

**IN THE DISTRICT COURT OF TULSA COUNTY  
STATE OF OKLAHOMA**

THE STATE OF OKLAHOMA,	)	
Plaintiff,	)	Case No.: _____
	)	
vs.	)	Judge/CF Docket _____
	)	
_____ ,	)	
	)	
Defendant.	)	

**DEFENDANT PACKET FOR OBTAINING APPROVAL OF PAYMENT AT PUBLIC  
EXPENSE FOR EXPERT AND INVESTIGATIVE EXPENSES FOR INDIGENTS**

This packet contains all the documents required by Court Administration for submission of Defendant's request to obtain expert and/or investigative services at public expense.

\_\_\_\_\_  
Attorney for Defendant

Attorney Information:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

TULSA COUNTY DISTRICT COURT

REQUEST FOR EXPERT WITNESS/INVESTIGATE SERVICES BY INDIGENT DEFENDANT

CASE NO. \_\_\_\_\_ DEFENDANT NAME: \_\_\_\_\_

CHARGE(S): \_\_\_\_\_

DEATH PENALTY: YES NO IN CUSTODY: YES NO

REQUESTING ATTORNEY: \_\_\_\_\_ DATE: \_\_\_\_\_

DISTRICT JUDGE ASSIGNMENT: CF-A CF-B CF-C CF-D CF-E CF-F

ANTICIPATED TRIAL DATE: \_\_\_\_\_

EXPERT WITNESS/INVESTIGATOR INFORMATION

NAME OF EXPERT/INVESTIGATOR: \_\_\_\_\_

AREA OF SPECIALIZATION: \_\_\_\_\_

ADDRESS AND PHONE: \_\_\_\_\_

SUMMARY OF REASON FOR EXPERT WITNESS/INVESTIGATOR:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

HOURLY RATE: \$ \_\_\_\_\_ NUMBER OF DAYS TRAVEL/LODGING: \_\_\_\_\_

SUMMARY OF AMOUNT REQUESTED

PREPARATION AND EXAMINATION: \$ \_\_\_\_\_

TRIAL AND TESTIMONY: \$ \_\_\_\_\_

TRAVEL AND LODGING: \$ \_\_\_\_\_

**TOTAL AMOUNT REQUESTED FOR EXPERT WITNESS/INVESTIGATOR: \$ \_\_\_\_\_**

**YOU MUST ATTACH THE FOLLOWING:**

- Request for Expert Witness/Investigator Services by Indigent Defendant
- Copy of original Order finding Defendant indigent.
- Copy of original Order appointing attorney for indigent defendant.
- Completed Application for Expert Witness/Investigator for Indigent Defendant.
- Letter Agreement from expert witness/Investigator specifying work to be performed and total cost.
- Copy of motion and brief in support of request for expert witness/investigator, along with an order for hearing so the Court can set a hearing date if needed.
- Blank orders determining indigency for purposes of public payment of expert witness and/or Investigator and approving use of expert/investigator services, included in this packet.

**RETURN COMPLETED PACKET TO THE COURT ADMINISTRATOR'S OFFICE**

TULSA COUNTY DISTRICT COURT

**APPLICATION FOR EXPERT WITNESS/INVESTIGATOR FOR INDIGENT DEFENDANT**

IMPORTANT INSTRUCTIONS FROM THE COURT, PLEASE READ CAREFULLY

1. YOU MUST PROVIDE EVERYTHING REQUESTED BEFORE THE APPLICATION WILL BE FORWARDED TO THE JUDGE. FAILURE TO COMPLETE EVERYTHING REQUESTED WILL RESULT IN REJECTION OF YOUR REQUEST.
2. This form must be filled out COMPLETELY with the help of counsel. Every blank space must have an answer, even if that answer is no or none. Since you will swear or affirm all of the answers you have given are true and correct, please pay close attention to the answers you provide.
3. Your attorney must bring the following to the Court Administrator's Office:
  - A. Request for Expert Witness/Investigator Services by Indigent Defendant
  - B. Copy of original Order finding Defendant indigent.
  - C. Copy of original Order appointing attorney for indigent defendant.
  - D. Application for Expert Witness/Investigator for Indigent Defendant.
  - E. Letter Agreement from expert witness/investigator specifying work to be performed and total cost.
  - F. Copy of motion and brief in support of request for expert witness/investigator, along with an order for hearing so the Court can set a hearing date if needed.
  - G. Blank orders determining indigency for purposes of public payment of expert witness and/or investigator and approving use of expert/investigator services, included in this packet.
4. The Trial Judge will review your Application in Court and decide whether or not you are indigent for purposes of hiring an expert.
5. If the Trial Judge approves a finding of indigency for purposes of payment of an expert witness, the Court will sign an Order to that effect. An Order is included in this packet. The Court will then consider the Defendant's pending Motion for an Expert Witness/Investigator at Public Expense.
6. The Trial Judge will review your request for an expert and/or investigator and determine the necessity and the reasonableness of the requested fee. If the expert/investigator is approved, the Order Approving Use of Expert/Investigator Services will be signed by the Trial Judge and forwarded to the Presiding Judge for final approval. An Order is included in this packet.
7. IMPORTANT: The fee paid to the expert witness/investigator shall not exceed the amount approved by the Court without prior written approval. The attorney is required to inform the authorized expert witness/investigator as to the approved amount of expert funds. Pay requests for amounts that exceed the approved amount will not be paid.

TULSA COUNTY DISTRICT COURT

**APPLICATION FOR EXPERT WITNESS/INVESTIGATOR FOR INDIGENT DEFENDANT**

**DEFENDANT'S AFFIDAVIT OF INABILITY TO PAY FOR EXPERTS**

Name \_\_\_\_\_ Case No. \_\_\_\_\_

**I, the Defendant in this matter, upon oath, do depose and state:**

I am \_\_\_\_\_ years old. The last four (4) digits of my Social Security Number are: \_\_\_\_\_

I. Prior to incarceration, I lived at:

\_\_\_\_\_  
(Street) (City) (State/zip)

Home: Own ( ) Rent ( ) Monthly House Payment or Rent \$\_\_\_\_\_

If I owned the home, it's value is \$\_\_\_\_\_ and the balance owed is \$\_\_\_\_\_

Name of Landlord or Mortgage Company \_\_\_\_\_

The following people live or lived with me:

	Is Person a Dependent?
Name of Spouse: _____	Yes ( ) No ( )
Name(s) of Children: _____	Yes ( ) No ( )
_____	Yes ( ) No ( )
Name of Others: _____	Yes ( ) No ( )
_____	Yes ( ) No ( )
_____	Yes ( ) No ( )

Are you claimed as a dependent by parent or guardian? Yes ( ) No ( )

If so, explain: \_\_\_\_\_

II. FINANCIAL STATUS--ASSETS (Defendant, Defendant's spouse or person(s) responsible for defendant's support):

A. INCOME OF DEFENDANT:

Employer's name, address and telephone number: \_\_\_\_\_

\_\_\_\_\_

\$\_\_\_\_\_ Gross weekly wages \$\_\_\_\_\_ Net weekly wages

Date last worked: \_\_\_\_\_ I have worked there \_\_\_\_\_ years.

TULSA COUNTY DISTRICT COURT

**APPLICATION FOR EXPERT WITNESS/INVESTIGATOR FOR INDIGENT DEFENDANT**

Employer of Defendant's spouse or person(s) responsible for defendant's support, their address and telephone number:

\_\_\_\_\_  
\_\_\_\_\_

\$\_\_\_\_\_ Gross weekly wages      \$\_\_\_\_\_ Net weekly wages

**B. MONEY – ITEMS OF VALUE**

1. Cash on Hand: \$ \_\_\_\_\_

2. Bank Accounts: Bank Name/Address /Checking/Savings/Money Markets

\_\_\_\_\_  
\_\_\_\_\_

State the amount or value of each account \$ \_\_\_\_\_

If you do not have a bank account, when is the last time you had one: \_\_\_\_\_

Is your name on anyone else's account: Yes ( ) No ( ) If Yes, who and provide all details about the account:

\_\_\_\_\_

3. Stocks, Bonds & Securities:

Description \_\_\_\_\_ Value \$ \_\_\_\_\_

4. All Other Possessions of Value: (including tax refunds, notes, acct. receivable, retirement accounts, gifts, etc.)

Description \_\_\_\_\_

Value of each \$ \_\_\_\_\_

**C. HOME AND OTHER REAL ESTATE:**

Other than your home, do you own or have an interest in any other Real Property? Yes ( ) No ( )

If Yes, address: \_\_\_\_\_

Value \$ \_\_\_\_\_ Balance Owed \$ \_\_\_\_\_

Mineral Interests You Own or Have an Interest In \_\_\_\_\_ Value \$ \_\_\_\_\_

TULSA COUNTY DISTRICT COURT

**APPLICATION FOR EXPERT WITNESS/INVESTIGATOR FOR INDIGENT DEFENDANT**

D. Vehicle(s): Description Value Balance Owed

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When did you last own a vehicle: \_\_\_\_\_

E. Personal Property: (furniture, appliances, tools, equipment, etc.)

Description Value Balance Owed

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F. Does anyone owe you (or your spouse) money? Yes ( ) No ( ) Provide all details below:

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III. FINANCIAL STATUS--LIABILITIES

A. Credit Card/Charge or Open Accounts:

Description Balance

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B. Child Support Obligations

Monthly Payment: \_\_\_\_\_ Date of last payment: \_\_\_\_\_

C. Other Debts:

Creditor Balance

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IV. OTHER

A. Have you transferred or sold any assets (real or personal) in the last twelve months? Yes ( ) No ( )

B. If so, describe the asset, the buyer and the amount received: \_\_\_\_\_

C. Do you currently receive AFDC (Y) (N), Food Stamps (Y) (N), Social Security (Y) (N), State Supplemental Income (Y) (N), VA benefits (Y) (N), or Housing assistance (Y) (N). If the answer to ANY of the above is YES, which ones and how much:

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D. Have you declared bankruptcy: (Y) (N) When and where: \_\_\_\_\_

TULSA COUNTY DISTRICT COURT

**APPLICATION FOR EXPERT WITNESS/INVESTIGATOR FOR INDIGENT DEFENDANT**

E. Attach your last full year tax return (State and Federal) prior to incarceration, with all but the last four digits of your SSN obliterated.

V. LEGAL REPRESENTATION AND BOND

Have you, or someone else, hired a lawyer to represent YOU in this case (Y) (N), or in another pending criminal case? (Y) (N)

The lawyer's name is: \_\_\_\_\_

If someone else hired the lawyer, who was it and what is their relationship to you:

\_\_\_\_\_

Do you have any friends or relatives who are able to assist you or pay the expert's fee? Yes ( ) No ( ).

If Yes, have those persons been asked to help you? Yes ( ) No ( ) Provide the name and relationship of everyone who you have asked to help you:

\_\_\_\_\_

\_\_\_\_\_

Has a friend or relative given you help in the past on this case but is no longer willing or able to do so? (Y) (N) Who was the person, what was their relationship to you, and specifically what help did they provide:

\_\_\_\_\_

How much did you agree to pay your lawyer: \_\_\_\_\_

How much have you paid your lawyer: \_\_\_\_\_

How much has someone else paid your lawyer: \_\_\_\_\_

How much have you paid for experts or investigators in this case: \_\_\_\_\_

How much has someone else paid for experts or investigators in this case: \_\_\_\_\_

Have you or someone on your behalf posted any bond on this case to secure your release from jail? (Y)

(N) If yes, who posted it and how much was paid? \_\_\_\_\_

VI. COMMENTS FOR THE COURT'S CONSIDERATION

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

TULSA COUNTY DISTRICT COURT

**APPLICATION FOR EXPERT WITNESS/INVESTIGATOR FOR INDIGENT DEFENDANT**

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VII. OATH OR AFFIRMATION BY DEFENDANT

I SWEAR OR AFFIRM, UNDER PENALTY OF PERJURY, THAT:

1. All the above information is true and correct to the best of my knowledge and applies to both me and my spouse, if I have one.
2. I am without funds or other resources of income to pay for an expert and other costs associated with this case.
3. I know that I may be subject to a charge of perjury if I knowingly lied or failed to tell the whole truth when I answered any of the above questions.
4. I know that if appointed an expert/investigator, I will be charged their fee which will be assessed at the end of this case.

I state under penalty of perjury under the laws of Oklahoma that the foregoing is true and correct.

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(Date and Place)

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(Defendant Signature)

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Interpreter

VIII. OATH OR AFFIRMATION BY ATTORNEY

I SWEAR OR AFFIRM, UNDER PENALTY OF PERJURY, THAT:

1. I am the attorney of record in this case.
2. I have been paid \$\_\_\_\_\_ amount of money for my representation in this case. (state total of funds received)
3. These funds were paid by the Defendant or by \_\_\_\_\_ on behalf of the Defendant.
4. I have attached a copy of a signed contract for my representation in this case if I am not a court-appointed attorney in this matter.
5. To my knowledge and belief, the information contained in my client's affidavit is true and correct.

I state under penalty of perjury under the laws of Oklahoma that the foregoing is true and correct.

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(Date and Place)

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(Defense Counsel Signature)



**IN THE DISTRICT COURT OF TULSA COUNTY  
STATE OF OKLAHOMA**

THE STATE OF OKLAHOMA,	)	
Plaintiff,	)	Case No.: _____
	)	
vs.	)	Judge/CF Docket _____
	)	
_____,	)	
	)	
Defendant.	)	

**ORDER DETERMINING INDIGENCY FOR PURPOSES  
OF PAYMENT OF EXPERT WITNESSES/INVESTIGATOR**

**NOW** on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, this cause comes on for consideration of the Defendant's APPLICATION FOR EXPERT WITNESS/INVESTIGATOR FOR INDIGENT DEFENDANT, requesting the Court authorize payment for services because the Defendant is indigent.

Based on the Application for Expert Witness/Investigator for Indigent Defendant, the Court finds and orders that:

(\_\_\_\_\_) The Defendant is FOUND TO BE INDIGENT for purposes of determination of a need for experts and/or investigators to be paid at public expense.

(\_\_\_\_\_) The Defendant is FOUND NOT TO BE INDIGENT for purposes of determination of a need for experts and/or investigators to be paid at public expense.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
JUDGE OF THE DISTRICT COURT

**IN THE DISTRICT COURT OF TULSA COUNTY  
STATE OF OKLAHOMA**

THE STATE OF OKLAHOMA, Plaintiff,  vs.  _____, Defendant.	) ) ) ) ) ) ) ) ) )	Case No.: _____  Judge/CF Docket _____
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**ORDER APPROVING USE OF EXPERT/INVESTIGATOR SERVICES**

NOW on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, this cause comes on for consideration of the Defendant \_\_\_\_\_'s motion and brief in support of expert and/or investigator services, requesting utilization of (psychologist, investigator, other expert title and name) \_\_\_\_\_. The Court being fully advised in the premises determines that the motions should be and the same is hereby GRANTED.

Defense counsel is authorized to utilize the services of \_\_\_\_\_ for \_\_\_\_\_.

These services are authorized at the rate of \$\_\_\_\_\_ per hour. The total amount billed for such services shall not exceed \$\_\_\_\_\_ without further order of the Court.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
JUDGE OF THE DISTRICT COURT

\_\_\_\_\_  
PRESIDING JUDGE