

MCALLEN DIVISION

THE COMPOSITION, ADMINISTRATION, AND MANAGEMENT OF THE PANEL OF PRIVATE ATTORNEYS UNDER THE CRIMINAL JUSTICE ACT

I. COMPOSITION OF PANEL OF PRIVATE ATTORNEYS

A. CJA PANEL

1. Approval. The Court hereby establishes a panel of private attorneys, the CJA Panel, who are eligible and willing to be appointed to provide representation under the Criminal Justice Act. The Court shall approve attorneys for membership on the panel after receiving recommendations from the Panel Selection Committee, established pursuant to this District's CJA Plan. Members of the CJA Panel shall serve at the pleasure of the Court.
2. Eligibility. Attorneys who serve on the CJA Panel must be members in good standing of the federal bar of this district and be licensed and in good standing with the State Bar of Texas.

B. CJA PANEL COMMITTEE

1. Membership. A CJA Panel Committee shall consist of the district judges and Magistrate judges of the McAllen Division. The Federal Public Defender, the CJA Supervising Attorney and/or one or more attorneys from the McAllen Federal Public Defender office and one or more members of the CJA panel may be invited to be a member of, or provide input to, the Committee. The Committee shall select its own chairperson. The Committee need not have regular meetings but shall convene when necessary to accomplish the purposes desired in this Plan. No formal records need be made at such meeting.
2. Duties.
 - a. The CJA Panel Committee shall meet as needed to review the operation of the CJA plan, which may include evaluating the adequacy of legal representation being provided, assessing the qualifications of attorneys appointed under the plan, and ensuring the availability of appropriate support, training, and continuing legal education for CJA Panel attorneys. The Committee may but need not classify Panel members according to level of experience and area of expertise.
 - b. The Committee shall recommend to the Court any changes deemed necessary or appropriate regarding the appointment process and Panel management.

C. CJA PANEL SUPPORT AND TRAINING

A CJA Panel attorney may use the Federal Public Defender Organization as a resource to assist in addressing issues that may arise during the course of a representation, including but not limited to assistance with sentencing guideline questions. Periodic training in federal criminal practice, including programs offered by the Federal Public Defender Organization, will also be available to assist CJA Panel attorneys, who are strongly encouraged to attend such programs at least once per year.

II. THE APPOINTMENT PROCESS

A. MAINTENANCE OF LIST AND DISTRIBUTION OF APPOINTMENTS

The Clerk shall maintain the current CJA Panel list and shall furnish a copy to each judge upon request. The Clerk shall also maintain a record of appointments of CJA Panel attorneys that reflects the dates and nature of each attorney's appointments under the plan.

B. METHOD OF APPOINTMENT

Appointments from the list of private attorneys should be made on a rotational basis, subject to the Court's discretion to consider the nature and complexity of the case, an attorney's experience, and the ability of the person to be represented to communicate in English. This procedure will assist in producing a balanced distribution of appointments among the members of the CJA Panel and providing quality representation for each person entitled to appointment of counsel.

III. COMPENSATION - FILING OF VOUCHERS

Claims for compensation should be submitted, through the court's eVoucher system, to the office of the Clerk of the Court. The Clerk of the Court shall review the claim for conformity with the Guidelines for the Administration of the Criminal Justice Act (volume VII, Guide to Judiciary Policies and Procedures) and, if correct, shall forward the claim form for the consideration and action of the presiding judge or magistrate.