Superior Court Of California
County Of Imperial

Policy Memorandum	Date Issued: May 22, 2005 Revised: July 20, 2007 Revised: January 15, 2013 Revised: May 17, 2022	Page 1 OF 2
Subject: Criteria for Court Appointment of Indigent Defense Counsel	**Approved by:** William D. Quan, Presiding Judge	

Purpose: To establish criteria and a list for court appointed indigent defense counsel in cases pending before the courts and to implement a process for the ongoing review of court appointment lists.

Policy: The following minimum experience is established for any attorney seeking appointment.

TYPE OF CASE	MINIMUM EXPERIENCE	TRIAL EXPERIENCE	OTHER EXPERIENCE REQUIRED
Misdemeanors	6 months criminal practice	None	
PC 1170(h) Felonies	2 years criminal practice with one letter of recommendation	At least 3 misdemeanor jury trials to completion	
Serious or Violent Felony	3 years criminal practice with one letter of recommendation	3 misdemeanor trials and 3 felony jury trials to completion	
Homicide or life case	5 years criminal practice with one letter of recommendation	3 misdemeanor trials; 3 felony jury trials and 3 Serious or Violent jury trials to completion	Homicide seminar
Death Penalty	10 years criminal practice	Per CRC 4.117(d)	
Associate Counsel for Death Penalty	3 years criminal practice	Per CRC 4.117(e)	
Appellate Counsel	3 years civil and general practice		Subject matter expertise (i.e. misdemeanor, writs, habeas corpus, etc)
Juvenile Delinquency	1 year of criminal and juvenile delinquency practice		At least 6 months of specialized 602 representation
Juvenile Dependency	6 months of general practice		Local Rule 14.07
Conservatorship/3150 FC/Guardian Ad-Litem	2 years of general practice		Subject matter expertise (Family, Dependency, probate)

Appointment Overview: Counsel for indigent defense will be appointed by the Court generally in the following manner:

a) Level 1: appointment of Public Defender.

b) Level 2: appointment of overflow flat rate contract attorneys.

c) Level 3: appointment of overflow hourly contract attorneys. County to make best effort to maintain at least 10 qualified attorneys.

Court appointments for Level 2 and 3 will be made from the approved Court Indigent Defense Counsel Appointment List, who are approved by the court on a rotating basis at the sole discretion of the Judicial Officer. Attorney may be removed from appointment list with or without cause at any time. Currently approved attorney list for appointments will be posted on the websites for the County of Imperial and the court (www.imperial.courts.ca.gov and www.co.imperial.ca.us).

Other Requirements and Criteria:

1. All attorneys approved to be included on the Level 2 and Level 3 appointment list shall agree to follow these rules.

2. Attorneys shall submit an application to be added to the appointment list and shall submit with their application to be added to the appointment list with a current résumé to the Office of County Counsel.

3. Attorneys seeking Court appointment must submit an updated résumé describing total years of experience by type of litigation; number and type of trials completed; and mandatory continuing education courses completed over the last 3 years.

4. The Court will review and consider all applications and résumés submitted by counsel for inclusion to the attorney appointment lists on an as-needed basis, provided all requirements have been met.

5. Effective immediately, Court appointed counsel pursuant to Penal Code Section 987.2 may have another attorney stand-in for him/her to make special appearances for brief or non-substantive matters due to unavailability if the attorney is qualified for that level of case. Delegation or subcontracting of a case previously assigned to an individual attorney will not be authorized.

6. All level two and 3 attorneys appointed by the court are required to provide the court with a contact phone number and e-mail so that attorney will receive notice of appointment.

7. All level 2 and 3 attorneys will be available for court appearance within 48 hours of appointment on the appointing courts regular calendar.