



State of Rhode Island Judiciary

Supreme Court

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 2023-07 on the Judiciary's website at www.courts.ri.gov under the Supreme Court homepage, Opinions and Orders, Executive Orders, 2023, 2023-07).

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 Appeal | |

| SUPERIOR COURT | | | | |
|-------------------------------|-------------------------------|----------------------|----------------|-------------------|
| Indigent Defense Services | Providence/ Bristol County | Washington County | Kent County | Newport County |
| Murder | | | | |
| Class 1 Felony | | | | |
| Extreme Risk Protection Order | | | | |
| Class 2 Felony | | | | |

| | | | | |
|---|-------------------------------|----------------------|----------------|-------------------|
| Misdemeanor | | | | |
| Felony – Post-conviction Relief | | | | |
| 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 | | | | |
|--|-------------------------------|----------------------|----------------|-------------------|
| Indigent Defense Services | Providence/ Bristol County | Washington County | Kent County | Newport County |
| Dependency/Neglect/Abuse | | | | |
| Termination of Parental Rights | | | | |
| Wayward/Delinquency | | | | |
| Guardian Ad Litem for Child Protection and Wayward/Delinquency | | | | |
| Violation of Court Order for Child and/or Spousal Support | | | | |
| Waiver of Jurisdiction and Certification Hearing | | | | |
| Felony (Adult) | | | | |
| Misdemeanor (Adult) | | | | |
| Post-conviction Relief (Adult) | | | | |
| 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 | | | | |

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|--|-----------------------------|-----------------------------|-----------------------------|-----------------------------|
| 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 Civil Certification | | | | |

| 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. Notwithstanding, all witness travel and travel expenses must be approved by the judicial officer hearing the case in accordance with the applicable Rhode Island General Laws.

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 counsel's 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 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 | \$85/hour | \$5,200 threshold |
| Miscellaneous Appeals and Petitions | \$85/hour | \$5,200 threshold |
| Post-conviction Relief Appeal | \$85/hour | \$5,200 threshold |
| Termination of Parental Rights Appeal | \$85/hour | \$5,200 threshold |
| Expenses | | \$500 threshold |

| SUPERIOR COURT | | |
|--------------------------------------|------------|--------------------|
| Indigent Defense Services | | |
| Murder | \$100/hour | \$30,000 threshold |
| Class 1 Felony | \$90/hour | \$10,000 threshold |
| Extreme Risk Protection Order | \$90/hour | \$3,000 threshold |
| Class 2 Felony | \$60/hour | \$5,000 threshold |
| Misdemeanor | \$50/hour | \$1,500 threshold |
| Felony - Post-conviction Relief | \$100/hour | \$7,500 threshold |
| Misdemeanor – Post Conviction Relief | \$50/hour | \$750 threshold |

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|---|-----------|--|
| 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 |

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| Civil Panels |
| Attorney Appointed Pursuant to Servicemembers Civil Relief Act ¹ (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 | \$90/hour | \$2,500 threshold |
| Arraignment | \$30/hour | In the event of multiple arraignments, no more than a total of \$100 for all arraignments \$1,500 threshold |
| Review | \$60 flat fee per review, to include preparation, waiting, and court time | |
| Termination of Parental Rights | \$90/hour | \$5,400 threshold |
| Arraignment | \$30/hour | In the event of multiple arraignments, no more than a total of \$100 for all arraignments \$1,500 threshold |
| Review | \$60 flat fee per review, to include preparation, waiting, and court | |

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.

| | | |
|---|---|---|
| | time | |
| Wayward/Delinquency | \$90/ hour | \$2,500 threshold |
| Arraignment | \$30/hour | In the event of multiple arraignments, no more than a total of \$100 for all arraignments |
| Review | \$60 flat fee per review, to include preparation, waiting, and court time | \$1,500 threshold |
| Guardian Ad Litem for Child Protection and Wayward/Delinquency | \$50/hour | \$2,000 threshold |
| Violation of Court Order for Child and/or Spousal Support | \$50/hour | \$2,500 threshold |
| Waiver of Jurisdiction and Certification Hearing | \$90/hour | \$3,500 threshold |
| Felony (Adult) | \$60/hour | \$5,000 threshold |
| Misdemeanor (Adult) | \$50/hour | \$1,500 threshold |
| Post-conviction Relief (Adult) | \$50/hour | \$750 threshold |
| Expenses | | \$500 threshold |
| Civil Panels | | |
| Attorney Appointed Pursuant to Servicemembers Civil Relief Act ² (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 | | |
| Class 1 Felony | \$90/hour | \$10,000 threshold |
| Class 2 Felony | \$60/hour | \$5,000 threshold |
| 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 | \$1,800 threshold |
| Misdemeanor - Post-conviction Relief | \$50/hour | \$750 threshold |

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 \$50 per hour.

| | | |
|---|-----------|---|
| 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 Civil Certification | \$90/hour | \$3,500 threshold within a six (6) month period |

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| 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 Portal. Submission of payment online is mandatory. The accuracy and veracity of the information shall be attested to by requesting counsel.

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.

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.

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

Signature of Applicant

State of _____
County of _____

On this _____ day of _____, 20____, before me, the undersigned notary public, personally
appeared _____ ☐ personally known to the notary or
☐ proved to the notary through satisfactory evidence of identification, which was
_____, to be the person who signed the preceding or attached
document in my presence, and who swore or affirmed to the notary that the contents of the document are
truthful to the best of his or her knowledge.

Notary Public: _____

My commission expires: _____

Notary identification number: _____

☐ Approved

☐ Denied

Signature of Chief Justice, Presiding Justice, or Chief Judge

Date