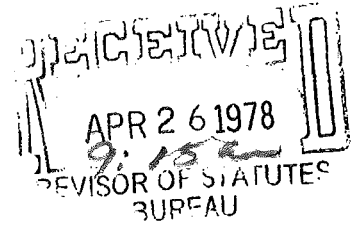


SPD 1



CERTIFICATE

STATE OF WISCONSIN)
) SS
STATE PUBLIC DEFENDER BOARD)

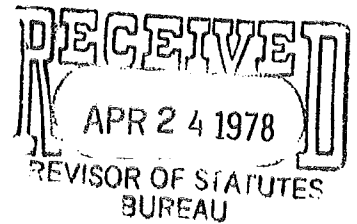
TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Howard B. Eisenberg, State Public Defender, and custodian of the official records of said Board do hereby certify that the annexed rules relating to SPD 1.04, certification of private lawyers, were duly approved and adopted by this Board on April 21, 1978.

I further certify that said copy has been compared by me with the original on file with this Board, and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand at 340 West Washington Avenue, in the City of Madison, this 26th day of April, 1978.


HOWARD B. EISENBERG



ORDER OF THE
STATE PUBLIC DEFENDER BOARD
ADOPTING RULE

Pursuant to the authority vested in the State Public Defender Board by secs. 15.781, 977.02(8), and 977.08(3)(b), Wis. Stats., the State Public Defender Board hereby adopts rules as follows:

Section SPD 1.04 of the Wisconsin administrative code is adopted to read:

STATE PUBLIC DEFENDER
CHAPTER 1
CERTIFICATION

Sec. 1.04. Certification Criteria. (1) An attorney shall be certified in the following categories if he or she meets the following criteria:

(a) Misdemeanor, Chapters 48, 51, and 55 Representation, Conditions of Confinement, and Probation and Parole Revocation Cases.

- (i) The attorney has requested certification;
- (ii) The attorney has graduated from law school and is admitted to the State Bar of Wisconsin; and
- (iii) The attorney has completed the continuing legal education requirements as provided in sub. (4).

(b) Felony Cases.

- (i) The attorney has requested certification;
- (ii) The attorney has graduated from law school and is admitted to the State Bar of Wisconsin;

(iii) The attorney has completed the continuing legal education requirements as provided in sub. (4); and

(iv) Either

1. Has served one year as a prosecutor;
2. Has served one year as a public defender;
3. Has represented five defendants in misdemeanor cases; or
4. Has represented two defendants in felony cases.

(2) Attorneys employed by the State Public Defender shall meet the same criteria as certified private attorneys.

(3) Exclusions. (a) No attorney may be excluded from certification based upon the comments of the district attorney, judge, or county bar president; however, an attorney may be excluded by the State Public Defender on the following grounds:

- (i) The attorney is disbarred, suspended, or has surrendered his license to practice law in this state;
- (ii) The attorney fails to meet the continuing legal education requirements set forth in sub. (4);
- (iii) The attorney fails to meet the experience criteria set forth herein.


(b) The State Public Defender may exclude from a certified list any attorney barred by statute from engaging in criminal representation.

(c) Any attorney who is excluded from the certification list by virtue of the exclusions set forth herein above shall be placed on the appropriate certification list within thirty (30) days after a submission of a written notification to the State Public Defender that the attorney is no longer excluded, provided further that such attorney had previously submitted a timely and properly prepared certification application.

(4) Continuing legal education. Commencing January 1, 1979, any attorney certified under these rules shall complete seven (7) hours of continuing legal education each calendar year in courses approved by the Executive Board of the Criminal Law Section of the State Bar of Wisconsin.

The rules shall take effect on June 1, 1978, as provided in sec. 227.026, Wis. Stats.

Dated: April 24, 1978.


FRANK REMINGTON, Chairman
State Public Defender Board