

**IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
FOR \_\_\_\_\_ COUNTY**

---

STATE OF WASHINGTON,	)	Superior Court No. _____
Plaintiff,	)	
	)	MOTION AND DECLARATION FOR ORDER
v.	)	AUTHORIZING APPOINTMENT OF
	)	COUNSEL AT PUBLIC EXPENSE
_____,	)	FOR ACTION IN ACCORDANCE
Defendant.	)	WITH APPELLATE MANDATE

---

**I. MOTION**

Comes now the defendant and moves the Court for an order authorizing appointment of counsel at public expense to appear for defendant in this Superior Court to seek action in accordance with the appellate mandate, a copy of which is attached.

Defendant has previously been found indigent by the court and there has been no change in his/her indigent status. (Counsel's affidavit for in-custody defendant or defendant's affidavit for out-of-custody defendant is below.)

Defendant was tried and convicted of \_\_\_\_\_ before the Honorable \_\_\_\_\_. A judgment and sentence was entered in this matter on \_\_\_\_\_, and defendant sought review by the appellate court.

MOTION AND DECLARATION  
FOR ORDER  
AUTHORIZING APPOINTMENT  
OF COUNSEL AT PUBLIC EXPENSE  
FOR ACTION IN ACCORDANCE  
WITH APPELLATE MANDATE

Now the appellate court has issued a mandate and opinion which takes the following action(s):\_\_\_\_\_

\_\_\_\_\_.

**II. DECLARATION OF COUNSEL (in-custody defendant)**

Below signed appellate counsel certifies that defendant is currently incarcerated, that he/she has previously been found indigent, and that there has been no change in his/her indigent status.

SIGNED in \_\_\_\_\_, Washington this \_\_\_\_ day of \_\_\_\_\_, 2006

\_\_\_\_\_  
Attorney on appeal

**OR**

**II. DECLARATION OF DEFENDANT (out-of-custody defendant)**

I was tried and convicted of \_\_\_\_\_ before the Honorable \_\_\_\_\_ . A judgment and sentence was entered in this matter on \_\_\_\_\_ . I filed an appeal and the appellate court has entered a mandate in this case. I desire to have an attorney seek entry of an order of this court implementing the appellate mandate.

MOTION AND DECLARATION  
FOR ORDER  
AUTHORIZING APPOINTMENT  
OF COUNSEL AT PUBLIC EXPENSE  
FOR ACTION IN ACCORDANCE  
WITH APPELLATE MANDATE

I have previously been found to be indigent. The following declaration provides information as to my current financial status:

- 1.) That I am the defendant in the above-captioned cause;
- 2.) That I do/do not own any real estate (if so, appraised value is approximately \$\_\_\_\_\_ and rental income is \$\_\_\_\_\_.);
- 3.) That I do/do not own any stocks, bonds, or notes (if so, value is approximately \$\_\_\_\_\_.);
- 4.) That I am/am not the beneficiary of a trust account or accounts (if so, income therefrom is approximately \$\_\_\_\_\_.);
- 5.) That I own the following motor vehicles or other substantial items of personal property:

ITEM	VALUE/AMOUNT OWED ON ITEM
_____	_____
_____	_____
_____	_____

- 6.) That I do/do not have income from interest or dividends (if so, amount is approximately \$\_\_\_\_\_);
- 7.) That I have approximately \$\_\_\_\_\_ in checking account(s), \$\_\_\_\_\_ in savings account(s), and \$\_\_\_\_\_ in cash.);
- 8.) That I am/am not married (if so, my spouse's name and address is: \_\_\_\_\_.);
- 9.) That the following persons are dependent on me for their support:

NAME	RELATIONSHIP	AGE
_____	_____	_____

MOTION AND DECLARATION  
FOR ORDER  
AUTHORIZING APPOINTMENT  
OF COUNSEL AT PUBLIC EXPENSE  
FOR ACTION IN ACCORDANCE  
WITH APPELLATE MANDATE

_____	_____	_____
_____	_____	_____
_____	_____	_____

10.) That I have the following substantial debts or expenses:

NAME	AMOUNT OWED	MONTHLY PAYMENT
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

11.) That I am personally receiving public assistance from the following sources (or was until I was incarcerated):

AGENCY OR PROGRAM	AMOUNT OF ASSISTANCE
_____	_____
_____	_____
_____	_____

12.) That I am/am not employed (if so, take-home pay is approximately \$\_\_\_\_\_ per month.);

13.) That I have no substantial income other than what is set forth above;

14.) Other circumstances affecting my financial position include:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_.

MOTION AND DECLARATION  
 FOR ORDER  
 AUTHORIZING APPOINTMENT  
 OF COUNSEL AT PUBLIC EXPENSE  
 FOR ACTION IN ACCORDANCE  
 WITH APPELLATE MANDATE

15.) I authorize the court to obtain verification information regarding my financial status from banks, employers, or other individuals or institutions, if appropriate.

16.) That I will immediately report to the Court any change in my financial status which materially affects the Court's finding of indigency.

17.) That the foregoing is a true and correct statement of my financial position to the best of my knowledge and belief.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

SIGNED in \_\_\_\_\_, Washington this \_\_\_\_ day of \_\_\_\_\_, 2005

---