



## King County

# King County Department of Public Defense Assigned Counsel Panel Application

**King County Department of Public Defense (DPD)** maintains an Assigned Counsel Panel of attorneys interested in providing legal defense services to indigent defendants who cannot be represented by any one of the existing divisions within DPD due to a legal conflict of interest. Cases are assigned on an individual basis. The application process for the panel is outlined below.

### **BACKGROUND**

The Department of Public Defense (DPD) provides legal representation to indigent persons entitled to appointed legal services in King County courts and in Seattle Municipal Court, as assigned by DPD or as appointed from the bench, in compliance with all applicable laws and administrative regulations of the State of Washington, King County Code (KCC), and Washington State Rules for Professional Conduct (RPC) for persons:

- Aged 18 and over, charged with felonies in King County,
- Aged 18 and over, charged with misdemeanors in unincorporated King County,
- Aged 18 and over, charged with misdemeanors in Seattle Municipal Court
- Under the age of 18, in Juvenile Court matters,
- In Juvenile Dependency matters,
- In civil proceedings relating to the Involuntary Commitment Act, the Sexually Violent Predator Act, and Civil Contempt of Court.

The statutory authority for these responsibilities is found in King County Code 2.60.

### **BENEFITS, COMPENSATION, AND REQUIREMENTS**

Members of DPD Assigned Counsel may receive:

- No-cost DPD training in relevant case areas,
- Email updates on court procedures and changes in the law,
- No-cost attorney-client phone calls from King County correctional facilities,
- No-cost access to Judicial Access Browser System (JABS), used to locate Washington state case information,
- No-cost interpreter phone service for use when court interpreter services are unavailable,

Compensation information and requirements for the Assigned Counsel Panel can be found in the [DPD Assigned Counsel Policy](#), available on the [DPD Assigned Counsel Panel Website](#).

## **SELECTION OF ATTORNEYS**

Attorneys interested in representing indigent clients as part of KC DPD's Assigned Counsel Panel may apply for membership by submitting completed Application Packet, which includes the following:

- Completed Assigned Counsel Panel Application,
- Proof of admission to practice law in Washington State, and
- Current Insurance Certificate and Endorsement.

It is important to note that a completed Application Packet does not guarantee an applicant a place on the Assigned Counsel Panel nor does acceptance to the Assigned Counsel Panel guarantee that the member will be assigned clients or casework in a certain practice area. DPD reserves the right to limit the size of the panel.

DPD will evaluate applications that meet the administrative and contractual minimum requirements as set forth in this application and the policies of DPD. DPD will evaluate each application based on its total characteristics and any other information available. DPD may:

- Request additional information from applicants to clarify information,
- Consult with judges, court staff, clients, and others who have knowledge of the applicant and/or the local caseloads and practices to aid in the review of the applicant's merits, and
- Consult individuals with experience and expertise in the proposed case types to aid in the review of the applicant's merits.

**Completed Assigned Counsel Applications should be emailed to:**

**[DPD.AssignedCounsel@kingcounty.gov](mailto:DPD.AssignedCounsel@kingcounty.gov)**

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**I. ATTORNEY PROFILE:**

**A. General Information**

1. Name: \_\_\_\_\_ WSBA Number: \_\_\_\_\_
2. Email: \_\_\_\_\_
3. Address: \_\_\_\_\_
4. Telephone: \_\_\_\_\_
5. Law Firm Name (if applicable): \_\_\_\_\_
6. Bar affiliations/memberships: (include past admissions and list dates of admission):  
\_\_\_\_\_
7. Office Resources: Please attach a written summary of your office resources, including a private office area to meet and confer with clients, office staff, and your electronic storage and communication capabilities (including phone, computer, access to electronic legal research materials, capability to handle large electronic discovery cases, etc.).
8. Previous Employment: Please list below your most recent relevant legal employment history. Start with your current employer. Additional information can be provided in an attached resume.

Name of Employer: \_\_\_\_\_

Dates of Employment: \_\_\_\_\_

Position/Title: \_\_\_\_\_

Position Description: \_\_\_\_\_

Employer's Address: \_\_\_\_\_

Employer Contact Name and Title: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Name of Employer: \_\_\_\_\_

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Dates of Employment: \_\_\_\_\_

Position/Title: \_\_\_\_\_

Position Description: \_\_\_\_\_

Employer's Address: \_\_\_\_\_

Employer Contact Name and Title: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Name of Employer: \_\_\_\_\_

Dates of Employment: \_\_\_\_\_

Position/Title: \_\_\_\_\_

Position Description: \_\_\_\_\_

Employer's Address: \_\_\_\_\_

Employer Contact Name and Title: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

**B. Additional Information**

1. Have you ever been disciplined by the Bar of any state, or by any court? Have you been removed from a case by order of the court for any reason other than conflict of interest or irreconcilable differences with a client?

YES       NO

If YES, please attach a description of the incident(s)

2. Have you ever been the subject of a Bar complaint, been the defendant in any civil or criminal lawsuit, or had an investigation opened by the Bar Association regarding any violation of the RPCs?

YES       NO

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If YES, please attach a description of the incident(s) as well as attach a waiver of confidentiality for Bar Complaint records.

3. Are you now an officer or director of any business enterprise other than your law practice?

YES       NO

If YES, please attach a description.

4. Do you have any prior involvement in a business or governmental enterprise which may affect your practice as an assigned counsel in any area administered by King County DPD, including conflicts of interest under the RPCs?

YES       NO

If YES, please attach a description.

**II. PRACTICE EXPERIENCE**

1. Do you have any prior involvement in a business or governmental enterprise which may affect your practice as an assigned counsel in any area administered by King County DPD, including conflicts of interest under the RPCs?

2. What percentage of your current practice/position involves:

\_\_\_\_ % Civil Litigation

\_\_\_\_ % Criminal Litigation

\_\_\_\_ % Non-Litigation

**100%**

3. Approximate the distribution of appearances in the following courts and the number of cases you have tried within the last ten years as sole or chief counsel to verdict or judgment, rather than settled (please indicate Jury or Bench):

\_\_\_\_ % Municipal Court      \_\_\_\_ # Tried; Jury or Bench

\_\_\_\_ % County District Court      \_\_\_\_ # Tried; Jury or Bench

\_\_\_\_ % State Superior Court      \_\_\_\_ # Tried; Jury or Bench

\_\_\_\_ % Federal District Court      \_\_\_\_ # Tried; Jury or Bench

\_\_\_\_ % Appellate Court      \_\_\_\_ # Tried; Jury or Bench

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\_\_\_\_ % Administrative Tribunal \_\_\_\_ # Tried; Jury or Bench  
**100%**

4. Please attach a summary of the nature of your current law practice/position (including typical types of clients and areas of specialization), your years of experience in public defense work, and years of experience in each type of defense work listed above, as Assigned Counsel or retained counsel.
5. Please attach a description of the policies and/or procedures you will use to ensure that expert witnesses are employed when necessary and that consistent and systematic efforts are made to secure the needed expert locally at a reasonable cost.
6. Please attach a summary of your participation in activities with the purpose of furthering access to justice (for example: professional services rendered at no or reduced fee to persons of limited means or to public service or charitable groups/organizations, or participation in activities for improving the law, the legal system, or the legal profession).

**III. ASSIGNED COUNSEL PANEL MINIMUM REQUIREMENTS:**

Please check the panels you are qualified for and wish to serve on. Attach a description of the requested experience information.

- Class A Adult Felony**—1) Must have served two years as a prosecutor or as a public defender or in private criminal practice; 2) Has been trial counsel alone or with other counsel and handled a significant portion of the trial in five (5) felony cases that have been submitted to a jury.
  - Aggravated Homicide**— Experience as above AND experience on defense team in Murder 1 cases; attach a description of your role.
  - Persistent Offender**—Experience as above AND 1) Four (4) years criminal trial experience; 2) Experience as lead counsel in at least one Class A felony trial; 3) All other requirements under the Washington State Standards for Indigent Defense for Persistent Offender Cases.
- Class B Adult (Violent Offense) Felony**—1) Must have served two years as a prosecutor or as a public defender, or in private criminal practice; 2) Has been trial counsel alone or with other counsel and handled a significant portion of the trial in three (3) Class C Felony criminal cases that have been submitted to a jury.
  - Sex Offense**—Experience as above AND has been trial counsel alone or with other counsel in an adult or juvenile sex offense case.
- Class B Adult (Non-Violent Offense) Felony**—1) Must have served one year as a prosecutor or as a public defender, or in private criminal practice; and 2) Has been trial counsel alone or with other counsel in two (2) criminal cases that have been submitted to a jury.

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- Class C Adult Felony**—1) Must have served one year as a prosecutor or as a public defender, or in private criminal practice; and 2) Has been trial counsel alone or with other counsel in two (2) criminal cases that have been submitted to a jury.
- Class A Juvenile Felony**—1) Must have served two years as a prosecutor or as a public defender or in private criminal practice; and 2) Has been trial counsel alone in five (5) felony trials to verdict.
- Class B Juvenile Felony**—1) Must have served one year as a prosecutor or as a public defender or in private criminal practice; and 2) Has been trial counsel alone in two (2) felony trials to verdict.
- Class C Juvenile Felony**—1) Must have served one year as a prosecutor or as a public defender or in private criminal practice; and 2) Has been trial counsel alone in two (2) felony trials to verdict.
- Adult Misdemeanors (King County District Court)** – Experience as a public defender, prosecutor, private criminal law practitioner, or experience in public interest law working with indigent clients.
- Adult Misdemeanors (Seattle Municipal Court)** – Experience as a public defender, prosecutor, private criminal law practitioner, or experience in public interest law working with indigent clients.
- Juvenile Misdemeanors**— Must have served as trial counsel alone for three (3) misdemeanor trials to verdict.
- Juvenile Status Offenses (Becca, At-Risk Youth, Child in Need of Services, or Truancy)**— 1) Must have served one (1) year as a public defender or prosecutor in Juvenile Court or Dependencies; OR one (1) year of private practice with an emphasis in Juvenile Court, Dependencies or family practice; 2) Must have experience working with children and youth in legal proceedings; 3) All other requirements under the Washington State Standards for Indigent Defense for Dependency Cases.
- Dependency Cases**— 1) Must have one (1) year of dependency experience as a public defender, assistant attorney general, or private practitioner; or have significant experience handling family law litigation or complex litigation; 2) Must have familiarity with expert services and treatment resources for children and youth; 3) Must have experience in working with children and youth in legal proceedings; 4) All other requirements under the Washington State Standards for Indigent Defense for Dependency Cases.
- Civil Contempt (COC)**— Experience in courtroom procedure as a public defender, prosecutor, or private civil practitioner.
- Civil Commitment (ITA)**— 1) One year experience as public defender, prosecutor, or private criminal practitioner; 2) Has been trial counsel in five (5) civil commitment initial hearings; 3) Has conducted a felony jury trial as lead counsel; or been co-counsel with a more experienced attorney in a 90- or 180-day commitment hearing; 4) Has familiarity with expert services and mental health treatment resources.

**IV. QUALIFYING EXPERIENCE AND REFERENCES:**

**A. Qualifying Experience**

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List five (5) cases reaching final disposition which qualify as predicate cases for each of the panels to which you are applying. Use additional copies of this page for each panel, if necessary.

1. Court: \_\_\_\_\_ Case #: \_\_\_\_\_ Date: \_\_\_\_\_

Client Name: \_\_\_\_\_

Charge(s): \_\_\_\_\_ Disposition: \_\_\_\_\_

Trial:  YES  NO  BENCH  JURY

2. Court: \_\_\_\_\_ Case #: \_\_\_\_\_ Date: \_\_\_\_\_

Client Name: \_\_\_\_\_

Charge(s): \_\_\_\_\_ Disposition: \_\_\_\_\_

Trial:  YES  NO  BENCH  JURY

3. Court: \_\_\_\_\_ Case #: \_\_\_\_\_ Date: \_\_\_\_\_

Client Name: \_\_\_\_\_

Charge(s): \_\_\_\_\_ Disposition: \_\_\_\_\_

Trial:  YES  NO  BENCH  JURY

4. Court: \_\_\_\_\_ Case #: \_\_\_\_\_ Date: \_\_\_\_\_

Client Name: \_\_\_\_\_

Charge(s): \_\_\_\_\_ Disposition: \_\_\_\_\_

Trial:  YES  NO  BENCH  JURY

5. Court: \_\_\_\_\_ Case #: \_\_\_\_\_ Date: \_\_\_\_\_

Client Name: \_\_\_\_\_

Charge(s): \_\_\_\_\_ Disposition: \_\_\_\_\_

Trial:  YES  NO  BENCH  JURY

**B. References**

Please provide three additional references who are familiar with your trial work within the last three years (defenders, prosecutors, judges, other attorneys). **If you are seeking work on a specific panel(s), please include a reference who is familiar with your trial work on cases included within that panel workload.**



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<u>NAME</u>	<u>TITLE</u>	<u>PHONE NO.</u>	<u>EMAIL ADDRESS</u>
1.			
2.			
3.			

**V. ADDITIONAL CONDITIONS**

1. To be eligible for assignments, attorneys must take at least seven (7) hours of the annual continuing legal education (CLE) requirement in criminal law, or in family law if your practice area is dependency or civil contempt. Upon acceptance to the Assigned Counsel Panel, you must provide verification of CLE compliance. This requirement is ongoing for each year the attorney remains on the AC panel.
2. Panel attorneys must maintain, at a minimum, (a) professional liability insurance coverage in the amount of \$1,000,000 for each claim and \$1,000,000 in the aggregate, with a maximum deductible of \$10,000; and, if an employer: (b) Statutory Workers Compensation and, (c) Employers' Liability/Stop Gap in the amount of \$1,000,000. Upon acceptance to the Assigned Counsel Panel, you must provide verification of insurance requirements.
3. If offered placement on the Assigned Counsel Panel, attorneys must attend the Assigned Counsel Panel Orientation. If offered placement on the Civil Commitment panel or any Juvenile panels, attorneys must complete a 2-hour, subject-matter-specific training in addition to the Assigned Counsel Panel Orientation. All training requirements must be completed before a panel attorney will be considered eligible for case assignments.
4. To ensure that indigent clients are provided adequate representation, DPD or its designee will evaluate the performance of attorneys accepting cases. Assigned Counsel Panel attorneys agree that such evaluation may include the following: viewing the attorney's performance in court; soliciting and receiving comments from judges, clients, other counsel, and court personnel regarding the attorney's performance; and examining legal documents filed by the attorney.

**VI. CERTIFICATION AND SIGNATURE**

By signing and returning the application form,

I accept and intend to abide by the terms and conditions included within the application,

I understand and acknowledge that, if offered placement on the King County Department of Public Defense Assigned Counsel Panel, any and all work is performed as an independent contractor only and NOT as an employee of King County or King County Department of Public Defense,

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I understand that any false or misleading information contained herein, or any failure to submit required information may result in the termination of contracting activities with King County Department of Public Defense.

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

Print name: \_\_\_\_\_

Title/Firm: \_\_\_\_\_

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