

S 2442

Capital Defense Counsel Standards Act of 2002

Congress: 107 (2001–2003, Ended)

Chamber: Senate

Policy Area: Crime and Law Enforcement

Introduced: May 2, 2002

Current Status: Read twice and referred to the Committee on the Judiciary. (text of measure as introduced: CR S3870)

Latest Action: Read twice and referred to the Committee on the Judiciary. (text of measure as introduced: CR S3870)
(May 2, 2002)

Official Text: <https://www.congress.gov/bill/107th-congress/senate-bill/2442>

Sponsor

Name: Sen. Specter, Arlen [R-PA]

Party: Republican • **State:** PA • **Chamber:** Senate

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Referred To	May 2, 2002

Subjects & Policy Tags

Policy Area:

Crime and Law Enforcement

Related Bills

No related bills are listed.

Capital Defense Counsel Standards Act of 2002 - Entitles a defendant in a State capital case who is financially unable to obtain adequate representation or investigative, expert, or other necessary services before or after judgment or in a post-conviction proceeding to appointment of one or more attorneys and provision of such services.

Sets forth minimum experience requirements for prejudgment and post-judgment appointed attorneys, including five years of practice in the court in which the prosecution is to be tried or in the appellate court, three years of experience in the actual trial of felony prosecutions or in the handling of felony appeals, and being learned in the law applicable to capital cases.

Requires each appointed attorney, unless replaced by similarly qualified counsel, to represent the defendant throughout every stage of available judicial proceedings.

Sets forth provisions regarding ex parte communications and attorney fees and costs.

Declares that failure in a Federal court proceeding to comply with this Act's procedures creates an irrebuttable presumption that the performance of petitioner's counsel was deficient. Denies a petitioner relief unless he or she shows that the result of the proceeding would have been different if such performance had not been deficient.

Actions Timeline

- **May 2, 2002:** Introduced in Senate
- **May 2, 2002:** Sponsor introductory remarks on measure. (CR S3859-3865)
- **May 2, 2002:** Read twice and referred to the Committee on the Judiciary. (text of measure as introduced: CR S3870)