**Last Name, First Name**

**Current Employer / Firm**

**CJA Trial Tier II Panel Application 2024**

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| **PLEASE INDICATE THE TIER II PANEL** **FOR WHICH YOU ARE APPLYING.** |
| **\_\_\_\_** San Francisco / Oakland Trial Panel – Tier II |
| **\_\_\_\_** San Jose Trial Panel – Tier II |
|  |

**The term for the “Tier II” Trial Panel is three years. After two years, however, Tier II panel members may apply for appointment to the Tier I (Traditional) Trial Panel.**

***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 and the State Bar of California?

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

1. Is your primary place of business in the specific court Division of the District for the applicable panel for which you are applying (see below)?

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

**San Francisco/Oakland**: Principal place of business located within Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Sonoma, Mendocino, Lake, Humboldt, or Del Norte County. (Members of the SF/Oak panel must be willing to take cases in either venue.)

**San Jose**: Principal place of business located within Santa Clara, Santa Cruz, Monterey, or San Benito County.

1. Do you have demonstrated proficiency with the Bail Reform Act, Recommendations for Electronically Stored Information Discovery Production in Federal Criminal Cases (ESI Protocol), Federal Rules of Evidence, Federal Rules of Criminal Procedure, United States Sentencing Guidelines, federal sentencing procedures, and this District’s Local Rules?

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

1. Do you have the facilities, resources, and technological capability to effectively and efficiently manage all aspects of assigned cases, including the availability of office space to meet with clients; the technological resources to receive, review, organize, present, and otherwise manage electronic discovery and records (with the understanding that you will be primarily responsible for providing your own equipment and software for such purposes) and prepare for and present at trial, hearings, and otherwise?

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

1. Do you have five years of continuous criminal practice experience?

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

1. Have you tried three felony jury trials (federal or state)?

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

1. If selected for the Tier II panel, do you agree to participate in a mandatory training in federal criminal defense, hosted by the Office of the Federal Public Defender, during your first year on this panel, and do you agree to participate in at least six hours of MCLE-eligible training per year, on the subject of criminal defense, ethics, or the elimination of bias?

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

1. If selected for the Tier II panel, do you agree to meet in person with CJA Supervisory Attorney Diana Weiss at the outset of your term, and promptly notify Ms. Weiss if an assigned case escalates in exposure or in the seriousness of charged offenses?

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

**APPLICATION**

**A. Current Information**

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| --- | --- |
| 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: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |

 7. 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 | % |
| --- | --- |
|  |  |
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1. **A. Current Legal Employment and / or Affiliations:**

Please provide a brief narrative synopsis of your current position(s), including the nature of the practice and types of matters that account for most of your time:

**B. Past Legal Employment or Affiliations:**

1. Please 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** |
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**C. Description of Legal Practice**

1. In brief narrative form, please summarize your criminal law experience and practice. Please include 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 five 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 five 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. Trial Experience**

Provide the following information for **three** federal or state felony jury trials in which you were involved. Please focus on more significant and recent cases. In the absence of three trials, list complex criminal or civil matters which resolved other than by trial. **Please use the following format for each trial.** If you have tried more than three felony cases, you are encouraged to list additional notable cases.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | **1. Case Name** | **Case Number** | **Presiding Judge** | **Court** |
|  |  |  |  |
| **Co-Counsel Names and Phone Numbers (all)** | **Opposing Counsel Names and Phone Numbers (all)** |
|  |  |
| Nature of Case: |  |
| Your Role: |  |
| Trial Start and End Dates: |  |
| Results of your efforts: |  |

|  |  |  |  |
| --- | --- | --- | --- |
| **2. Case Name** | **Case Number** | **Presiding Judge** | **Court** |
|  |  |  |  |
| **Co-Counsel Names and Phone Numbers (all)** | **Opposing Counsel Names and Phone Numbers (all)** |
|  |  |
| Nature of Case: |  |
| Your Role: |  |
| Trial Start and End Dates: |  |
| Results of your efforts: |  |
| Results of your efforts: |  |

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| --- | --- | --- | --- |
| **3. Case Name** | **Case Number** | **Presiding Judge** | **Court** |
|  |  |  |  |
| **Co-Counsel Names and Phone Numbers (all)** | **Opposing Counsel Names and Phone Numbers (all)** |
|  |  |
| Nature of Case: |  |
| Your Role: |  |
| Trial Start and End Dates: |  |
| Results of your efforts: |  |

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| --- | --- | --- | --- |
| **4. Case Name** | **Case Number** | **Presiding Judge** | **Court** |
|  |  |  |  |
| **Co-Counsel Names and Phone Numbers (all)** | **Opposing Counsel Names and Phone Numbers (all)** |
|  |  |
| Nature of Case: |  |
| Your Role: |  |
| Trial Start and End Dates: |  |
| Results of your efforts: |  |

|  |  |  |  |
| --- | --- | --- | --- |
| **5. Case Name** | **Case Number** | **Presiding Judge** | **Court** |
|  |  |  |  |
| **Co-Counsel Names and Phone Numbers (all)** | **Opposing Counsel Names and Phone Numbers (all)** |
|  |  |
| Nature of Case: |  |
| Your Role: |  |
| Trial Start and End Dates: |  |
| Results of your efforts: |  |

**E. Prior Panel Experience**

If you have been a member of any panel providing defense for indigent criminal defendants, please list the panel, the dates of membership, the highest class of criminal case (e.g., misdemeanor, homicide, etc.) that 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** |
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**F. Court Admission**

Please list dates of admission to the following, if applicable:

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| --- | --- |
| * 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.

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| --- | --- | --- |
| **State Bar** | **Year Admitted** | **Bar #** |
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**G. Education/Special Skills**

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| --- | --- | --- |
| 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 (ifany) |  |

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) |
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1. Representation of clients in this District requires a sufficient familiarity with technology to effectively and efficiently manage cases. Generally describe your experience receiving and reviewing electronic discovery and utilizing electronic case management and presentation equipment and software? What outside services have you utilized?
2. Describe software used by you or your staff. Next to “name of software,” note if “proficiency” refers to you, your staff, or both:

Excel or other billing/spreadsheet software

|  |  |  |  |
| --- | --- | --- | --- |
|  | Name of Software | Version | Proficiency |
|  | Expert | Average | Novice |
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Document indexing/organization/database software

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| --- | --- | --- | --- |
|  | Name of Software | Version | Proficiency |
|  | Expert | Average | Novice |
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Trial presentation software

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| --- | --- | --- | --- |
|  | Name of Software | Version | Proficiency |
|  | Expert | Average | Novice |
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Web-hosted document repositories

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| --- | --- | --- | --- |
|  | Name of Software | Version | Proficiency |
|  | Expert | Average | Novice |
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**H. References**

Please list information for three persons who are well-acquainted with your work and with your qualifications to be a panel member. If your reference is a judicial officer, please first confirm that the judicial officer is willing to be interviewed regarding your performance:

|  |  |  |
| --- | --- | --- |
| 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 |  |

**I. Training**

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

**J. 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: \_\_\_\_\_

**K. 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.
2. Different divisions in the District occasionally experience shortages of CJA counsel. If you are selected for the San Francisco/Oakland Trial Panel or the San Jose Trial Panel, would you be interested in being offered occasional appointments in the other Northern District of California division (San Jose for the SF/Oakland Tier II panel, and SF/Oakland for the San Jose Tier II panel?)
3. Please supply any additional information you wish to support your application.

**L. Writing Sample** – mandatory

On the electronic portal, please submit a writing sample. Such sample should be a complete memorandum or brief from the past three years for which you had the primary responsibility for research and writing. If you do not have such a sample ***from the past three years***, please submit your most recent such sample and explain here why a more recent sample is not available.

***END OF MAIN APPLICATION***

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