

G. STANDARD FOR QUALIFIED COUNSEL

1. General Qualifications

To be considered qualified, an attorney must submit a completed application form and meet the following criteria:

- (a) Licensed and in good standing with the State Bar of Texas for three consecutive years prior to submitting an application;
- (b) Consistently exhibited proficiency and commitment to providing quality representation to clients charged with criminal offenses;
- (c) Consistently exhibited professionalism and reliability while zealously representing clients;
- (d) Represented, as first-chair, not less than 50 cases punishable as Class “A” or Class “B” misdemeanors;
- (e) Possess the following litigation experience in cases punishable as Class “A” or Class “B” misdemeanors, or felonies:
 - i. tried to verdict, as first-chair, not less than five (5) trials before a judge or jury;
 - ii. acted as second-chair in not less than ten (10) trials before a judge or jury; or
 - iii. a combination of first-chair and second-chair experience equal to five (5) trials.¹
- (f) Possess a telephone number, fax number, and a physical location, other than a public building, in which the attorney can confer with a client, witness, investigator, or others to ensure the confidences of the defendant will be preserved;
- (g) Average 10 hours a year of continuing legal education, including one hour of ethics in criminal law matters, for the three consecutive years prior to filing an application;
- (h) Attend continuing legal education programs as directed by the Presiding Judge of these Courts; and
- (i) sign the attorney acknowledgment.

2. Qualifications For Special Assignments

In addition to the general qualifications, an attorney must have tried as first-chair:

- (a) an additional ten (10) jury trials; and
- (b) not less than five (5) competency hearings.

¹ Two trials as second-chair are the equivalent of one trial as first-chair.

3. Qualifications For Appellate, Habeas Corpus, And Extraordinary Writs

In addition to the general qualifications, an attorney must have personally authored at least five (5) criminal appellate briefs and two (2) post conviction writs.

4. Continuing Obligation To Report Changes In Qualifications

(a) A qualified attorney shall notify the Presiding Judge of these courts not later than 48 hours after any of the following events:

- i. arrest for any state or federal offense punishable by confinement;
- ii. placement on community supervision or intervention;
- iii. disciplinary action by the State Bar of Texas including active or probated suspension; or
- iv. entering a plea of guilty or no contest to an offense punishable by confinement.

H. APPROVAL OF ATTORNEYS

In addition to meeting the objective qualifications described in section 23G, an attorney must be approved by a majority of the judges.

1. Consideration of Qualified Attorneys

(a) At each monthly meeting beginning in August, 2003, following submission of attorney applications, the judges shall consider new applicants for the approved list.

(b) The judges may approve, by majority vote, those attorneys:

- i. who have met the objective qualifications; and
- ii. whom the judges consider to be competent to adequately handle misdemeanor cases.