

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
ADMINISTRATIVE ORDER 16-10**

Additions to the Criminal Justice Act Panel of Attorneys

WHEREAS, by Administrative Order 14-09, issued on May 23, 2014, the Chief Judge re-established the CJA Panel for a four year period of time, as required by Administrative Order 09-07; and

WHEREAS, Administrative Order 09-07 ordered that, between periods of re-establishment, the CJA Panel Implementation Committee (“Committee”) shall accept, at any time, applications to the Panels from qualified attorneys, and make recommendations to the Chief Judge, to add such qualified attorneys to any Panel as the Committee deems appropriate in accordance with the needs of the Court, reserving the right to act expeditiously with regard to any application, while deferring action with regard to any other application; and

WHEREAS, Administrative Order 14-09 provided that Provisional Members previously appointed shall remain in such status until the end of their original two-year term, prior to the expiration of which they must apply to become a Full Member; and

WHEREAS, the Committee has reviewed and considered all applications submitted between September 18, 2015 and May 2, 2016, submitted its report on its procedures for evaluating applications, and recommended names of attorneys to be appointed to the CJA Panel as Full and Provisional Members; and

WHEREAS, the Chief Judge is satisfied that the recommendations of the CJA Panel Implementation Committee with respect to the attorneys to be placed on the CJA Panel have been made after careful study and consideration of each attorney eligible to be considered and should be accepted in their entirety without change; and

WHEREAS, it is in the best interest of the administration of justice for these recommendations to be implemented at this time;

NOW, THEREFORE, it is by the Court,

ORDERED, that the attached list shall encompass additions to the CJA Panel, as re-established by Administrative Order 14-09, and attorneys listed are appointed as Full or Provisional Members as set forth in the attached list; and it is further

ORDERED, that, absent suspension or removal, the attorneys hereby appointed to the Full Panel are appointed for a period of four years, or until the date of re-establishment of the Panel, whichever is shorter, at which time they must submit an application for reappointment, pending the determination of which they may remain CJA Panel members; and it is further

**CJA IMPLEMENTATION COMMITTEE RECOMMENDATIONS FOR
ADDITIONS TO THE CJA PANEL**

FULL PANEL MEMBERS

1. Rebecca Bloch
2. Jack Gilmore
3. Rupa Puttagunta
4. Michelle Gemma Stevens

PROVISIONAL PANEL MEMBERS

1. Hannah Akintoye
2. Matthew Peed (one year term)
3. Sellano Simmons
4. James Ziegler

REPORT OF THE SUPERIOR COURT CRIMINAL JUSTICE ACT PANEL
IMPLEMENTATION COMMITTEE TO CHIEF JUDGE LEE F. SATTERFIELD
May 27, 2016

The Criminal Justice Act Panels (“CJA Panels”) were originally created by Administrative Order 00-26 issued on July 17, 2000. Pursuant to the Administrative Order, panels of attorneys were established from which appointments were made for defendants found eligible for the appointment of counsel under the Criminal Justice Act (CJA) of the D.C. Code, Sections 11-2601 to 2609 (2001), in connection with criminal cases prosecuted by the United States and the District of Columbia.

On May 23, 2014, Chief Judge Lee F. Satterfield issued Administrative Order 14-09, through which the Court re-established the CJA Panel, based on recommendations from the CJA Panel Implementation Committee (“the Committee”). Pursuant to the Administrative Order, the Court is required to re-establish the Panel every four years. Between periods of re-establishment, the Committee shall accept applications to the Panels from qualified attorneys and make recommendations to the Chief Judge to add such qualified attorneys to the Panel as the Committee deems appropriate in accordance with the needs of the Court, reserving the right to act expeditiously with regard to any application, while deferring action with regard to any other application. In addition, Administrative Order 14-09 provided that, unless promoted to full membership, Provisional Members shall remain in such status until the end of their original two-year term, prior to the expiration of which they must apply to become a Full Member. Finally, Administrative Order 14-09 required that an attorney who applied and was not appointed to the CJA Panel must wait eighteen months from the date of the order prior to reapplying.

As of May 2, 2016, the Committee received applications from five new attorneys seeking to become members of the CJA Panel. Six Provisional Members applied to become Full Panel Members, and three prior Panel attorneys sought readmission. This Report summarizes the Committee’s process and recommendations.

The Application Process

Information about the application process and a copy of both the new and provisional attorney applications are posted on the D.C. Superior Court’s website.

<http://www.dccourts.gov/internet/documents/CJA-Panel-Application.pdf>,

<http://www.dccourts.gov/internet/documents/CJA-Short-Application.pdf>).

The application consisted of questions and requested information concerning the applicant’s educational background, work experience, relevant training, and trial experience. The application asked for the names of Superior Court judicial officers familiar with the applicant’s work and a description of significant cases handled by the applicant. Applicants were asked to detail any criminal history and/or history with the Office of Bar Counsel and to provide a Certificate of Discipline from every jurisdiction in which they are admitted and a Certificate of Good Standing from the District of Columbia Bar. In addition, current Provisional Attorneys were asked to provide a description of at least two felony jury trials in which they have been lead counsel or second chair.

The Committee

Fourteen Associate Judges and Magistrate Judges participated in the Committee deliberations. Several members of the Committee had extensive experience as criminal trial attorneys before their appointments to the Court. Other members have been assigned to the Criminal Division for several years. Many members were on the original CJA Panel Committee that made recommendations for the U.S. Panel in 2000 and for additions to the Panels in 2004 and 2007, and the majority of the Committee made recommendations for the re-establishment of the Panel in 2010 and 2014. Thus, not only does the Committee as a whole have vast experience observing and evaluating attorneys, but it also has considerable experience in selecting attorneys qualified to represent indigent defendants.

The Committee followed the same selection procedures that were followed in the past. The sources of information about attorneys were as follows:

1. The responses provided by the applicants to the questions set out in the application form;
2. Input from Superior Court judicial officers, including those whom the applicant identified as references;
3. Knowledge of the applicants derived from Committee members themselves;
4. Input from the Advisory Committee, as hereafter described, and
5. Input from references outside of the Superior Court whose names the applicant provided.

Consideration of Applicants by the Committee

The Administrative Order requires that no attorney will be considered for the CJA Panel unless he or she has the following qualifications: (a) membership in good standing in the D.C. Bar; (b) an office within the metropolitan D.C. area; (c) a commitment to complete hours of CLE each year as may be required by the Court; (d) a commitment to comply with all applicable Administrative Orders setting an annual cap for attorney compensation for appointed representation; (e) a commitment to accept appointments in D. C. prosecuted and Traffic matters; and (f) a commitment to comply with Superior Court Attorney Practice Standards.

By Administrative Order 5-03 the Chief Judge directed that the Committee solicit the views of the CJA Panel Advisory Committee (“the Advisory Committee”) concerning each applicant. Accordingly, the Committee submitted a list of all applicants to the Advisory Committee. The Advisory Committee submitted its recommendations to the Committee. The Committee gave substantial weight to the Advisory Committee recommendations, many of which the Committee followed. The Committee thanks the Advisory Committee for its work.

The Committee met on May 13, 2016 to discuss each applicant. In general, the Committee made decisions by consensus. Any initial Committee decision was subject to reconsideration upon request by any member. Finally, the names of attorneys who the

Committee was considering recommending were submitted to Bar Counsel to confirm that no disciplinary matters were pending that would disqualify the applicant from consideration.

Recommendation of Provisional and Full Panel Attorneys

As noted in the Committee's May 13, 2014 Report to the Chief Judge, the Committee advocates continuing to add Provisional Members to the Panel, regardless of the number of attorneys on the Panel, as experience has demonstrated that including new members strengthens the Panel by allowing attorneys with significant commitment to representing indigent persons an opportunity to contribute to the work of the Court.

With respect to new Provisional Members the Committee recommended only attorneys with excellent credentials, who had a demonstrated interest in representing indigent persons in criminal matters in the District of Columbia and who were willing to serve on the Provisional Panel.

With respect to current Provisional Members, the Chief Judge appointed each for a two-year term during which the attorney is required to second chair two felony jury trials, comply with the Standards of Representation, comply with the annual cap on income, satisfy Continuing Legal Education requirements, and apply to become a Full Member before the expiration of the term. The Committee recommended only Provisional attorneys who fulfilled these requirements for promotion to the Full Panel.

Any current Provisional Member who remains on the Panel must meet the requirements and apply to become a Full Member before the expiration of his/her original term.

With regard to applicants who had previously applied to the Panel, the Committee considered any changes to the applicant's qualifications and any additional work, training, or judicial evaluations that would warrant reconsideration of the Committee's previous recommendation.

The Committee's Recommendations

The Committee recommends four attorneys for full Panel status as set forth in the Appendix, each of whom is currently a Provisional Attorney. Due to extenuating circumstances with respect to one Provisional Attorney, the Committee recommends extension of Provisional status for one year. The Committee recommends that three new attorneys be appointed as Provisional Members.

Compliance with Panel Obligations

In their applications, applicants specifically affirmed their commitment to accept appointment in D.C. prosecuted matters, including cases on the Traffic Calendar. In addition applicants agreed to comply with all Administrative Orders concerning annual compensation limit, as well as to satisfy their continuing legal education requirements on an annual basis.

Training and Necessary Actions

It is the responsibility of Panel Members to take all actions necessary to become familiar with the appointment and vouchering processes. As in the past, the Committee recommends that

all new Panel Members contact the Superior Court Trial Lawyers Association (SCTLA), which has previously graciously agreed to assist new members of the Panel by providing them with the technical information necessary to begin receiving appointments to cases. The Committee also recommends that new Panel Members work with the Public Defender Service to obtain training as necessary. As in the past, the Committee will consult with SCTLA and the Public Defender Service to confirm that the Panel Member received the necessary training prior to being eligible to accept appointments.

Re-application time period:

To bring regularity to the process and ensure that attorneys re-applying have sufficient time to demonstrate additional circumstances warranting reconsideration of their applications, the Committee recommends that any eligible applicant whose application was submitted prior to September 18, 2015 must wait at least 18 months after the issuance of this Administrative Order announcing additions to the Panel before re-applying.

Effective date

The Committee recommends that the effective date of the additions to the Panel be the date of the issuance of the Administrative Order, or as soon thereafter as practicable.

Respectfully Submitted:

CJA Panel Implementation Committee

Judge Juliet McKenna, Chair
Judge Peter Krauthamer, Co-Chair
Judge Jennifer Anderson
Judge Ronna L. Beck
Judge Rainey Brandt
Judge Erik P. Christian
Judge Marissa Demeo
Judge Todd Edelman
Judge Wendell P. Gardner
Judge William Jackson
Judge Kimberly Knowles
Judge John McCabe
Judge Michael O'Keefe
Judge Michael Ryan
Judge Yvonne Williams

Date: May 27, 2016