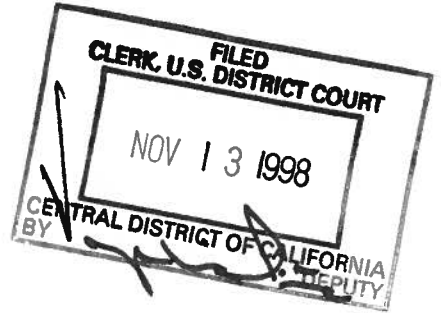


UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA



IN RE:)
)
)
PLAN FOR THE COMPOSITION,)
ADMINISTRATION, AND MANAGEMENT)
OF THE PANEL OF PRIVATE ATTORNEYS)
UNDER THE CRIMINAL JUSTICE ACT.)
_____)

GENERAL ORDER NO. 98-6

WHEREAS, the Criminal Justice Act of 1964, as amended, (18 U.S.C. § 3006A) (the “CJA”) requires each United States district court to place in operation a plan for furnishing representation for any person financially unable to obtain adequate representation in certain circumstances; and

WHEREAS, the Court has established such a plan (the “Criminal Justice Act Plan”); and

WHEREAS, the Plan recognizes the previously established panel of attorneys (CJA Panel) who are eligible and willing to be appointed to provide representation under the CJA; and

WHEREAS, to bring about more consistent and efficient management of the CJA Panel;

IT IS HEREBY ORDERED that the attached Plan for the Composition, Administration and Management of the Panel of Private Attorneys under the Criminal Justice Act is adopted by the Court.

This General Order shall be effective upon approval of the Criminal Justice Act Plan by the Judicial Council of the Ninth Circuit.

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**



**PLAN FOR THE
COMPOSITION, ADMINISTRATION AND MANAGEMENT
OF THE PANEL OF
PRIVATE ATTORNEYS UNDER THE CRIMINAL JUSTICE ACT**

An Attachment to General Order 98-6

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I. COMPOSITION OF PANEL OF PRIVATE ATTORNEYS

A. CJA PANEL

1. Approval. The Court shall establish a panel of private attorneys for each division within the district and an auxiliary panel limited to representing defendants before magistrate judges in the Western Division (hereinafter referred to as the "CJA Panel") who are eligible and willing to be appointed to provide representation under the Criminal Justice Act. The Court shall approve attorneys for membership on the panel after receiving recommendations from the "Panel Selection Committee," established pursuant to paragraph B. of this Plan. Membership is a privilege not a right and Members of the CJA Panel shall serve at the pleasure of the Court.
2. Size. The panel shall be large enough to provide a sufficient number of experienced attorneys to handle the CJA caseload, yet small enough so that panel members will receive an adequate number of appointments to maintain their proficiency in federal criminal defense work, and thereby provide a high quality of representation.
3. Eligibility. Attorneys who serve on the CJA Panel must be members in good standing of the State Bar of California and of the federal bar of this district, and have demonstrated experience in, and knowledge of, the Federal Rules of Criminal Procedure, the Federal Rules of Evidence, the Sentencing Guidelines and the Local Rules of Court.
4. Equal Opportunity. All qualified attorneys will be considered for appointment to the CJA Panel regardless of their race, color, religion, sex, age, national origin or disabling condition.
5. Terms. The current CJA Panel will be divided into three groups, equal in number. Members will be randomly assigned to one of the three groups. Members of the first group will serve on the panel for a term of one year, members of the second group will serve on the panel for a term of two years, and members of the third group will serve on the panel for a term of three years. Thereafter, attorneys admitted to membership on the CJA Panel will each serve for a term of three years. Members shall reapply prior to the expiration of their current term should they wish to serve another term on the CJA Panel.
6. Application. Application forms for membership on the CJA Panel shall be made available, upon request, by the Clerk of Court. Completed

applications shall be submitted to the Clerk of Court who will transmit the applications to the Chairperson of the Panel Selection Committee.

B. PANEL SELECTION COMMITTEE

1. Membership. A Panel Selection Committee shall be established by the Court.
2. Duties.
 - a. The Panel Selection Committee shall meet at least once a year to consider applications for the vacancies created by the terms expiring each year. The Committee shall review the qualifications of applicants and recommend, for approval by the Court, those applicants best qualified to fill the vacancies.

At its annual meeting, the Committee shall also review the operation and administration of the panel over the preceding year, and recommend to the Court any changes deemed necessary or appropriate by the Committee regarding the appointment process and panel management.

- b. If, at any time during the course of a year, the number of vacancies due to resignation, removal, or death significantly decreases the size of the panel, the Committee may solicit applications for the vacancies, convene a special meeting to review the qualifications of the applicants, and recommend for approval of the Court prospective members to fill those vacancies. Members approved by the Court to fill mid-term vacancies shall serve until the expiration of the term that was vacated.

II. SELECTION FOR APPOINTMENT

A. Maintenance of List and Distribution of Appointments

The Clerk of Court shall maintain a current list of all attorneys included on the CJA Panel, with current office addresses and telephone and facsimile numbers. The Clerk shall furnish a copy of this list to each district and magistrate judge. The Clerk shall also maintain a record of appointments of CJA Panel members, and, when appropriate, statistical data reflecting the proration of appointments between attorneys from the Office of the Federal Public Defender and CJA Panel members.

B. Method of Selection

Appointments of CJA Panel members should be made on a rotational basis.

III. DISCIPLINE

As governed by policy of the Court, the performance of a CJA Panel member is subject to evaluation at anytime during the member's term. CJA Panel member discipline is governed by Chapter VII of the Local Rules ("Chapter VII"). Any CJA Panel member suspended or disbarred pursuant to Chapter VII shall be automatically removed from the CJA Panel. Upon reinstatement as an active member in good standing, the attorney may reapply for inclusion on the CJA Panel. Chapter VII shall be made available, upon request, by the Clerk of Court.

IV. COMPENSATION - FILING OF VOUCHERS

Claims for compensation shall be submitted, on the appropriate CJA form, to the office of the Clerk of the Court. The Clerk of the Court shall forward the claim to the Criminal Justice Act Supervising Attorney for further processing including review of the claim form for mathematical and technical accuracy, for conformity with the Guidelines for the Administration of the Criminal Justice Act (Volume VII, Guide to Judiciary Policies and Procedures) and, if correct, approval or certification for payment.