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FILED IN THE
UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

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[illegible] SCOFIELD, [illegible]

By..... Deputy

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

IN RE: Criminal Justice Act Panel at Seattle	ORDER ADOPTING RULES

The undersigned United States District Judges hereby adopt the attached "Rules Relating to Criminal Justice Act Panel for U. S. District Court for the Western District of Washington at Seattle" effective upon the filing of this Order.

DATED this 3rd day of September, 1976.

Walter T. McGovern
Chief U. S. District Judge

Wall E. Shaw
U. S. District Judge

Donald S. Voorhees
U. S. District Judge

FPI—Sandstone
2-5-75—175M—903

RULES RELATING TO CRIMINAL JUSTICE ACT PANEL FOR U. S. DISTRICT COURT FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE

1. Establishment of Panel and Purpose

There will be established for the Seattle Division of the U. S. District Court for the Western District of Washington a panel of attorneys for appointment to represent indigent defendants. Once established, this panel will replace the previously existing Criminal Justice Act panel at Seattle. The principal purpose of the modification of the Seattle panel is to provide the highest possible quality of representation for indigent defendants.

2. Eligibility for Membership

Any attorney admitted to practice and in good standing in the bar of this court, of the U. S. Court of Appeals for the Ninth Circuit, and the Supreme Court of Washington shall be eligible to apply for membership in this panel.

3. Size of Panel

The initial size of the panel shall be twenty (20) attorneys. The Selection Committee may amend the size of the panel at any time.

4. Application and Selection Procedure for Initial Panel

Attorneys who wish to be placed on the panel shall complete applications for that purpose and submit them to the U. S. Magistrate at Seattle. The United States Magistrate shall establish a deadline for receipt of applications for membership in the initial panel.

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The membership in the initial panel shall be chosen by a Selection Committee consisting of all the active U. S. District Court Judges and the U. S. Magistrate at Seattle. The factors to be considered in selecting the panel shall include, without limitation, the quality of representation previously furnished defendants in this court, previous experience in federal criminal defense, and other relevant experience and education.

5. Reserve List

Applicants not selected for the initial panel, but found by the Selection Committee to be eligible for consideration at a later time, will be placed on a Reserve List. The Selection Committee will also continue to accept applications after October 31, 1976 from attorneys desiring to be placed on the Reserve List. Vacancies in the Criminal Justice Act panel will be filled from the attorneys on the Reserve List. In filling such vacancies, the Selection Committee shall appoint the attorney most likely to provide the highest quality representation for indigent defendants, without regard to the length of time he or she has been included on the Reserve List.

In a given case, with approval in advance from the trial judge, the defendant and his attorney, an attorney on the Reserve List who desires to do so, may serve as associate defense counsel. In such capacity he shall serve under the supervision of defense counsel, and without compensation.

6. Resignation and Removal from Panel

A member of the CJA panel may resign therefrom at any

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time by written notice to the U. S. Magistrate.

An attorney shall be removed from the CJA panel or from the Reserve List upon the direction of any U. S. District Judge.

7. Obligations of Panel Members

In addition to remaining conversant with all applicable legal authorities and procedures, members of the CJA Panel will be expected to comply with the following:

(a) Each member shall designate at least one person in his or her office who is authorized to accept or reject appointment in a case if the attorney is not available at the time of the call.

(b) Each member must promptly notify the U. S. Magistrate at Seattle, in writing, in the event any action is taken by any court affecting the standing of the attorney to practice before such court or in the event he or she is convicted of any criminal offense (other than a minor traffic offense).

(c) Each member shall make every effort to participate, schedule permitting, in any seminars or other activities sponsored by the Federal Public Defender for the improvement of the quality of representation of indigent defendants.

(d) Each member must be qualified and willing to represent an indigent defendant on appeal of a conviction to the U. S. Court of Appeals for the Ninth Circuit, unless and until relieved by that court.

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8. Other Applicable Authorities

In addition to these rules, the representation of indigent defendants shall be governed by the following authorities, among others:

(a) The Sixth Amendment to the Constitution of the United States;

(b) The Criminal Justice Act, as amended (18 U.S.C. §3006A);

(c) The CJA plan adopted by the judges of this district (as of September 1, 1976, most recent plan was filed December 11, 1974, with an amendment to the compensation rates filed November 25, 1975);

(d) Federal Rules of Criminal Procedure;

(e) Local Rules for this district;

(f) Rules for U. S. Court of Appeals for the Ninth Circuit, including "Appendix" governing representation of indigent defendants, published in Title 28 U.S.C.A.; and

(g) "Guidelines for the Administration of the Criminal Justice Act", as amended, promulgated by the Judicial Conference of the United States (copies available for review at offices of U. S. Magistrate and Federal Public Defender).

9. Amendments and Exceptions to Rules

The U. S. District Judges in Seattle may amend these rules at any time, and may grant exceptions to any rule under appropriate circumstances.

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