



STATE OF RHODE ISLAND
APPLICATION FOR COURT
APPOINTMENT CERTIFICATION

Attorneys seeking certification to court appointment panels **must submit this application to the Chief Justice, Presiding Justice, or Chief Judge of the court of appointment.** The information provided must demonstrate that the attorney has the required level of experience to qualify for court appointment in the type(s) of case(s) indicated below (see Executive Order 2013-07).

A copy of the policy declaration sheet from your current professional liability policy **must** be enclosed with your application.

Rhode Island Bar Number: _____

Name: _____

Address: _____ **Telephone Number:** _____

_____ **Email Address:** _____

If payments will be made to your firm, please complete the following:

Firm Name: _____

Firm Employer Identification Number (EIN): _____

PANELS: Check the court appointment panel for which you are seeking certification. Please note, an attorney may remove himself/herself from a panel; however, you cannot add any new panels without prior approval by the Chief Justice, Presiding Justice, or Chief Judge of the court of appointment.

SUPREME COURT	
Indigent Defense Services	
Criminal Appeal	
Miscellaneous Appeals and Petitions	
Post-conviction Relief Appeal	
Termination of Parental Rights	

SUPERIOR COURT				
Indigent Defense Services	Providence/ Bristol County	Washington County	Kent County	Newport County
Murder				
Murder – Post-conviction Relief				
Class 1 Felony				

Class 1 Felony – Post-conviction Relief				
Class 2 Felony				
Class 2 Felony – Post-conviction Relief				
Misdemeanor				
Misdemeanor – Post-conviction Relief				
Sexual Violent Predator, Licht Judicial Complex				
Violation of Court Order for Payment of Fines, Costs, and/or Restitution				
Courtroom 14 (Fines, Costs, and/or Restitution Calendar), Licht Judicial Complex				
Courtrooms 5-G (Pre-arraignment Calendar), Providence/Bristol County and 9 (Daily Criminal Calendar), Providence/Bristol County				
Civil Panels	Providence/ Bristol County	Washington County	Kent County	Newport County
Attorney Appointed Pursuant to Servicemembers Civil Relief Act (50 U.S.C.A. App. § 520, et seq.)				
Guardian Ad Litem – Partition Action				
Guardian Ad Litem – Personal Injury				
Guardian Ad Litem – Probate				
Commissioner for Real Estate				
Receiver/Trustee				
Title Attorney/Tax Case – Petition to Foreclose Equities of Redemption				

FAMILY COURT				
	Providence/ Bristol County	Washington County	Kent County	Newport County
Indigent Defense Services				
Dependency/Neglect/Abuse				
Felony (Adult)				
Felony (Adult) – Post-conviction Relief				
Guardian Ad Litem for Child Protection and Wayward/Delinquency				
Misdemeanor (Adult)				
Misdemeanor (Adult) – Post-conviction Relief				
Termination of Parental Rights				
Violation of Court Order for Child and/or Spousal Support				
Waiver of Jurisdiction and Certification Hearing				
Wayward/Delinquency				
Civil Panels	Providence/ Bristol County	Washington County	Kent County	Newport County
Attorney Appointed Pursuant to Servicemembers Civil Relief Act (50 U.S.C.A. App. § 520, et seq.)				
Commissioner for Real Estate				
Guardian Ad Litem for Domestic Relations Case				
Receiver				

DISTRICT COURT				
Indigent Defense Services	6 th Division	4 th Division	3 rd Division	2 nd Division
Class 1 Felony				
Class 2 Felony				
Driving Under Influence of Liquor or Drugs				
Driving Under Influence of Liquor or Drugs – Post-conviction Relief				
Misdemeanor				
Misdemeanor – Post-conviction Relief				
Violation of Court Order for Payment of Fines, Costs, and/or Restitution				
Civil Panels	6 th Division	4 th Division	3 rd Division	2 nd Division
Attorney Appointed Pursuant to Servicemembers Civil Relief Act (50 U.S.C.A. App. § 520, et seq.)				
Commissioner for Real Estate				
Guardian Ad Litem				
Receiver/Trustee				
Mental Health				

WORKERS' COMPENSATION COURT	
Civil Panels	
Guardian	
Unrepresented Employee in Settled Case	

GENERAL REQUIREMENTS:

Certify that you continue to meet each of the following requirements for appointment by writing your initials in the blank and providing any other information required.

1. I am a member of the Rhode Island Bar in good standing. _____ (initial)
2. I have legal malpractice insurance in a minimum amount of \$100,000 per claim/\$300,000 aggregate with a Rhode Island licensed carrier. _____ (initial)
A copy of the **policy declaration sheet** from your current professional liability policy **must** be attached.
3. When appointed in cases that involve the handling and managing of funds, I will acquire bonding by a surety bond in an amount equal to the total funds being managed. _____ (initial)
4. I will serve as a mentor for attorneys seeking to qualify for court appointment. _____ (initial)
5. Only I, as the certified attorney, will provide representation in the appointed cases. I will not send an associate in my firm or any other individual in my place to represent a party. _____ (initial)

I may be removed from a panel by the respective court if I refuse to accept an appointment without good cause shown or fail to meet any of the general requirements listed above. _____
(initial)

CONTINUING LEGAL EDUCATION REQUIREMENTS:

List the continuing legal education courses and credit hours that you have taken in the last year that are required for the panel to which you are seeking appointment.

1. _____

Credit hours completed: _____ Credit hours required: _____

Applicable panel(s): _____

2. _____

Credit hours completed: _____ Credit hours required: _____

Applicable panel(s): _____

3. _____

Credit hours completed: _____ Credit hours required: _____

Applicable panel(s): _____

4. _____

Credit hours completed: _____ Credit hours required: _____

Applicable panel(s): _____

5. _____

Credit hours completed: _____ Credit hours required: _____

Applicable panel(s): _____

EXPERIENCE: The following are cases or jury trials that I have handled as lead counsel/associate counsel to completion/verdict. These meet the requirements for court appointment to the panel that I have indicated above.

<u>Case Number</u>	<u>Case/Defendant Name</u>	<u>Court</u>	<u>Case/Type/Charge</u>	<u>Disposition</u>	<u>Mentor Name</u>
1. _____	_____	_____	_____	_____	_____
2. _____	_____	_____	_____	_____	_____
3. _____	_____	_____	_____	_____	_____
4. _____	_____	_____	_____	_____	_____
5. _____	_____	_____	_____	_____	_____

OTHER RELEVANT EXPERIENCE: Please describe other experience you have had that qualifies you for appointment to the panel you have indicated. Attorneys applying for appointment in categories where required prior experience is not quantified must describe their practice sufficiently to demonstrate their competence.

INSTRUCTIONS FOR SUBMITTAL OF INVOICES:

1. Fee schedule

The rates of compensation to be paid by the Rhode Island Judiciary to court appointed counsel shall not differentiate between in-court and out-of-court time spent by counsel on a matter. In addition to the fees set forth below, counsel shall be entitled to all reasonable expenses of litigation including cost of transcripts, expert witness fees, investigators’ fees, and fees for service of subpoenas in those instances where subpoenas have not been served by court order without cost. Application for expert witness authorization may be made ex parte without notification to the Attorney General or other adverse parties.

If a case requires an investigator, counsel shall first obtain a court order allowing the expense with a threshold amount not to exceed \$500.00 initially. If the investigator fees exceed the threshold amount, counsel shall submit another court order approving any overage. When submitting reimbursement for the investigator fees, counsel shall upload the court order(s) and investigator invoice(s) with his or her timesheet.

The thresholds and flat fees set by this schedule shall apply to all time spent and all the hearings required in a particular case to reach adjudication and shall include all post disposition efforts unless noted otherwise. In cases wherein the fees or expenses sought are less than the threshold, approval shall be automatic and your payment status will be noted online in the Payment for Indigent Defense Services section on the Rhode Island Supreme Court Attorney Portal. Where the fees or expenses sought exceed the threshold in the Supreme Court, counsel shall file a Motion to Exceed Threshold Payment (see the Supreme Court forms on the Judiciary’s website) and the Timesheet Exception Approval form (the Finance and Budget Office will email the document to counsel upon request) with the Administrative Assistant to Chief Justice within thirty (30) days from disposition of the case. Final determination of payment shall be made by the Supreme Court in conference. Where the fees or expenses sought exceed the threshold in the Superior, Family, or District Courts, the trial justice or judge at disposition shall make a recommendation regarding the advisability of exceeding the threshold amount, but the final determination of payment shall be made by the presiding justice or by the chief judge of the respective court.

The fee schedule shall be as follows:

SUPREME COURT		
Indigent Defense Services		
Criminal Appeal	\$75/hour	\$3,000 threshold
Miscellaneous Appeals and Petitions	\$75/hour	\$3,000 threshold

Post-conviction Relief Appeal	\$75/hour	\$3,000 threshold
Termination of Parental Rights Appeals	\$75/hour	\$3,000 threshold
Expenses		\$500 threshold

SUPERIOR COURT

Indigent Defense Services

Murder	\$100/hour	\$15,000 threshold
Murder - Post-conviction Relief	\$100/hour	\$5,000 threshold
Class 1 Felony	\$90/hour	\$10,000 threshold
Class 1 Felony - Post-conviction Relief	\$90/hour	\$4,000 threshold
Class 2 Felony	\$60/hour	\$5,000 threshold
Class 2 - Post-conviction Relief	\$60/hour	\$2,500 threshold
Misdemeanor	\$50/hour	\$1,500 threshold
Misdemeanor - Post-conviction Relief	\$50/hour	\$750 threshold
Sexual Violent Predator	\$50/hour	\$1,500 threshold
Violation of Court Order for Payment of Fines, Costs, and/or Restitution	\$30/hour	\$1,500 threshold
Courtroom 14 (Fines, Costs, and/or Restitution Calendar), Licht Judicial Complex		\$200/day - 10:30 a.m. to 12:30 p.m. and from 2:00 p.m. to 4:00 p.m.
Courtrooms 5-G (Pre-arraignment Calendar), Providence/Bristol County and 9 (Daily Criminal Calendar), Providence/Bristol County		\$300/day - 9:00 a.m. to 12:30 p.m. and from 2:00 p.m. to 4:30 p.m.
Expenses		\$500 threshold

Civil Panels

Attorney Appointed Pursuant to Servicemembers Civil Relief Act¹ (50 U.S.C.A. App. § 520, et seq.)

Guardian Ad Litem – Partition Action

Guardian Ad Litem – Personal Injury

Guardian Ad Litem – Probate

Commissioner for Real Estate

Receiver/Trustee

Title Attorney/Tax Case – Petition to Foreclose Equities of Redemption

FAMILY COURT

Indigent Defense Services

Dependency/Neglect/Abuse	\$30/hour	\$1,000 threshold
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¹ Attorneys appointed under this panel are viewed as serving in the capacity similar to a guardian ad litem. Fees and expenses should be assessed by the court in the same manner as those incurred by a court appointed guardian ad litem in civil cases. In those rare instances where payment is to be made by the Rhode Island Judiciary, the fee shall be \$50 per hour.

Arrestment	\$30/hour	In the event of multiple arrestments, no more than a total of \$100 for all arrestments
Review	\$60 flat fee per review, to include preparation, waiting, and court time	\$1,000 threshold
Felony (Adult)	\$60/hour	\$5,000 threshold
Felony (Adult) - Post-conviction Relief	\$60/hour	\$2,500 threshold
Guardian Ad Litem for Child Protection and Wayward/Delinquency	\$30/hour	\$1,000 threshold
Misdemeanor (Adult)	\$50/hour	\$1,500 threshold
Misdemeanor (Adult - Post-conviction Relief)	\$50/hour	\$750 threshold
Termination of Parental Rights Arrestment	\$30/hour	\$1,500 threshold
Review	\$30/hour \$60 flat fee per review, to include preparation, waiting, and court time	In the event of multiple arrestments, no more than a total of \$100 for all arrestments \$1,500 threshold
Violation of Court Order for Child and/or Spousal Support	\$30/hour	\$1,000 threshold
Waiver of Jurisdiction and Certification Hearing	\$35/hour	\$2,500 threshold
Wayward/Delinquency Arrestment	\$30/hour	\$1,000 threshold
Review	\$30/hour The fee shall be \$30 per hour or \$60 per review per juvenile, whichever is less, to include preparation, waiting, and court time	In the event of multiple arrestments, no more than a total of \$100 for all arrestments \$1,000 threshold
Expenses		\$500 threshold
Civil Panels		
Attorney Appointed Pursuant to Servicemembers Civil Relief Act ² (50 U.S.C.A. App. § 520, et seq.)		

² Attorneys appointed under this panel are viewed as serving in the capacity similar to a guardian ad litem. Fees and expenses should be assessed by the court in the same manner as those incurred by a court appointed guardian ad litem in civil cases. In those rare instances where payment is to be made by the Rhode Island Judiciary, the fee shall be \$35 per hour.

Commissioner for Real Estate
Guardian Ad Litem for Domestic Relations Case
Receiver

DISTRICT COURT		
Indigent Defense Services		
Class 1 Felony	See Superior Court fees	
Class 2 Felony	See Superior Court fees	
Driving Under Influence of Liquor or Drugs	\$50/hour	\$2,500 threshold
Driving Under Influence of Liquor or Drugs - Post-conviction Relief	\$50/hour	\$750 threshold
Misdemeanor	\$50/hour	\$1,500 threshold
Misdemeanor - Post-conviction Relief	\$50/hour	\$750 threshold
Violation of Court Order for Payment of Fines, Costs, and/or Restitution	\$30/hour	\$1,500 threshold
Expenses		\$500 threshold
Civil Panels		
Attorney Appointed Pursuant to Servicemembers Civil Relief Act ³ (50 U.S.C.A. App. § 520, et seq.)		
Commissioner for Real Estate		
Guardian Ad Litem		
Receiver/Trustee		
Mental Health	\$75/hour	\$2,500 threshold

WORKERS' COMPENSATION COURT	
Civil Panels	
Guardian	Fee at the discretion of the trial judge
Unrepresented Employee in Settled Case	Fee at the discretion of the trial judge

2. Procedure

All requests for payment for the indigent defense services panels shall be made online via the Payment for Indigent Defense Services on the Rhode Island Supreme Court Attorney Portal. Submission of payment online shall be mandatory beginning on October 10, 2012. The accuracy and veracity of the information shall be attested to by requesting counsel.

³ Attorneys appointed under this panel are viewed as serving in the capacity similar to a guardian ad litem. Fees and expenses should be assessed by the court in the same manner as those incurred by a court appointed guardian ad litem in civil cases. In those rare instances where payment is to be made by the Rhode Island Judiciary, the fee shall be \$50 per hour.

Counsel seeking payment for court appointed cases shall submit such requests in the following instances: 1) No later than thirty (30) days after the representation has concluded and authorization has been granted, if required; 2) No later than thirty (30) days after new counsel enters an appearance in the case; 3) No later than thirty (30) days after counsel's service is discontinued on the case; and 4) In cases where partial payment is permitted.

Requests for payment that are submitted after the above-mentioned time periods shall not be approved for payment.

Partial payment is permitted in three (3) instances. First, in the Family Court, requests for payment shall be submitted by the 30th of each month for services rendered. Second, in lengthy cases where counsel has worked on the matter for more than one (1) year, counsel may submit a timesheet for services rendered to date and is allowed to do so for each subsequent year or until final disposition. Third, in cases where a defendant fails to appear and a warrant has been issued, counsel may submit a timesheet for partial payment six (6) months from the issuance date of the warrant.

AFFIDAVIT: Being first duly sworn, _____ deposes and says that the
(Name of Applicant)
information in this application is true.

Signature of Applicant

Sworn to before me and subscribed in my presence this _____ day of _____ 20__.

My commission expires: _____

Notary Public

Notary identification number: _____

Approved

Denied

Signature of Chief Justice, Presiding Justice, or Chief Judge

Date