

**APPLICATION
FOR
CRIMINAL LAW PANEL**

Name: _____ Telephone: _____

Office Address: _____

Number of years of continuous active practice in Virginia: _____

- I am a member of good standing of the Virginia State Bar, and agree to all of the additional requirements of participation in Fairfax Bar Association LRS.

Substantial Equivalent Experience: If you cannot meet the following requirements for Panel membership, but believe that you qualify by reason of substantial, equivalent experience, you may submit an outline of such experience for consideration by the LRS Criminal Law Subject Matter Panel Sub-Committee.

Experience Qualifications: **For each part, an applicant will qualify for referrals of all cases below or equal to his/her highest qualification level.** A full description of the experience requirements for each level can be found at the end of this application.

Updated Qualifications: It is the applicant's responsibility to update his/her qualification level with LRS, as that level increases.

CLE Requirements

I hereby certify that I:

- I have taken six (6) CLE hours of criminal law and/or practice within the preceding twenty-four (24) months.

Date	Course	Credit Hours

Part A - State Trial Practice

- I qualify for the Criminal State Trial Practice Panel at:
- 1. Level 1 - Highly Serious State Felonies, including death penalty cases
 - 2. Level 1 - Highly Serious State Felonies, excluding death penalty cases
 - 3. Level 2 - Serious State Felonies
 - 4. Level 3 - State Felonies
 - 5. Level 4 - Serious State Misdemeanors
 - 6. Level 5 - Other State Misdemeanors and Traffic
 - 7. State Felony Violations of Probation

I have handled the following felony and/or misdemeanor matters which qualify me for the level

United States vs.	Court	Date	Charge(s) (F/M)

or

I have served as a law clerk to the Honorable _____ of the _____ (Court) from _____ to _____.

Part C - State Appellate Practice

I qualify for the Criminal State Appellate Practice Panel

I have handled the following appeals which qualify me for the Criminal State Appellate Practice Panel.

Case Name	Court	Record No. or opinion citation	Petition granted? (Y/N)

Part D - Federal Criminal Appellate

I qualify for the Criminal Federal Appellate Practice Panel

I have handled the following appeals which qualify me for the Criminal Federal Appellate Practice Panel.

Case Name	Court	Record No. or opinion citation

Part E - Civil Practice relating to criminal convictions

Criminal Practice Panel Application Name:

- 1. I qualify for the Habeas Corpus Practice Panel
- 2. Expungements and Driver's License Restoration

I have handled the following cases that qualify me for the Habeas Corpus Practice Panel.

Case Name	Court	Record No. or opinion citation	Hearing? (Y/N)

I, the undersigned, have read the foregoing conditions for membership to the Criminal Practice Panel and agree to abide by them. I certify that I had full responsibility for all cases listed on the application, except those for which I have attached an explanation.

Date: _____ Signature: _____

Criminal Practice LRS Requirements

Level	Experience Requirements	CLE Requirements
Part A - State Trial Practice		
<p>Level 1 Highly Serious State Felonies Felonies which carry a life sentence, or death penalty</p>	<ul style="list-style-type: none"> • Admitted to practice of law in the Commonwealth of Virginia for at least five (5) years. • Has handled five (5) felony matters through jury trial, one (1) of which must have been on a potential life sentence matter during the past five years. • For death penalty cases only, meets the Virginia court-appointed criteria as lead or secondary counsel.¹ 	<p>Proof of 6 CLE hours in criminal law in the past two (2) calendar years.</p>
<p>Level 2 Serious State Felonies Felonies which carry up to 40 years in the penitentiary, and malicious wounding.</p>	<ul style="list-style-type: none"> • Admitted to practice of law in the Commonwealth of Virginia for at least three (3) years. • Has handled five (5) felony matters which have proceeded through preliminary hearing to Circuit Court during the last five years, one of which must have involved a jury trial to verdict. 	<p>Proof of 6 CLE hours in criminal law in the past two (2) calendar years.</p>

¹ Standards for counsel in capital cases include at least five (5) years of criminal litigation practice (defense or prosecution) within the past seven years including experience as defense counsel in at least five jury trials, tried to verdict, involving violent crimes with maximum penalties of at least 20 years or more; have had, within the past two years, at least six hours of specialized training in capital litigation, plus at least four hours of specialized training in forensics; be thoroughly familiar with the appropriate court systems, including specifically the procedural rules regarding timeliness of filings and procedural default; have demonstrated proficiency and commitment to quality representation. Lead counsel must have also either been lead counsel in the defense of at least one capital case within the past five years, or co-counsel in the defense of at least two capital cases within the past seven years.

Level	Experience Requirements	CLE Requirements
<p>Level 3 State Felonies Felonies which carry up to 20 years in the penitentiary (other than malicious wounding)</p>	<ul style="list-style-type: none"> • Admitted to the practice of law in the Commonwealth of Virginia for at least two (2) years. • Has handled to conclusion in circuit court at least five (5) felony matters within the last three(3) years; or • Have handled fifteen (15) misdemeanor matters in any Virginia court and one misdemeanor jury trial to verdict within the past five (5) years. 	<p>Proof of 6 CLE hours in criminal law in the past two (2) calendar years.</p>
<p>Level 4 Serious State Misdemeanors Driving Under the Influence, Stalking, Sexual Battery</p>	<ul style="list-style-type: none"> • Has tried at district court level at least five (5) misdemeanors; and has tried least one (1) misdemeanor appeal in circuit court. 	<p>Proof of 6 CLE hours in criminal law in the past two (2) calendar years.</p>
<p>Level 5 Other State Misdemeanors and Traffic</p>	<ul style="list-style-type: none"> • None 	<p>Proof of 6 CLE hours in criminal law in the past two (2) calendar years.</p>
<p>State Felony Violations of Probation</p>	<ul style="list-style-type: none"> • None 	<p>Proof of 6 CLE hours in criminal law in the past two (2) calendar years.</p>

Part B - Federal Criminal Practice		
<p>Level 1 - Serious Federal Felony Potential sentence of greater than 40 years in the penitentiary.</p>	<ul style="list-style-type: none"> • Admitted to practice of law in Federal Court for at least (five) 5 years; and • Has handled five (5) felony matters, one of which must have been through trial within the previous five (5) years. • For death penalty cases only, meets the Virginia state court-appointed criteria as lead or secondary counsel.* 	<p>Proof of 6 CLE hours in criminal law in the past two (2) calendar years.</p>
<p>Level 2 - Other Federal Felony</p>	<ul style="list-style-type: none"> • Admitted to practice of law in Federal Court for at least three (3) years; and. • Has handled five (5) federal court felony matters during the past five years; or • Has been employed as a law clerk to a federal district court or federal circuit court judge for at least one (1) year. 	<p>Proof of 6 CLE hours in criminal law in the past two (2) calendar years.</p>
<p>Level 3 - Federal Misdemeanor and Traffic</p>	<ul style="list-style-type: none"> • None 	<p>Proof of 6 CLE hours in criminal law in the past two (2) calendar years.</p>

Part C - State Appellate Practice		
State Criminal Appellate (Court of Appeals, Supreme Court)	<ul style="list-style-type: none"> Handled at least three criminal/traffic appeals, in Virginia state appellate courts on which at least one (1) proceeded through the granting of a petition, and full briefs; or Has been employed as a law clerk to any Virginia Court of Appeals or Supreme Court Justice for at least one (1) year. 	Proof of 6 CLE hours in criminal law in the past two (2) calendar years.
Part D - Federal Appellate Practice		
Federal Criminal Appellate (Circuit Court or U.S. Supreme Court)	<ul style="list-style-type: none"> Handled at least three (3) criminal appeals in Federal court; or Has been employed as a law clerk to a federal district court or circuit court judge for at least one (1) year. 	Proof of 6 CLE hours in criminal law in the past two (2) calendar years.
Part E - Civil Practice relating to criminal convictions		
Expungements, License Restoration	<ul style="list-style-type: none"> None 	Proof of 6 CLE hours in criminal law in the past two (2) calendar years.
Habeas Corpus	<ul style="list-style-type: none"> Has filed at least three (3) petitions for a writ of habeas corpus (or has been appointed to represent an indigent client who has filed a habeas petition <i>pro se</i>), and handled at least one proceeding through a full hearing. 	Proof of 6 CLE hours in criminal law in the past two (2) calendar years.