

# **APPLICATION**

## **FOR MEMBERSHIP ON THE CRIMINAL JUSTICE ACT DEFENSE PANEL**

Felony Panel - DEADLINE: October 31, 2016  
Appeals/Habeas Panel - DEADLINE: October 31, 2016

**UNITED STATES DISTRICT COURT  
FOR THE  
EASTERN DISTRICT OF CALIFORNIA**



## **INSTRUCTIONS**

Please type all of your responses.

### **For Sacramento Panels:**

FELONY PANEL - Mail or deliver the original **and** e-mail application and any attachments in **PDF format** to Kurt\_Heiser@fd.org.

APPEAL/HABEAS PANEL - Mail or deliver the original and 1 copy (including 1 copy of a current writing sample) to the Sacramento address below.

### **For Fresno Panels:**

FELONY PANEL - Mail or deliver the original **and** e-mail application and any attachments in **PDF format** to Connie\_Garcia@fd.org.

APPEAL/HABEAS PANEL - Mail or deliver the original and 1 copy (including 1 copy of a current writing sample) to the Fresno address below.

### **Mail Applications to One of the Following Addresses:**

For Sacramento -

Federal Defender's Office  
ATTN: Kurt Heiser  
801 I Street, 3<sup>rd</sup> Floor  
Sacramento, CA 95814

For Bakersfield, Fresno, Yosemite -

Federal Defender's Office  
ATTN: Connie Garcia  
2300 Tulare Street, Suite 330  
Fresno, CA 93721

### **Eligibility Requirements for Felony Panel**

Attorneys who serve on the CJA Panel for the Eastern District of California must be members in good standing of the California State Bar, members of the bar of the Eastern District of California and maintain their principal office in this District. Attorneys must also have demonstrated experience in, and knowledge of, the Federal Rules of Criminal Procedure, Federal Rules of Evidence, Sentencing Guidelines and the Local Rules. Preference for CJA panel membership shall be given to attorneys who have been in practice at least three years with experience in criminal law.

### **Eligibility Requirements for Appeals/Habeas Panel**

Attorneys who serve on the CJA Appeals/Habeas Panel for the Eastern District of California must be members in good standing of the California State Bar and members of the bar of the Eastern District of California. Attorneys must also have demonstrated experience in, and knowledge of, the Federal Rules of Appellate Procedure, the Federal Rules of Civil Procedure, the Rules Governing § 2254 Cases, the Federal Rules of Evidence, and the Local Rules. Preference for the CJA Appeals/Habeas Panel shall be given to attorneys who have been in practice at least three years with experience in the field of criminal law and/or habeas corpus.

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

**Application for Membership on the Criminal Justice Act Panel**

APPLICATION OF \_\_\_\_\_

\_\_\_\_\_  
(Address of Principal Office)

\_\_\_\_\_  
(Business Telephone)

\_\_\_\_\_  
(Cell Phone)

\_\_\_\_\_  
(Fax Number)

\_\_\_\_\_  
(E-Mail Address)

\_\_\_\_\_  
(Social Security Number - [do not enter SSN if you are renewing your application])

**A. COURT ADMISSION**

Date of Admission to:

California State Bar: \_\_\_\_\_

Bar #: \_\_\_\_\_

Eastern District of California: \_\_\_\_\_

Ninth Circuit Court of Appeals: \_\_\_\_\_

United States Supreme Court: \_\_\_\_\_

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

State Bar: \_\_\_\_\_

Year Admitted: \_\_\_\_\_

Bar #: \_\_\_\_\_

Address of State Bar: \_\_\_\_\_

Status: \_\_\_\_\_

State Bar:

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Year Admitted:

Bar #:

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Address of State Bar:

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Status:

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**B. EDUCATION**

1) Law School:

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Date of Graduation:

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2) List any specialized legal expertise or experience (e.g., immigration law, tax, intellectual property).

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3) List all foreign Languages in which you are fluent:

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4) What is your level of computer knowledge?

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Are you registered with Eastern District of California ECF?

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Do you or your secretary know how to file using ECF?

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**C. LEGAL EMPLOYMENT OR AFFILIATIONS**

1) Beginning with the latest, list your last 3 legal employment positions or affiliations:

a) Employer, firm or agency:

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Address:

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Telephone:

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Dates of Employment or Affiliation:

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Duties:

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b) Employer, firm or agency:

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Address:

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Telephone:

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Dates of Employment or Affiliation:

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Duties:

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c) Employer, firm or agency:

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Address:

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Telephone:

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Dates of Employment or Affiliation:

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Duties:

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2) Have you ever been employed as a full-time prosecutor, public defender, or law clerk to a judge or justice? \_\_\_\_\_

If so, provide the name of the office or judge, and dates of employment: \_\_\_\_\_

3) Are you a partner or otherwise associated with others in the practice of law?  
If yes, please explain: \_\_\_\_\_

4) Describe any professional obligations or other matters that may limit your availability to provide CJA representation, (e.g., agreements to provide legal services in other jurisdictions, anticipated long cases, or health concerns) \_\_\_\_\_

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**D. DESCRIPTION OF LEGAL PRACTICE**

1) Estimate what percentages of your total time in legal work during the last five years concerned:

Federal civil law matters	_____	%
Federal criminal law matters	_____	%
Federal appellate matters	_____	%
State civil law matters	_____	%
State criminal law matters	_____	%
State appellate matters	_____	%

**E. FELONY INFORMATION**

1) Provide the following information for five federal or state felony jury trials in which you were involved. It is preferred that you list your most significant, recent cases. In the absence of five trials, list complex criminal or civil matters which were resolved other than by trial. Please use this format for each trial. Attach additional sheets.

Case Name:

\_\_\_\_\_

Court/Case No.:

\_\_\_\_\_

Presiding Judge:

\_\_\_\_\_

Nature of the case:

\_\_\_\_\_

Your role in the case:

\_\_\_\_\_

Results of the Case:

\_\_\_\_\_

Co-Counsel(s):

\_\_\_\_\_

Opposing Counsel(s):

\_\_\_\_\_

U.S. District Court

U.S. Magistrate Judge

State

Number of jury trials

\_\_\_\_\_

Number of court trials

\_\_\_\_\_

2) Describe your most significant pretrial, trial, or sentencing criminal motion practice during the past three years. Use a separate sheet and **attach** a copy of your most significant pretrial motion.

#### F. APPEALS/HABEAS INFORMATION

1) Provide the following information for five federal or state criminal appeals or habeas corpus proceedings in which you were involved. It is preferred that you list your most significant, recent cases. In the absence of five appeals or habeas corpus cases, list complex criminal or civil matters. Please use this format for each proceeding. Attach additional sheets.

Case Name:

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Court/Case No.:

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Presiding Judge:

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Nature of the case:

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Your role in the case:

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Results of the Case:

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Co-Counsel(s):

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Opposing Counsel(s):

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2)

Ninth Circuit

U.S. Supreme Court\*

State

Number of appeals

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*\*Please indicate number of US Supreme Court cases in which you prepared briefing as amicus or counsel of record.*

3) Describe your criminal appellate experience within the five years preceding this application. *Please use a separate sheet for answer. Please indicate the number of federal appeals and number of state appeals.*

4) Describe your postconviction habeas experience within the five years preceding this application. *Please use a separate sheet for answer. Please give number of state habeas cases, state habeas evidentiary hearings, as well as the number of federal habeas cases, number of federal habeas evidentiary hearings, and number of federal habeas appeals.*

**G. PRIOR PANEL EXPERIENCE**

1) Are you presently a member of the CJA panel in this district? \_\_\_\_\_

If yes, please state dates of membership: \_\_\_\_\_

2) Are you a member of any other criminal indigent panel? \_\_\_\_\_

If yes, please list the panel, dates of membership, the class of criminal cases for which you are qualified to try, if any, and the name, address, and telephone number of the panel administrator.

3) Were you previously a member of either a federal or state panel? \_\_\_\_\_

When? \_\_\_\_\_

Where? \_\_\_\_\_

Please explain reason(s) for departure from panel(s):

**H. ADDITIONAL QUESTIONS**

Respond to each of the following inquiries where applicable. Indicate on an attachment which item you are replying to and indicate which questions, if any, are inapplicable.

1) Have you ever been disciplined by the bar of any state or by any court? \_\_\_\_\_

Are there any such actions pending? *If the answer to either question is yes, please explain on a separate sheet.* \_\_\_\_\_

2) During the five years preceding this application, have you been arrested, summoned, charged or convicted of any criminal offense (excluding minor traffic infractions)? *If so, please explain on a separate sheet.* \_\_\_\_\_

3) Has your professional conduct or ability been the subject of comment, favorable or unfavorable, in a written opinion of any judge, court or other tribunal? *If so, attach a copy of the opinion and state any facts and circumstances you feel appropriate on an attached sheet.* \_\_\_\_\_



4) Please supply any additional information you wish to support your application.

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**I. REFERENCES**

Please list three references whom you have known/worked with for at least 5 years in the legal profession. Please include their name, address, phone number, relationship, and length of acquaintance.

1) Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_  
Relationship: \_\_\_\_\_  
Period of acquaintance: \_\_\_\_\_

2) Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_  
Relationship: \_\_\_\_\_  
Period of acquaintance: \_\_\_\_\_

3) Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_  
Relationship: \_\_\_\_\_  
Period of acquaintance: \_\_\_\_\_

I have carefully read the foregoing application and certify that the information herein is true, or true to the best of my knowledge and belief. I understand that failure to make a truthful disclosure of any fact or item of information required may result in the denial of any application, removal from the panel, or such other action as the court deems appropriate. If I receive notification from the state bar that I am the subject of any pending state bar review or action, I must notify the CJA Panel Administrator immediately.

Executed on \_\_\_\_\_ at \_\_\_\_\_, California

\_\_\_\_\_  
*(Signature of Applicant)*

**Eastern District of California  
Criminal Justice Act Panel Application Form  
Office of the Federal Public Defender**

**PROFESSIONAL EXPERIENCE INQUIRY  
AUTHORIZATION AND WAIVER FORM**

I hereby authorize the administrators of the disciplinary and inquiry bodies of any court, bar or other association to disclose to the Criminal Justice Act Administration Committee of the Eastern District of California all information contained in the files of such bodies concerning my present professional status, all complaints which have been made against me, together with the disposition thereof. I expressly waive whatever right I may have to confidentiality of the foregoing information.

I also hereby authorize the custodian of any records or information related to my application for the Criminal Justice Act Panel of the Eastern District of California to permit the examination or receipt of such records and/or information by anyone designated by the Criminal Justice Act Committee.

Print or Type Name	Signature
Social Security Number (Do not enter SSN if renewing membership)	Date Signed

**Eastern District of California  
Criminal Justice Act Panel Application Form  
Office of the Federal Public Defender**

**STATE BAR OF CALIFORNIA  
RELEASE OF ALL CLAIMS FORM**

I hereby release, discharge and exonerate the State Bar of California, its agents and representatives, and any person so furnishing information from any and all liability of every nature and kind arising out of the furnishing or inspection of such documents, records, or the information or the investigation made by the State Bar of California.

The undersigned further waives all rights or benefits which the undersigned now has or in the future may have under the terms of § 1542 of the Civil Code of the State of California, which said section reads as follows:

"A general release does not extend to claims which the creditor does not know or suspect to exist in his favor at the time of executive the release, which if know by him must have materially affected his settlement with the debtor."

Print or Type Name	Signature
Social Security Number (Do not enter SSN if renewing membership)	Date Signed