

No. M-216-03

Before: Wagner, Chief Judge; Terry, Steadman, Schwelb, Farrell, Ruiz, Reid, Glickman, and Washington, Associate Judges.

ADMINISTRATIVE ORDER

WHEREAS the court has an obligation imposed by D.C. Code § 11-2601 *et seq* (2001) and the “Plan For Furnishing Representation to Indigents Under the District of Columbia Criminal Justice Act”, § III, adopted by the Joint Committee (effective October 16, 2002), to maintain a list of attorneys qualified to be appointed to represent indigent defendants and respondents on appeal in criminal and juvenile delinquency cases and in cases where defendants and respondents are exposed to incarceration, and

WHEREAS the court has determined that it will reconstitute its list of attorneys eligible for appointment under the Criminal Justice Act (CJA), and that in the future, any attorney who seeks appointment by this court must have applied for and been approved for inclusion in this reconstituted list, regardless of whether he or she is included in the existing CJA list or whether he or she seeks appointment only where he or she was counsel of record in the trial court; provided that, the court reserves the right, in its discretion and where circumstances warrant, to appoint an attorney not on the list, and

WHEREAS the court has determined that it seeks to include on its list attorneys who are the best qualified and are committed to providing quality and timely representation to indigent defendants consistent with this court’s rules and case law, and whereas, in furtherance of that aim the court expects those who seek appointment to meet minimum performance expectations as outlined in the memorandum titled “Obligations of Counsel” and complete a yearly Continuing Legal Education (CLE) requirement as defined in the accompanying Administrative Order # , it is

ORDERED that all attorneys seeking inclusion on the list of attorneys eligible for appointment on appeal under the CJA authority must complete the application appended to this Administrative Order and submit the application, along with all requested documents, to the court no later than 30 days from this date. It is

FURTHER ORDERED that once the new list of eligible attorneys is announced, the court shall make new appointments only from the approved list, except where the court, in its discretion, determines that it is appropriate to appoint an attorney not on the list. It is

FURTHER ORDERED that the court will review the performance of attorneys on the list periodically and may, when it deems appropriate and necessary, notify an attorney of any concerns and take such remedial actions as the court deems necessary to ensure superior representation of criminal appellants, up to and including, suspension or removal of the attorney from the list. It is

FURTHER ORDERED that the court will accept new applications from time to time, as it deems necessary, but no less than yearly.

PER CURIAM