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OFFICE OF THE
UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

CLERK OF COURT

LEON SCOTT, CLERK

By..... Deputy

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

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

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. Mc Govern
Chief U. S. District Judge

Wall E. Shroy
U. S. District Judge

Donald S. Johnson
U. S. District Judge

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

4 1. Establishment of Panel and Purpose

5 There will be established for the Seattle Division of
6 the U. S. District Court for the Western District of
7 Washington a panel of attorneys for appointment to represent
8 indigent defendants. Once established, this panel will re-
9 place the previously existing Criminal Justice Act panel at
10 Seattle. The principal purpose of the modification of the
11 Seattle panel is to provide the highest possible quality of
12 representation for indigent defendants.
13

14 2. Eligibility for Membership

15 Any attorney admitted to practice and in good standing
16 in the bar of this court, of the U. S. Court of Appeals for
17 the Ninth Circuit, and the Supreme Court of Washington shall
18 be eligible to apply for membership in this panel.
19

20 3. Size of Panel

21 The initial size of the panel shall be twenty (20)
22 attorneys. The Selection Committee may amend the size of the
23 panel at any time.
24

25 4. Application and Selection Procedure for Initial Panel

26 Attorneys who wish to be placed on the panel shall
27 complete applications for that purpose and submit them to
28 the U. S. Magistrate at Seattle. The United States Magistrate
29 shall establish a deadline for receipt of applications for
30 membership in the initial panel.
31

1 The membership in the initial panel shall be chosen by
2 a Selection Committee consisting of all the active U. S.
3 District Court Judges and the U. S. Magistrate at Seattle.
4 The factors to be considered in selecting the panel shall
5 include, without limitation, the quality of representation
6 previously furnished defendants in this court, previous
7 experience in federal criminal defense, and other relevant
8 experience and education.
9

10 5. Reserve List

11 Applicants not selected for the initial panel, but
12 found by the Selection Committee to be eligible for considera-
13 tion at a later time, will be placed on a Reserve List. The
14 Selection Committee will also continue to accept applications
15 after October 31, 1976 from attorneys desiring to be placed
16 on the Reserve List. Vacancies in the Criminal Justice Act
17 panel will be filled from the attorneys on the Reserve List.
18 In filling such vacancies, the Selection Committee shall
19 appoint the attorney most likely to provide the highest
20 quality representation for indigent defendants, without
21 regard to the length of time he or she has been included on
22 the Reserve List.
23
24

25 In a given case, with approval in advance from the trial
26 judge, the defendant and his attorney, an attorney on the
27 Reserve List who desires to do so, may serve as associate
28 defense counsel. In such capacity he shall serve under the
29 supervision of defense counsel, and without compensation.
30

31 6. Resignation and Removal from Panel

32 A member of the CJA panel may resign therefrom at any

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

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

5
6 7. Obligations of Panel Members

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

- 10 (a) Each member shall designate at least one person
11 in his or her office who is authorized to accept
12 or reject appointment in a case if the attorney is
13 not available at the time of the call.
14
15 (b) Each member must promptly notify the U. S. Magistrate
16 at Seattle, in writing, in the event any action is
17 taken by any court affecting the standing of the
18 attorney to practice before such court or in the
19 event he or she is convicted of any criminal
20 offense (other than a minor traffic offense).
21
22 (c) Each member shall make every effort to participate,
23 schedule permitting, in any seminars or other
24 activities sponsored by the Federal Public Defender
25 for the improvement of the quality of representation
26 of indigent defendants.
27
28 (d) Each member must be qualified and willing to
29 represent an indigent defendant on appeal of a
30 conviction to the U. S. Court of Appeals for the
31 Ninth Circuit, unless and until relieved by that
32 court.

1 8. Other Applicable Authorities

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

- 5 (a) The Sixth Amendment to the Constitution of the
6 United States;
7
8 (b) The Criminal Justice Act, as amended (18 U.S.C.
9 §3006A);
10
11 (c) The CJA plan adopted by the judges of this district
12 (as of September 1, 1976, most recent plan was filed
13 December 11, 1974, with an amendment to the compensa-
14 tion rates filed November 25, 1975);
15
16 (d) Federal Rules of Criminal Procedure;
17
18 (e) Local Rules for this district;
19
20 (f) Rules for U. S. Court of Appeals for the Ninth
21 Circuit, including "Appendix" governing represen-
22 tation of indigent defendants, published in Title
23 28 U.S.C.A.; and
24
25 (g) "Guidelines for the Administration of the Criminal
26 Justice Act", as amended, promulgated by the Judi-
27 cial Conference of the United States (copies avail-
28 able for review at offices of U. S. Magistrate and
29 Federal Public Defender).

30 9. Amendments and Exceptions to Rules

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