

Competent Counsel Questionnaire

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2. CASE INFORMATION

SECTION 1: PROSPECTIVE CLIENT	
Last Name	
First Name	
Middle Name	
Address (not a domicile or residence)	
City, State, Zip	
Phone	()
Email	
Relationship to case (check one)	<input type="checkbox"/> Plaintiff <input type="checkbox"/> Respondent/Defendant <input type="checkbox"/> Wrongfully accused innocent third party
SECTION 2: NATURE OF CASE	
Type (check one)	<input type="checkbox"/> Civil <input type="checkbox"/> Criminal
Criminal Charges	
Date Indictment filed	
Court Name	
Opponent	
Opposing Counsel	

3. TERMS OF REQUIRED LEGAL SERVICES

The following represents an itemized summary of all of the specific type of legal services that I require as your prospective client and co-counsel.

1. The recipient of this form need not necessarily be a licensed attorney, but may also be a paralegal.
2. I am seeking an attorney and/or paralegal who can act as assistance of counsel to help me with either civil or criminal litigation.
3. The person I select must answer this questionnaire in order to establish that they possess the requisite knowledge and experience to competently execute the duties I require of him or her. They cannot and will not be considered for my defense unless and until they answer this questionnaire.
4. The Sixth Amendment guarantees that I, the Submitter, shall enjoy the right to assistance of counsel for his defense. I wish to enjoy the right to be comfortable with my counsel, to have counsel with a proven track record of success in similar criminal cases, counsel who is committed to the same moral principles that bind me; counsel who is not afraid to overcome all obstacles in getting the truth before the Jury in order to win an acquittal.

This may be the most severe questionnaire you have ever been asked to complete. This questionnaire is severe of necessity. Because this is a criminal case, part of my motivation for submitting this questionnaire is to minimize the possibility that I might have to spend time in jail. An attorney lacking in knowledge or experience would put me in danger of being unjustly convicted.

If you can practice in the court named on in the previous section and would like to be considered for this important case, then please:

- 1. Complete sections 4 through 6 of this questionnaire.**
- 2. Sign section 7**
- 3. Promptly return to the person who gave it to you within 10 days via first or second day delivery. Please attach a copy of your retainer agreement to your answers, so that I may see what your additional terms and conditions might be.**

4. WILLINGNESS TO TAKE ON THE CASE

Please indicate your level of willingness to take on this case by checking all the following which apply to your situation as my prospective counsel:

1. I am not interested in taking this case

2. If I take on this case, I must represent you rather than simply act as “assistance of counsel” in the second chair.

3. I agree to the terms of service in their entirety as described on the previous page and my answers to the questions are presented later, along with my signature.

1 **5. INTERROGATORIES FOR PROSPECTIVE COUNSEL**

2 The following questions represent interrogatories for prospective counsel.

3 1. What is your legal specialty training? _____

4 2. What types of law are you interested in avoiding? _____

5 3. How long have you been practicing law? _____

6 4. Please name the 4 or 5 magazines and newspapers you read most regularly:

7 _____

8 _____

9 5. Have you ever served in any official capacity with the local, state, or federal government? If so,
10 please state positions held:

11 _____

12 _____

13 6. If you are chosen to assist with defending this case you must be able to vigorously defend the
14 client, would this be acceptable and do you feel that you can provide an adequate defense?

15 _____

16 7. Please list your college and law school, degrees received, honors (if any), years graduated and
17 grade point average.

18 _____

19 _____

20 8. Check any of the following cases with which you are familiar:

21 Brushaber v. Union Pac. R.R., 240 U.S. 1

22 Stanton v. Baltic Mining Co., 240 U.S. 103

23 Flint v. Stone Tracy Co., 220 U.S. 107

24 United States v. Sullivan 274 U.S. 259

25 Miranda v. Arizona, 384 U.S. 436

26 Garner v. United States, 424

27 Kastigar v. United States, 406 U.S. 441

28 United States v. Bishop, 412 U.S. 361

29 United States v. Kordel, 397 U.S. 1

- 1 United States v. Murdock, 284 U.S. 141
- 2 Counselman v. Hitchcock, 142 U.S. 547
- 3 Marchetti v. United States, 390 U.S. 39
- 4 Grosso v. United States, 390 U.S. 39
- 5 United States v. Riley, CR 79-92 Phx WPC
- 6 United States v. Rylander, 9th Cir, 81-1120
- 7 United States v. Eillertson, 4th Cir, 82-5189
- 8 United States v. Mason, CR 84-181 Albq. New Mexico
- 9 Goetz & Perkins v US, 11th Cir, Nov. 13, 1984, 83-667, 83-668

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- 9. As a defense counsel, to whom would you give your primary loyalty: prospective client or the court? _____
- 10. How large a support staff would you require to take this case? _____
- 11. Where did you obtain your law degree? _____
- 12. How did you rank in your class? _____
- 13. During your study what did you find to be most interesting / least interesting?

- 14. Do you consider your services to be effective? _____
- 15. Am I entitled to effective assistance of counsel? _____
- 16. During the past five years that you have been in practice about how many clients have you served? _____
- 16.1 Of those clients how many accepted some manner of deal as proposed by the opposition?

- 16.2 Of those clients how many went to trial? _____
- 16.3 Of those who went to trial how many won their case? _____
- 16.4 Of those who lost how many went to appeal? _____
- 16.5 Of those who went to appeal how many won? _____

1 **6. ADMISSIONS FOR PROSPECTIVE COUNSEL**

2 Please answer the following admissions relative to this case

3 1. Are you a “citizen”? Admit () Deny ()

4 2. Are you a Christian? Admit () Deny ()

5 3. Are you married? Admit () Deny () If you have children, please give their ages:

6 _____

7 4. Would you object to the prospective client’s status as co-counsel? Or: Are you willing to work
8 with Co-counsel who is not a member of the State Bar? Admit () Deny ()

9 5. Are you thoroughly familiar with the Federal/State Rules of Evidence?

10 Admit () Deny () Room for improvement ()

11 6. Are you thoroughly familiar with the State / Federal Rules of Criminal Procedure?

12 Admit () Deny () Room for improvement ()

13 7. Are you sufficiently familiar with the body of law known as the Law Merchant and
14 International Law to effectively and properly plead it under the State Code, in Federal Cases, and
15 common law as cited above and otherwise? Admit () Deny ()

16 8. Have you taken an oath or become a party to a formal or informal agreement that you will not
17 challenge or oppose a judge or other officer of the court as to the rule or law on any issue?

18 Admit () Deny ()

19 9. Will you vigorously defend JURY NULLIFICATION in this case? Admit () Deny ()

20 10. Are you afraid of any of the following if you do not play their game -State, Federal or Local
21 Law Enforcement (including taxation) Authorities? Judges, magistrates, deputies, officers,
22 Mafia, Federal Reserve Corporation, or any other person or entity? Admit () Deny ()

23 11. Are you authorized and will you plead to the jurisdiction or for the absence thereof?

24 Admit () Deny ()

25 12. Have you had any experience defending ORS Chapter 813 (DUII) charges?

26 Admit () Deny () Would like some ()

27 13. If Admit to the above, state the style and outcome of the case[s]:

28 _____
29 _____

- 1 14. Have you had any experience defending 18 U.S.C. §§1001, 1341, 242 charges?
 2 Admit () Deny () Would like some ()
- 3 15.If Admit to the above, state the style and outcome of the case[s]:
 4 _____
 5 _____
- 6 16. Have you had any experience in admiralty and maritime law? Admit () Deny ()
- 7 16. Do you maintain a knowledge of the Constitution for the United States of America?
 8 Admit () Deny ()
- 9 17. Are you familiar with all aspects of Federal and State jurisdictions, both criminal and civil?
 10 Admit () Deny ()
- 11 18. Have you ever served any State or federal governmental agency in any undercover capacity?
 12 Admit () Deny () If permitted, please state specific position and job-specs:
 13 _____
 14 _____
 15 _____
- 16 21. Are you familiar with any factual arguments used in defense against unjust or unlawful
 17 (victimless) statutory prosecutions? Admit () Deny ()
- 18 22. Have you ever taken an oath to support the Constitution for the United States of America?
 19 Admit () Deny ()
- 20 23. If Admit, do you believe that your oath binds you to follow the Constitution as you find it to
 21 be? Admit () Deny () Other ()
- 22 24. As an attorney, have you ever been held in contempt of court?
 23 Admit () Deny () If Admit, please state the reason[s]:
 24 _____
 25 _____
 26 _____
- 27 25. Do you believe the Fifth Amendment protects the innocent as well as the guilty?
 28 Admit () Deny () Other ()
- 29 26. Are you familiar with the Comprehensive Crime Control Act of 1984? Admit () Deny ()
- 30 27. Are you familiar with the Oregon Constitution? Admit () Deny ()
- 31 28. Are you familiar with the Paperwork Reduction Act? Admit () Deny ()

- 1 29. Are you familiar with the Federal Register Act? Admit () Deny ()
- 2 30. Do you belong to any secret organizations? Admit () Deny ()
- 3 31. Have you ever taken a Masonic oath? Admit () Deny ()
- 4 32. Have you ever taken an oath of Kol Nidre? Admit () Deny ()
- 5 33. Have you ever been prosecuted? Admit () Deny ()
- 6 34. Have you taken a case to the United States Court of Appeals? Admit () Deny ()
- 7 35. Have you taken a case to the Supreme Court? Admit () Deny (). If Admit, to either of the
- 8 above, please cite case numbers and their disposition:
- 9 _____
- 10 _____
- 11 _____
- 12 36. Should you succeed in this case, would there be any reason for you to fear retaliatory action
- 13 against you by any government agency? Admit () Deny ()
- 14 37. The prospective client believes that a person has a right to deny information to the
- 15 government if he fears that the government might use the information someday to harm him or
- 16 his loved ones. Do you find any merit in this belief? Admit () Deny ()
- 17 39. Do you have a license to practice law in the State of Oregon? Admit () Deny ()
- 18 40. The accused believes that members / employees of the Oregon / United States government
- 19 frequently combine the government's awesome power with certain statutes in order to silence,
- 20 punish, and otherwise suppress their most lucid critics. Do you find merit in this belief?
- 21 Admit () Deny () Maybe () Would you briefly explain?
- 22 _____
- 23 _____
- 24 _____

1 **7. AFFIRMATION**

2 I declare under penalty of perjury as required under ORS §162.065 that the answers provided by
3 me to the foregoing questions are true, correct, and complete to the best of my knowledge and
4 ability, so help me God. I also declare that these answers are completely consistent with each
5 other and with my understanding of both the Constitution of the United States, the Oregon
6 Constitution, and the rulings of the Supreme Court but not necessarily lower state and federal
7 courts.

8

9 Name (print): _____

10 Signature: _____

11 Date: _____

12 Witness name (print): _____

13 Witness Signature: _____

14 Witness Date: _____