

Implementation Revised C.J.A. Plan for the Western District of North Carolina

On February 17, 2009, Chief Judge Karen J. Williams of the United States Court of Appeals for the Fourth Circuit approved the revised Criminal Justice Act (“C.J.A.”) Plan for the Western District of North Carolina (entire plan can be found on www.ncwd.uscourts.gov). The plan revised the criteria for selection, retention and management of the C.J.A. panel in the district.

The plan calls for the creation of a Panel Management and Selection Committee composed of no more than nine members. The committee members are:

Federal Public Defender: **Ross Richardson**
 Acting Executive Director
 Federal Defenders of Western North Carolina, Inc.
 (704)374-0720

C.J.A. Panel Representative: Mark P. Foster, Jr.
 Rawls, Scheer, Foster & Mingo
 (704)323-8158

Charlotte/Statesville Division: Peter Crane Anderson
 Anderson Law
 (704)372-7370

 Denzil H. Forrester
 Law Office of Denzil H. Forrester
 (704)632-9992

 Julia G. Mimms
 Law Office of Julia G. Mimms
 (704)333-1301

 Anthony G. Scheer
 Rawls, Scheer, Foster & Mingo
 (704)323-8158

Asheville/Bryson City: Andrew B. Banzhoff
 Devereux & Banzhoff
 (828)285-9455

 Albert M. Messer
 Attorney at Law
 (828)251-1502

The committee members' duties are outlined in the C.J.A. Plan. Some of their responsibilities will involve: reviewing all completed applications; obtaining comments from the district's judges and other appropriate sources; and selecting the C.J.A. Panel members for the districts divisions.

The projected timetable for submitting applications during the April 1st cycle is, as follows:

Deadline for submission of C.J.A. applications: June 30, 2014

Selection completed and panel members notified: On or before September 6, 2014

If you were selected as a C.J.A. Panel member in the fall of 2009 and must re-apply after two years, kindly fill out the C.J.A. Re-application Form. If you are currently a member of the Transitional Panel (Training Panel) and have completed the requirements, kindly re-submit your prior application with any updated material as well as a letter stating how you completed the requirements. If you need a copy of your prior application, kindly contact Nancy Kimbrough at the address below and she will provide it to you. If you have not completed the Transitional Panel (Training Panel) requirements and wish to remain on the Transitional Panel (Training Panel), please send a letter to Nancy Kimbrough with this request. If you do not have the requisite experience and wish to eventually become a member of the C.J.A. panel, you can apply to become a member of the Transitional Panel (Training Panel).

Please note: Federal judges cannot write a recommendation on your behalf but are allowed to respond to an inquiry. Therefore, if you seek a recommendation from a federal judge(s), please note on your application that you want the CJA Management and Selection Committee to contact the specific judge(s). The committee will contact the court and ask questions about your qualifications. The inquiry will serve as a recommendation for purposes of the application requirements.

Any questions can be directed to the members of the C.J.A. Management and Selection Committee. All applications must be sent to the following address:

Federal Defenders of Western North Carolina, Inc
129 W. Trade Street
Suite 300
Charlotte, NC 28202

Att: Nancy Kimbrough

They also can be scanned and emailed to Nancy_Kimbrough@fd.org or
Faxed to (704)374-0722

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CRIMINAL JUSTICE ACT
("CJA") PANEL APPLICATION FORM**

The following Application is to be completed by attorneys who wish to participate in the CJA Panel, established in the Western District of North Carolina as part of the Plan for representation of indigent defendants under the Criminal Justice Act of 1964, as amended 18 U.S.C. § 3006A.

PLEASE PRINT OR TYPE

1. Please indicate which panel you are applying for:

General Panel

 Death Penalty Panel

_____ Special Habeas Death Penalty Panel

_____ **Transitional Panel** (Training Panel) (for attorneys who do not meet experience level set forth in CJA Plan)

2. BACKGROUND INFORMATION

Last Name	First	Middle
-----------	-------	--------

Name of Firm

Street

City _____ State _____ Zip _____

Office Phone No.	Fax No.	E-mail Address
------------------	---------	----------------

Home Phone No.	Cell Phone No.
----------------	----------------

North Carolina State Bar No.

3. Graduated from _____ School of Law

Year: _____

Dates of Admission	A) Western District of North Carolina	_____
	B) State of North Carolina	_____
	C) U.S. Court of Appeals, Fourth Circuit	_____
	D) U.S. Supreme Court	_____
	E) Other	_____

Other U.S. District Court admissions and dates of admission: _____

Please provide a copy of a Certificate of Good Standing from the North Carolina State Bar.

4. I would prefer to receive the following number of cases each year:

_____ 1-3 cases/year _____ 4-10 cases/year _____ 10+ cases/year

5. I would accept case assignments from the following Divisions of the Western District of North Carolina:

___ Asheville ___ Charlotte ___ Statesville ___ CVB Court
___ Any Division

6. Have you ever been disbarred, suspended, reprimanded, censured, or otherwise formally disciplined, publicly or privately, as an attorney, or as a member of any other profession, or as a holder of any public office?

_____ Yes _____ No

If “Yes” – please give additional details below or add an additional sheet.

7. Are any charges of complaints now pending before any court or agency concerning your conduct as an attorney, or as a member of any profession, or as a holder of any public office?

_____ Yes _____ No

8. Have you previously served on this CJA Panel? If “Yes,” please list the dates of your service:

_____ Yes _____ No

9. Have you ever been REMOVED from any CJA panel or list?

_____ Yes _____ No

If “Yes” – please provide additional details below or add an additional sheet.

10. Have you ever been relieved from an assigned defendant in any court for any reason, other than his/her retaining a private attorney? If so, give particulars on separate sheet:

_____ Yes _____ No

11. Do you speak any foreign languages? If so, give particulars and describe your level of fluency:

_____ Yes _____ No

12. Experience (*Identify the number of trials you have handled to verdict during the **last ten years.***)

CRIMINAL TRIAL EXPERIENCE

1. Number of Federal Felony Trials _____ Number of State Felony Trials: _____

2. Number of Capital Trials:

Federal: First-Chair _____ Second-Chair _____

State: First-Chair _____ Second-Chair _____

3. Number of Federal Misdemeanor Trials _____ Number of State Misdemeanor Trials: _____

A) CIVIL TRIAL EXPERIENCE

1. Number of Federal Jury Trials: _____ Number of State Jury Trials: _____

B) APPELLATE EXPERIENCE

1. Number of Fed. Criminal Appeals: ____ Number of State Criminal Appeals: _____

C) OTHER RELEVANT TRIAL/LITIGATION EXPERIENCE (add additional sheet, if necessary)

D) AREAS OF SPECIALIZED EXPERIENCE (PLEASE CIRCLE)

- TAX LAW
- ACCOUNTING
- ENVIRONMENTAL LAW
- IMMIGRATION
- COMPUTER FORENSICS
- PSYCHIATRIC DEFENSES
- MEDICAL BACKGROUND
- MITIGATION DEVELOPMENT
- HEALTH CARE

OTHER _____

13. Have you attended a continuing legal education (CLE) seminar on any of the following topics within three years prior to this application?
- a. United States Sentencing Guidelines _____ Yes _____ No
 - b. Federal Criminal Law _____ Yes _____ No
 - c. Federal Rules of Evidence _____ Yes _____ No
 - d. Federal Rules of Criminal Procedure _____ Yes _____ No
 - e. Trial Advocacy _____ Yes _____ No

Please list OR provide a copy of a CLE Attendance History Report from the North Carolina Bar which summarizes your CLE attendance over the past three (3) years.

14. Do you satisfy either of the following criteria? (Check **all** that apply)
- _____
- _____
- a) Two (2) years experience handling federal criminal matters:
 _____ Yes _____ No
 - b) Five (5) years experience handling state criminal matters:
 _____ Yes _____ No

15. Have you participated as “first chair” counsel of record (either as prosecutor or defense attorney) in at least two (2) criminal jury trials in any federal court in the last ten (10) years?

_____ Yes _____ No

16. Do you certify that, over the past year, you have thoroughly read, or are generally familiar with, the Federal Rules of Criminal Procedure, Federal Rules of Evidence, Bail Reform Act, and the Federal Sentencing Guidelines?

_____ Yes _____ No

17. By checking the following, you certify that you have access to the following:
_____ Physical Office for meeting clients and family
If address different from page 1, please list below:

_____ Unlimited Internet Access
_____ Active Log-In Account with ECF in Western District
_____ Access to an on-line legal research account through Westlaw or Lexis
_____ Telephone answering machine or equivalent answering service
_____ Ability to accept collect calls

18. Please describe why you would like to participate in the CJA Panel Program.

(Attach up to 2 additional pages, if necessary).

19. If it is necessary to do so, have you sought approval from your law firm, or other partners, to participate in the CJA Program?

_____ Yes _____ No _____ Not Applicable

20. I have included with this application at least one writing sample, preferably a substantive motion that was filed in a federal criminal proceeding (not to exceed 10 pages).

_____ Yes _____ No

21. I have also submitted at least three (3) letters of recommendation from either: a) state or federal judges or; b) attorneys with significant federal criminal defense experience who have expressed an informed opinion as to why you are competent to represent indigent defendants who are charged with federal crimes.

_____ Yes _____ No

22. Are you a current member and/or officer of an organization that involves criminal law?

_____ Yes _____ No

Please circle, if applicable.

MCCDL

Advocates for Justice

NACDL

NC State Bar Criminal Justice Section Other Section

ABA Criminal Law Section Other Section(s)

NLADA

Other

23. Are you certified as a specialist in North Carolina? Please circle, if applicable.

Criminal Law: State Federal Appellate

I hereby certify that the above information is true and correct.

Date

Applicant's Signature

Please send the application and all attachments requested to:

Federal Defenders of Western Carolina, Inc.
129 W. Trade Street
Suite 300
Charlotte, NC 28202

Attn: Nancy Kimbrough

You can also send materials via email to Nancy_Kimbrough@fd.org or Fax to (704)374-0722

Any questions, call Nancy Kimbrough (704)374-0720

Deadline for submission: June 30, 2014