

[CAPTION]

MOTION FOR APPOINTMENT OF CO-COUNSEL

The Defendant, by counsel, respectfully requests the Court to appoint an additional attorney to represent the Defendant. In support of the Motion, the Defendant states the following:

1. The Defendant's attorney was appointed by this Court in this cause on [insert date].
2. The Defendant is charged with [insert offense(s)].
3. This cause is set for trial on [insert date].
4. Because of the multitude of witnesses and the numerous items of evidence being compiled by the State, the appointment of additional counsel is necessary so the Defendant can be adequately represented as guaranteed by the Sixth and Fourteenth Amendments to the U.S. Constitution and Article 1, Section 13 of the Indiana Constitution.

5. The right to the effective assistance of counsel is the right of the accused to require the prosecution's case to survive the crucible of meaningful adversarial testing. When a true adversarial criminal trial has been conducted, the kind of testing envisioned by the Sixth Amendment has occurred. There is a presumption of ineffectiveness, without any consideration of the actual performance of counsel, when the circumstances render it impossible for counsel to fulfill his or her duty. U.S. v. Cronin, 466 U.S. 648, 104 S.Ct. 2039 (1984). Considering the time afforded for investigation and preparation, the experience of counsel, the gravity of the charge, the complexity of possible defenses, and the accessibility of witnesses to counsel, in order to be effective, co-counsel is needed.

WHEREFORE, the Defendant, by counsel, respectfully requests the Court to appoint an additional attorney to assist his/her present counsel in the defense of this cause.

(Signature)