quality representation to defendants in death penalty cases;
4. For appointment as lead trial counsel, counsel must have previously served as trial counsel in or have presided over, a least one (1) death penalty case that was tried to a verdict;
5. For appointment as appellate counsel, counsel must have substantial experience in the trial and/or the direct appeal of criminal cases of a serious and complex nature (including murder cases); For appointment as appellate counsel, prior death penalty experience is not required, but it is recommended;
6. Counsel must have significant and continuous training in the field of criminal law, and in the specific area of death penalty litigation. Counsel shall have participated in continuing legal education courses or other training related to criminal defense in death penalty cases. Not later than the second anniversary of the date an attorney is placed on the qualified list for death penalty cases and each year following the second anniversary, the attorney must present proof to the local selection committee that the attorney has successfully completed the minimum continuing legal education requirements of the State Bar of Texas, including a course or other form of training relating to the defense of death penalty cases. Failure to comply with this requirement will result in the attorney losing certification for appointment in death penalty cases.

7. Any attorney who has served as trial counsel in a death penalty case may not be appointed as appellate counsel in that case, unless both the defendant and attorney request the appointment on the record, and the Court finds that good cause exists to make the appointment.

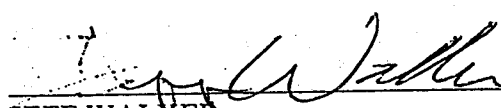
The local selection committee will annually review the capital counsel approved list to ensure that each approved attorney satisfies the requirements of Texas Code of Criminal Procedure Article 26.052.

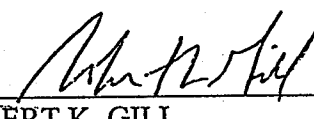
Counsel previously approved shall remain approved on the effective date of Texas Code of Criminal Procedure Article 26.052 except that they must comply with all continuing legal education requirements of these rules.

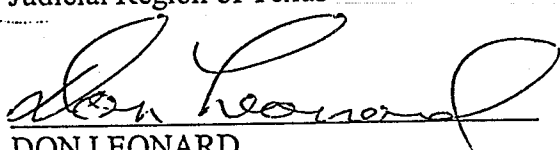
The foregoing standards are the minimum qualifications necessary for appointment as counsel in death penalty cases in Tarrant County, Texas. A copy of these Standards, together with the List of Attorneys Qualified for Appointment in Death Penalty Cases in Tarrant County, Texas, compiled under these Standards, are to be prominently posted in each District Clerk's office within this region.


These foregoing standards shall become Chapter 6 of the felony public appointment list qualifications.

These standards were amended and adopted by the committee formulated pursuant to Article 26.052 of the Texas Code of Criminal Procedure, on the 15th day of October, 2001, as witnessed by the signatures of the committee members.


JEFF WALKER
Presiding Judge, 8th Administrative
Judicial Region of Texas


ROBERT K. GILL
Judge, 213th District Court
Tarrant County, Texas


DON LEONARD
Judge, Criminal District Court No. Three
Tarrant County, Texas


LARRY M. MOORE
Attorney at Law
4210 W. Vickery
Fort Worth, Texas 76107

NOTICE

Attorneys seeking inclusion on the List of Attorneys Qualified for Appointment to Death Penalty Cases in Tarrant County, Texas, shall submit their application to the Hon. Robert Gill, Judge of the 213th Judicial District Court, or to the Hon. Don Leonard, Judge of the Criminal District Court Number Three, Tarrant County, Texas, stating that they possess the minimum qualifications for appointment under these standards, either as lead counsel; as second chair; and/or as appellate counsel. The committee shall certify the applicant for inclusion on the list for appointment as counsel in death penalty cases in those positions for which the Applicant has shown himself to be qualified under these standards.