**Last Name, First Name**

**Current Employer / Firm**

**CJA Appellate Panel Application 2024**

****

|  |
| --- |
| **PLEASE CHECK TO CONFIRM YOU ARE APPLYING FOR THE APPELLATE PANEL BY CHECKING BELOW.****(You may apply for the Appellate Panel plus one Trial Panel.)** |
| **\_\_\_\_** Appellate Panel |

**Please note: Appointment to the ND Cal CJA Appellate Panel is for a three-year term. Members may apply for re-appointment to the Appellate Panel at the end of their third year.**

***Applications must be submitted online by 5:00 p.m. on Monday, April 22, 2024.***

***Please begin with the instructions for this Application.***

***Proper compliance with application instructions is considered during the selection process.***

**MINIMUM REQUIREMENTS:**

1. Are you a member in good standing of the bar of this Court, the 9th Circuit Court of Appeals, and the State Bar of California?

YES: \_\_\_ NO: \_\_\_\_

1. Is your principal place of business located within one of the following Northern District counties: Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Sonoma, Mendocino, Lake, Humboldt, Del Norte, Santa Clara, Santa Cruz, Monterey, or San Benito County?

YES: \_\_\_ NO: \_\_\_\_

1. Do you have demonstrated proficiency with the Federal Rules of Evidence, Federal Rules of Criminal Procedure, Federal Rules of Appellate Procedure, United States Sentencing Guidelines, and 9th Circuit Rules?

YES: \_\_\_ NO: \_\_\_\_

1. Do you have the facilities, resources, and technological capability to effectively and efficiently manage assigned cases (with the understanding that you will be primarily responsible for providing your own equipment and software for such purposes)?

YES: \_\_\_ NO: \_\_\_\_

1. Do you have five years of continuous private federal criminal practice experience or seven years of criminal practice in state or federal court or three years of experience as either an Assistant United States Attorney or Assistant Federal Public Defender?

YES: \_\_\_ NO: \_\_\_\_

1. Have you worked on ten federal or state felony appeals or combination thereof? (Five of the required appeals may be replaced with equivalent experience such as criminal trials, habeas corpus proceedings, or complex criminal matters settled short of trial.)

YES: \_\_\_ NO: \_\_\_\_

1. If you are selected to serve on the CJA Appellate Panel, will you agree to accept appointments on Section 2241, Section 2254, and Section 2255 habeas petitions and appeals?

YES: \_\_\_ NO: \_\_\_\_

1. Do you have significant experience representing persons charged with serious criminal offenses and demonstrate a commitment to the defense of people who lack the financial means to hire an attorney?

YES: \_\_\_\_ NO: \_\_\_\_\_

1. If you do not possess the experience set forth above, but believe you have equivalent other experience or you have completed a mentoring program, you are encouraged to apply. Please set forth in writing the details of that experience for the committee’s consideration.

**APPLICATION**

1. **Current Information**

|  |  |
| --- | --- |
| 1. Name:
 |  |
| 1. State Bar Number:
 |  |
| 1. Principal Place of Business
 |  |  |  |
| Street Address: |  |
| City, State, Zip: |  |
|  |  |  |  |
|  | Business Telephone | Facsimile Number | E-mail Address |
| Name of Law Office: |  |
| 1. Your Title/Position:
 |  |
| 1. Supervisor/Managing Partner’s Name (if any):
 |  |
| 1. Dates of Employment or Affiliation:
 | From:  | To:  |

1. If you provide legal services at more than one location, please list the additional address(es) and percentage of time spent working at each.

| Firm/Address | % |
| --- | --- |
|  |  |
|  |  |
|  |  |

1. Please provide a synopsis of your current position(s), including the nature of the practice and types of matters that account for most of your time:
2. **Past Legal Employment or Affiliations:**
3. List legal experience for the 10 years preceding your current position. **NOTE: If you were employed as a prosecutor or public defender *at any time*, please include that information.**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Firm or Affiliation** | **From** | **To** | **Title** | **Responsibilities** | **Supervisor Name,****Telephone, E-mail** |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |

1. **Description of Legal Practice**
2. Summarize your criminal law experience and practice, including the number of felony and misdemeanor cases tried, the number of appeals handled, and the types of non-trial matters (e.g., extradition, habeas corpus) in which you have been involved.

|  |
| --- |
| 1. Over the past seven years, approximately what percentage of your time in legal work involved:
 |
| Federal civil law matters  |  | % |
| Federal criminal law matters  |  | % |
| State civil law matters |  | % |
| State criminal law matters |  | % |
| Other: |  |  |
|  Civil rights litigation |  | % |
|  Administrative law |  | % |
|  Representing attorneys in State Bar matters involving fitness to practice law |  | % |

|  |
| --- |
| 1. Estimate the percentages of your total time spent in legal work during the last seven years that were:
 |
| In Court  |  | % |
| Litigation, not in court  |  | % |
| Negotiations and/or mediation |  | % |
| Advising and/or counseling clients  |  | % |
| Legal research and writing  |  | % |
|  Supervising the legal work of others  |  | % |
|  Legal education  |  | % |
| Other matters [list][[1]](#footnote-1)  |  | % |

**D.** **Appellate Experience**

Provide the following information for **ten** federal or state criminal appeals in which you were involved. It is preferred that you describe your more significant and recent cases. In place of five appeals, you may list criminal trials, complex criminal matters settled short of trial, or habeas corpus proceedings. **Please use the following format for each appeal. It is important that you provide the information in this format.**

|  |  |  |  |
| --- | --- | --- | --- |
| **1. Case Name** | **Case Number** | **Panel of Judges or Presiding Judge** | **Court** |
|  |  |  |  |
| **Co-Counsel Names and Phone Numbers (all)** | **Opposing Counsel Names and Phone Numbers (all)** |
|  |  |
| Nature of Case: |  |
| Your Role: |  |
| Oral Argument Date: |  |
| Results of your efforts: |  |

|  |  |  |  |
| --- | --- | --- | --- |
| **2. Case Name** | **Case Number** | **Panel of Judges or Presiding Judge** | **Court** |
|  |  |  |  |
| **Co-Counsel Names and Phone Numbers (all)** | **Opposing Counsel Names and Phone Numbers (all)** |
|  |  |
| Nature of Case: |  |
| Your Role: |  |
| Oral Argument Date: |  |
| Results of your efforts: |  |

|  |  |  |  |
| --- | --- | --- | --- |
| **3. Case Name** | **Case Number** | **Panel of Judges or Presiding Judge** | **Court** |
|  |  |  |  |
| **Co-Counsel Names and Phone Numbers (all)** | **Opposing Counsel Names and Phone Numbers (all)** |
|  |  |
| Nature of Case: |  |
| Your Role: |  |
| Oral Argument Date: |  |
| Results of your efforts: |  |

|  |  |  |  |
| --- | --- | --- | --- |
| **4. Case Name** | **Case Number** | **Panel of Judges or Presiding Judge** | **Court** |
|  |  |  |  |
| **Co-Counsel Names and Phone Numbers (all)** | **Opposing Counsel Names and Phone Numbers (all)** |
|  |  |
| Nature of Case: |  |
| Your Role: |  |
| Oral Argument Date: |  |
| Results of your efforts: |  |

|  |  |  |  |
| --- | --- | --- | --- |
| **5. Case Name** | **Case Number** | **Panel of Judges or Presiding Judge** | **Court** |
|  |  |  |  |
| **Co-Counsel Names and Phone Numbers (all)** | **Opposing Counsel Names and Phone Numbers (all)** |
|  |  |
| Nature of Case: |  |
| Your Role: |  |
| Oral Argument Date: |  |
| Results of your efforts: |  |

|  |  |  |  |
| --- | --- | --- | --- |
| **6. Case Name** | **Case Number** | **Panel of Judges or Presiding Judge** | **Court** |
|  |  |  |  |
| **Co-Counsel Names and Phone Numbers (all)** | **Opposing Counsel Names and Phone Numbers (all)** |
|  |  |
| Nature of Case: |  |
| Your Role: |  |
| Oral Argument Date: |  |
| Results of your efforts: |  |

|  |  |  |  |
| --- | --- | --- | --- |
| **7. Case Name** | **Case Number** | **Panel of Judges or Presiding Judge** | **Court** |
|  |  |  |  |
| **Co-Counsel Names and Phone Numbers (all)** | **Opposing Counsel Names and Phone Numbers (all)** |
|  |  |
| Nature of Case: |  |
| Your Role: |  |
| Oral Argument Date: |  |
| Results of your efforts: |  |

|  |  |  |  |
| --- | --- | --- | --- |
| **8. Case Name** | **Case Number** | **Panel of Judges or Presiding Judge** | **Court** |
|  |  |  |  |
| **Co-Counsel Names and Phone Numbers (all)** | **Opposing Counsel Names and Phone Numbers (all)** |
|  |  |
| Nature of Case: |  |
| Your Role: |  |
| Oral Argument Date: |  |
| Results of your efforts: |  |

|  |  |  |  |
| --- | --- | --- | --- |
| **9. Case Name** | **Case Number** | **Panel of Judges or Presiding Judge** | **Court** |
|  |  |  |  |
| **Co-Counsel Names and Phone Numbers (all)** | **Opposing Counsel Names and Phone Numbers (all)** |
|  |  |
| Nature of Case: |  |
| Your Role: |  |
| Oral Argument Date: |  |
| Results of your efforts: |  |

|  |  |  |  |
| --- | --- | --- | --- |
| **10. Case Name** | **Case Number** | **Panel of Judges or Presiding Judge** | **Court** |
|  |  |  |  |
| **Co-Counsel Names and Phone Numbers (all)** | **Opposing Counsel Names and Phone Numbers (all)** |
|  |  |
| Nature of Case: |  |
| Your Role: |  |
| Oral Argument Date: |  |
| Results of your efforts: |  |

1. **Appellate Practice – Other Information**
2. Please list any case, state or federal, in the past **three years** in which you filed an *Anders* brief. Provide the case name, the case number, the court, and the result in the case, and any other non-privileged explanatory information about that filing.
3. Please list allNinth Circuit cases in which, during the past **three years**, you have filed **four or more** requests for extension of time **or** extensions of time **in excess of 6 months** for any single brief. Please provide any non-privileged explanatory information about the need for such extensions. Please include any retained cases and cases assigned by other panels.

**F. Prior Panel Experience**

1. If you are a past or present member of this district's Criminal Justice Act Trial or Appeals Panel, list dates of panel membership:
2. For any other criminal indigent panel of which you are or were a member, please list the panel, the dates of membership, the highest class of criminal case (e.g., misdemeanor, homicide, etc.) you were qualified to try if any, and the name, address and telephone number of the panel supervisor or administrator.

|  |  |  |  |
| --- | --- | --- | --- |
| **Name of Panel** | **Dates of Membership** | **Case Class** | **Panel Supervisor / Administrator** |
| **Name** | **Telephone** |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |

**G. Court Admission**

Please list dates of admission to:

|  |  |
| --- | --- |
| * Northern District of California
 |  |
| * Ninth Circuit Court of Appeals
 |  |
| * United States Supreme Court
 |  |
| * State Bar of California
 |  |

List state court bars other than California to which you are presently admitted to practice and the year of admission. Provide the addresses of the administrative offices of these organizations.

|  |  |  |
| --- | --- | --- |
| State Bar | Year Admitted | Bar # |
|  |  |  |
|  |  |  |
|  |  |  |

**H. Education / Special Skills**

|  |  |  |
| --- | --- | --- |
| 1. | Undergraduate Degree(s) |  |
|  | Institution(s) Attended |  |
|  | Major Field(s) of Study |  |
|  | Year Received |  |
|  |  |  |
| 2. | Law School  |  |
|  | Institution Attended |  |
|  | Degree / Year Received |  |
|  | Honors, if any |  |
|  | Awards, if any |  |
|  | Law Review Membership? |  |
|  | Other Achievements/Activities |  |
|  |  |  |
| 3. | Other Education /Graduate School |  |
|  | Institution(s) Attended |  |
|  | Course(s) of Study |  |
|  | Degree(s) / Year(s) Received (if any) |  |

1. List any specialized legal expertise or experience (e.g., immigration, tax, intellectual property).
2. List any foreign languages you speak and indicate your level of proficiency.

|  |  |
| --- | --- |
| Language | Proficiency level (fluent, speak, read, write) |
|  |  |
|  |  |
|  |  |

1. Describe software used by you or your staff:

Excel or other billing/spreadsheet software

|  |  |  |  |
| --- | --- | --- | --- |
|  | Name of Software | Version | Proficiency |
|  | Expert | Average | Novice |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |

Document indexing/organization/database software

|  |  |  |  |
| --- | --- | --- | --- |
|  | Name of Software | Version | Proficiency |
|  | Expert | Average | Novice |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |

Trial presentation software

|  |  |  |  |
| --- | --- | --- | --- |
|  | Name of Software | Version | Proficiency |
|  | Expert | Average | Novice |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |

Web-hosted document repositories

|  |  |  |  |
| --- | --- | --- | --- |
|  | Name of Software | Version | Proficiency |
|  | Expert | Average | Novice |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |

1. **References**

Please list information for three persons who are well-acquainted with your work and with your qualifications to be a panel member.

|  |  |  |
| --- | --- | --- |
| 1. | Name |  |
|  | Title |  |
|  | Phone |  |
|  | Email |  |
|  | Relationship |  |
|  | Period of acquaintance |  |

|  |  |  |
| --- | --- | --- |
| 2. | Name |  |
|  | Title |  |
|  | Phone |  |
|  | Email |  |
|  | Relationship |  |
|  | Period of acquaintance |  |

|  |  |  |
| --- | --- | --- |
| 3. | Name |  |
|  | Title |  |
|  | Phone |  |
|  | Email |  |
|  | Relationship |  |
|  | Period of acquaintance |  |

**J. Training**

Below please list any training relevant to a CJA practice that you have attended in the last two years.

**K. Additional Questions**

Respond to each of the following inquiries. If you need to provide additional information, please use the following page for your explanation(s).

1. Has your license or right to practice before any state, court, agency, or other tribunal ever been denied, revoked or suspended? If so, fully describe the facts and circumstances.

YES: \_\_\_\_ NO: \_\_\_\_\_

1. Have you ever been removed from eligibility to receive appointments of indigent defendants in any jurisdiction, state or federal? If so, please identify the jurisdiction and fully explain the relevant facts and circumstances.

YES: \_\_\_\_ NO: \_\_\_\_\_

1. Have you ever been censured, reprimanded, adjudged or held in contempt or otherwise disciplined by any judge, court, State Bar or other agency or tribunal? If so, fully describe the facts and circumstances.

YES: \_\_\_\_ NO: \_\_\_\_\_

1. Has your professional conduct or ability been the subject of comment, favorable or unfavorable, in a written opinion, order or memorandum of any judge, court, or other tribunal? If so, attach a copy of the opinion, order or memorandum and describe the facts and circumstances.

YES: \_\_\_\_ NO: \_\_\_\_\_

1. Have you ever been the subject of any complaint filed with, or made to any attorney disciplinary body or any bar association or committee thereof? If so, fully describe the facts and circumstances and the disposition of the matters.

YES: \_\_\_\_ NO: \_\_\_\_\_

1. Have you been sued by a client? If so, describe the facts and circumstances, the court and case number(s), and the disposition(s) of the matter(s).

YES: \_\_\_\_ NO: \_\_\_\_\_

1. Have you ever applied for and been denied membership on any indigent defense panel? If so, please indicate the panel(s), dates that you applied, and reasons given, if any, for the denial(s).

YES: \_\_\_\_ NO: \_\_\_\_\_

1. Do you understand that you are not entitled to indemnification by this Court, the Federal Government, or any provision of the CJA for any claims by your clients or service providers resulting from your representation of a CJA client?

YES: \_\_\_\_ NO: \_\_\_\_\_

1. Do you understand that meeting the minimum requirements and/or prior service on the panel does not guarantee that you will be chosen for the current panel as there are many factors that are considered by the Panel Selection Subcommittees, including but not limited to the number of available slots to be filled, input from references, and any other relevant information obtained?

YES: \_\_\_\_ NO: \_\_\_\_\_

1. Do you confirm that if you are selected for the panel and your answer to any of the questions in this section changes, you must immediately notify the Federal Public Defender, CJA Administration Committee, or the CJA Panel Administrator?

YES: \_\_\_\_ NO: \_\_\_\_\_

**L. Supplemental Questions** – optional

1. CJA panel members from larger law firms sometimes offer to provide legal and/or support services free of change for a particular appointed case under the firm's *pro bono* program. Please indicate if your firm has such a program and would be willing to provide some or all services free of charge.

* 1. 2. Please supply any additional information you wish to support your application.

**M. Writing Sample** – mandatory

On the electronic portal, please submit a writing sample. Such sample should be a complete (unabbreviated) non-*Anders* opening or reply brief completed ***within the past three years***. If you do not have such a sample, please submit your most recent non-*Anders* brief and include here an explanation as to why a more recent (or otherwise different) sample is not available.

***END OF MAIN APPLICATION***

1. E.g., administration, business development, firm management, etc. [↑](#footnote-ref-1)