

# Operation Lone Star – Attorney Panel Application

On March 6, 2021, the Governor launched Operation Lone Star (OLS), which increased law enforcement presence in Texas border counties. As a result, more people will face state criminal charges along the border. Criminal defense attorneys are needed to ensure quality representation in these cases.

The Texas Indigent Defense Commission has provided a grant to the Lubbock Private Defenders Office to oversee the assignment of counsel, recruit attorneys to represent defendants, manage the appointment list, provide assigned counsel with case services like investigators and translators, and receive and review vouchers in Operation Lone Star cases.

Please use this form to apply to receive appointments for Operation Lone Star cases. A copy of the Trial Attorney Qualifications are below. Please note that filling out this form does not guarantee placement on the panel.

PANEL MEMBERS ARE INDEPENDENT ATTORNEYS, NOT EMPLOYEES OF THE LUBBOCK PRIVATE DEFENDER'S OFFICE.

The minimum requirements to be placed on the panel for Misdemeanor and State Jail Felony cases are:

1. All attorneys on the appointment list must ensure all information on their application is correct;
2. An attorney must be a licensed practicing attorney and a member in good standing of the State Bar of Texas;
3. An attorney shall submit by October 15th each year a statement that describes the percentage of the attorney's practice time that was dedicated to work based on appointments accepted in a county for adult criminal cases and juvenile delinquency cases for the prior 12 months that begins on October 1 and ends on September 30. The report must be submitted through the online form to the Texas Indigent Defense Commission/form prescribed by the Texas Indigent Defense Commission;
4. An attorney shall complete a minimum of 8 hours of CLE in the area of criminal law and procedure each year. The Lubbock Private Defenders Office may impose additional CLE requirements for attorneys on the Operation Lone Star appointment list. All attorneys on the appointment list must file a certificate with the Lubbock Private Defenders Office each year attesting to completion of the required CLE or submit documentation showing that the attorney is certified as a specialist in criminal law. Continuing legal education activity completed within a one-year period immediately preceding an attorney's initial reporting period may be used to meet the educational requirements for the initial year. Continuing legal education activity completed during any reporting period in excess of the minimum of 8 hours for such period may be applied to the following period's requirement. The carryover provision applies to one year only;
5. An attorney must have a minimum 1 year(s) experience in criminal law;
6. An attorney may not have been the recipient of any public disciplinary action by the State Bar of Texas or any other attorney licensing authority of any state or the United States within the last 5 year(s);
7. An attorney must maintain an office capable of email, fax, telephone, and videoconference/Zoom calls;
8. An attorney must have the ability to produce typed motions and orders, and e-file court documents;
9. An attorney shall notify the Lubbock Private Defenders Office promptly, in writing, of any matter that would disqualify the attorney by law, regulation, rule or under these guidelines from receiving appointments to represent indigent defendants.

The minimum requirements to be placed on the panel for higher-level cases are as follows:

Second and Third Degree Felony Case Qualification Requirements:

1. An attorney must meet general requirements for Misdemeanor and State Jail Felony appointments;
2. An attorney must have a minimum 2 year(s) experience in criminal law;
3. An attorney must have tried to verdict as lead counsel or co-counsel for the defense or for the prosecution at least (2) trials of any State Jail Felony or A or B misdemeanor. At least (1) of these trials must be a jury trial.

First Degree Felony Case Qualification Requirements:

1. An attorney must meet the general requirements for Second and Third Degree Felony appointments.
2. An attorney must have a minimum 4 year(s) experience in criminal law;
3. An attorney must have experience as 1st or 2nd chair in at least (3) trials of any grade felony case(s) tried to verdict. At least 2 of the trial(s) must have been jury trials.

Minimum requirements to be on the panels may change.

**\* Required**

1. Name:

<b>EXPECTATIONS</b>	<p>1. Representation as to Ability:</p> <p>Attorney represents that Attorney is licensed to practice law in Texas, is in good standing with the State Bar of Texas and meets the minimum requirements to be on the OLS Panel as established. Attorney further represents that Attorney is qualified for and has met the requirements for the level of offense that LPDO assigns Attorney. Attorney represents that Attorney will continue to comply with all ongoing continuing education and other requirements necessary to remain on the OLS Panel.</p> <p>2. Services to be Performed by Attorney:</p> <p>Attorney will provide high-quality legal services to indigent individuals charged with crimes pursuant to OLS. Attorney may decline assignments based on their existing client caseloads, as needed.</p> <p>3. Compensation:</p> <p>Attorney will be paid for legal services performed by Attorney according to the fee schedule of the County in which the case is adjudicated. Attorney shall use Attorney's best efforts and legal ability on behalf of the client in each case undertaken and shall claim fees only for actual time and case-related expenses reasonably necessary to properly represent the client. These fees and expenses will be paid to the extent specified in the attorney fee schedule adopted by the County wherein the case originates.</p>
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2. I have reviewed these requirements and I agree. \*

*Check all that apply.*

Agree

3. Are you interested in accepting cases where the defendant may have an identified mental illness? (Note: checking this box does not exclude you from receiving cases where a client may have a mental illness).

*Mark only one oval.*

Yes

No

4. Have you ever had a grievance filed with any state bar association that has been sustained? (Applicant may be required to provide information in a follow-up interview concerning the grievance and the disposition of the grievance.)

Mark only one oval.

Yes

No

5. Have you ever surrendered a bar license in any state?

Mark only one oval.

Yes

No

6. If yes, what state?

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## Personal Information

7. First name: \*

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8. Last name: \*

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9. Mobile number: \*

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10. Office number: \*

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11. Mailing address: \*

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12. Fax number: \*

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13. Email: \*

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14. Are you fluent in any other languages or Sign Language? Please list.

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15. Law school attended: \*

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## Professional Information

16. State Bar Number: \*

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17. Date Licensed \*

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Example: January 7, 2019

18. Board Certified in Criminal Law?

Mark only one oval.

- Yes
- No

19. Date of Board Certification

Example: January 7, 2019

20. Have you attended the TEXAS CRIMINAL TRIAL COLLEGE or other trial college?

Check all that apply.

- Yes, Texas Criminal Trial College
- No

Other:  \_\_\_\_\_

21. Have you had at least 8 CLE hours in criminal law in the last year? \*

Mark only one oval.

- Yes
- No

22. Other relevant education:

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Experience

23. Approximately how many felony defendants have you represented as lead counsel? \*

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24. Approximately how many felony trials have you tried to verdict? \*

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25. Approximately how many misdemeanor defendants have you represented as lead counsel? \*

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26. Approximately how many misdemeanor trials have you tried to verdict? \*

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27. Do you have experience in brief writing and/or writ applications? \*

Mark only one oval.

- Yes
- No

28. Please briefly explain your experience with criminal law, and specifically your trial experience. \*

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29. Please explain any familiarity or experience you have with immigration law. \*

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30. Please list which county appointment lists you are currently on and for what level of cases you have been approved to provide representation: \*

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31. In what counties do you wish to receive appointments? Check all that apply. Note: as of August 10, 2021, appointments are only occurring for Val Verde County cases. \*

*Check all that apply.*

- Val Verde
- Bee
- Brewster
- Brooks
- Colorado
- Crane
- Crockett
- Culberson
- DeWitt
- Dimmit
- Edwards
- Frio
- Galveston
- Goliad
- Gonzales
- Hudspeth
- Jackson
- Jeff Davis
- Jim Hogg
- Kenedy
- Kimble
- Kinney
- La Salle
- Lavaca
- Live Oak
- Mason
- Maverick
- McMullen
- Medina
- Menard
- Midland
- Pecos
- Presidio
- Real
- Schleicher
- Sutton
- Terrell
- Throckmorton
- Uvalde
- Webb
- Zapata
- Zavala

32. How many cases do you wish to receive? Please indicate whether you want assignments on a weekly or monthly basis. \*

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33. Have you signed up to use myPadilla.com, a free resource that will provide you with a detailed immigration consultation for any case involving a non-citizen? \*

*Mark only one oval.*

- Yes
- No

#### Acknowledgement page

34. I ask that my name BE CONSIDERED FOR INCLUSION on the list of licensed attorneys eligible for court appointments on the Operation Lone Star panel.

*Mark only one oval.*

- Yes
- No

35. By digitally signing this application and submitting, you are authorizing the the Lubbock Private Defender's Office to conduct a background and reference check. Additionally, you acknowledge that Attorney Panel Members are independent attorneys and have no expectation of a specific caseload or income. Type full name below. \*

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