



WILLIAM T. WALSH
CLERK

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY
OFFICE OF THE CLERK

Martin Luther King, Jr. Federal Bldg. & U.S. Courthouse
50 Walnut Street, Room 4015
Newark, New Jersey 07101

November 5, 2018

CAMDEN OFFICE

Mitchell H. Cohen U.S. Courthouse
One John F. Gerry Plaza
Fourth & Cooper Streets, Room 1050
Camden, New Jersey 08101

TRENTON OFFICE

Clarkson S. Fisher U.S. Courthouse
402 East State Street, Room 2020
Trenton, New Jersey 08608

Reply to: NEWARK

Dear Prospective CJA Panel Member:

On August 22, 2018, the Judicial Council of the Third Circuit adopted a new Criminal Justice Act (CJA) Plan for the District of New Jersey. The new Plan requires an application and appointment process for all those seeking membership on the CJA panels. The new Plan also establishes a Training Panel, a Senior Panel and staggered CJA membership terms. *See* Criminal Justice Act Plan, Section VIII(C)(1), IX(C)(4) and (6).

With regards to eligibility, the Plan provides: (a) "Applicants must be in good standing of the federal bar of this District and the Third Circuit Court of Appeals. (b) Applicants must maintain a primary, satellite, or shared office in this District. (c) Applicants must possess strong litigation skills and demonstrate proficiency with the federal sentencing guidelines, federal sentencing procedures, the Bail Reform Act, the Federal Rules of Criminal Procedure, and the Federal Rules of Evidence. (d) Applicants must have significant experience representing persons charged with serious criminal offenses and demonstrate a commitment to the defense of people who lack financial means to hire an attorney. (e) Attorneys who do not possess the experience set forth above but believe they have equivalent other experience are encouraged to apply and set forth in writing the details of that experience for the CJA Committee's consideration."

The Senior CJA Panel will consist of experienced criminal defense attorneys, selected by the Court, from the pool of applicants to the overall CJA Panel. The Senior Panel will serve indefinite terms. *See* Criminal Justice Act Plan, Section IX (C)(4).

Attorneys seeking membership on the CJA Panel who need experience to meet the eligibility requirements outlined in the Criminal Justice Act Plan, Section IX(3), may pursue membership on the CJA Training Panel. The CJA Training Panel has been established to, "increase diversity and ensure the availability of qualified applicants to the CJA Panel by providing attorneys who do not have the required experience for membership on the CJA Panel with an opportunity to gain the experience necessary to provide high quality representation in federal criminal cases..." *See* Criminal Justice Act Plan, Section VIII(C). If you are seeking appointment to the CJA Training Panel and a current CJA Panel member has agreed to act as a mentor for you, please provide their name and phone number on the application.

The Court will begin accepting applications to the Criminal Justice Act Panels for the District of New Jersey beginning November 5, 2018 (see "Notice to the Bar").

You may apply for appointment to the CJA Panel or the CJA Training Panel by completing and submitting the application in PDF format to William T. Walsh, Clerk, United States District Court, via e-mail at njcja@njd.uscourts.gov on or before December 5, 2018.

Very Truly Yours,

WILLIAM T. WALSH
Clerk of Court

Please check as applies: ☐ CJA Panel

☐ CJA Training Panel

If you check CJA Training Panel and a current CJA Panel member has agreed to act as a mentor for you, please provide their name and phone number: _____

**QUESTIONNAIRE AND APPLICATION FOR MEMBERSHIP ON THE PANEL OF
PRIVATE ATTORNEYS UNDER THE CRIMINAL JUSTICE ACT PLAN FOR THE
UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY**

This questionnaire and application is to be completed by attorneys who wish to apply to the Court to represent eligible criminal defendants under the provisions of the Criminal Justice Act Plan adopted by the United States District Court for the District of New Jersey. Completed applications can be submitted by e-mail to njcja@njd.uscourts.gov. Any questions, please contact Julianne Passero at (973) 645-4637.

1. FULL NAME:

2. OFFICE ADDRESS: (Including name of law firm)

3. HOME ADDRESS:

Office Telephone:

Home Telephone:

Fax Number:

E-mail:

4. EDUCATION: Name and Address of Law School

Date of Graduation and Degree Received:

5. BAR ADMISSIONS -- Admitted to Practice In:

☐

Date Admitted: _____

Supreme Court of New Jersey

☐

Date Admitted: _____

United States District Court, District of New Jersey

☐

Date Admitted: _____

United States Court of Appeals for the Third Circuit

☐

Date Admitted: _____

United States Supreme Court

Bar Admission in other Jurisdictions. Please list each court with admission date:

6. DISCIPLINARY ACTIONS

(a) Have you ever been the subject of a disciplinary action by any court?

☐ Yes

☐ No

(b) Are you the subject of any pending disciplinary proceeding?

☐ Yes

☐ No

(c) Have you ever been held in contempt or been the subject of a contempt proceeding?

☐ Yes

☐ No

(d) Have you ever been investigated with respect to any questions of ethics?

☐ Yes

☐ No

If yes to any of the above, please explain in detail the circumstances of any disciplinary action(s), contempt proceeding(s), or question of ethics, and the results. With respect to any pending disciplinary action(s), contempt proceeding(s), or question of ethics, please describe the procedural phase of the pending proceeding (s) and the anticipated date of its disposition. Attach a separate sheet if necessary.

7. PRACTICE BACKGROUND

(a) Have you ever been employed as a full-time prosecutor, public defender, or law clerk to a judge or justice?

☐ Yes ☐ No

If yes, please describe the position, the name of your employer, and the dates of employment. Attached a separate sheet if necessary.

(b) Have you ever previously applied for appointment to this CJA Panel? ☐ Yes ☐ No

Are you currently, or have you previously served, as a panel member in any other Court? i.e. SDNY, EDPA. ☐ Yes ☐ No

Have you ever been appointed by this Court to represent an eligible criminal defendant pursuant to the Criminal Justice Act? ☐ Yes ☐ No

Have you ever previously applied for appointment to the United States Court of Appeals for the Third Circuit? ☐ Yes ☐ No

Have you ever previously applied for appointment to any other Courts? ☐ Yes ☐ No

If yes, please identify the Court and list the date(s) of your appointment(s). Attach a separate sheet if necessary.

(c) If you have previously been appointed to a Panel, have you ever refused to accept an assignment? ☐ Yes ☐ No

If yes, please explain the circumstances.

(d) In the past five (5) years, have you been relieved from an assigned criminal defendant in any case for any reason other than he/she retaining a private attorney? ☐ Yes ☐ No

If yes, please provide the defendant's name, case number, the Judge and the reason for being relieved.

(e) Are you aware of any instances in which your representation of a criminal defendant has been the subject of an ineffective assistance of counsel claim? ☐ Yes ☐ No

If yes, please explain the circumstances.

8. TRIAL EXPERIENCE.

- (a) List, in reverse chronological order, the names of the most recent five (5) **federal** criminal defendants you have represented, including case number, the name and current telephone number of the Assistant U.S. Attorney in each case, and the name and current telephone number of the presiding Judge.

☐ Please check here if not applicable.

Defendant	Case #	Prosecutor	Phone Number	Presiding Judge	Phone Number
-----------	--------	------------	--------------	-----------------	--------------

- (b) On the following chart, please list, in reverse chronological order, the five (5) most recent **state or federal** criminal trials in which you participated, and provide the following information for each case; year, court, case number, Judge with current telephone number, prosecutor with current telephone number and the defendant's name. Please indicate whether each trial was a jury or bench trial, the nature of the case, and the length of the trial. State what your role was in each trial (lead counsel, second seat). You may attach a separate sheet, if necessary.

Year	Case Caption	Court & Case Number	Judge/Prosecutor Name and Phone Number	Jury or Bench	Nature of Case	Length of Trial	Role
------	--------------	---------------------	--	---------------	----------------	-----------------	------

- (c) Approximately how many felony cases have you tried to verdict in:

United States District Court of New Jersey

Superior Court of New Jersey

Other Courts

- (d) Approximately how many pleas and guideline sentencings have you handled in:

United States District Court for the District of New Jersey _____

Superior Court of New Jersey _____

Other Courts _____

Please describe the Federal Sentencing Guidelines cases you have handled. List no more than ten cases. Attach a separate sheet if necessary.

- (e) List in reverse, chronological order, the five (5) most recent **state or federal** criminal appeals you have handled, including case name, Court and citation. Please indicate if state or federal, whether you wrote the brief and whether you argued the appeal:

1.

2.

3.

4.

5.

- (f) Have you asked to be relieved from handling an appeal, or had the appeal briefed and argued by another person while remaining counsel of record (assigned case only)?

If yes, please explain the circumstances.

- (g) Approximately how many civil cases have you tried to verdict? _____

Please describe each of the civil cases you have tried to verdict. List no more than five cases. Attach a separate sheet if necessary.

(h) Have you had trial experience in a state or federal death penalty case? ☐ Yes ☐ No

If yes, please describe each of the death penalty cases in which you have had trial experience. In addition, please describe any appellate experience you may have had in state or federal death penalty cases, including post conviction relief or habeas corpus proceedings. Attach a separate sheet if necessary.

9. SPECIAL QUALIFICATIONS

Please indicate whether you have any special qualifications, such as Certification as a Criminal Trial Attorney, fluency in a foreign language, expertise in a specialized area of law, e.g., immigration, or any trials/appeals/representations not listed above, evidentiary hearings, publications, etc., which you believe the Plan Selection and Management Committee should be aware of in reviewing your application. Attach a separate sheet if necessary.

10. CJA TRAINING PANEL PROGRAM

The District of New Jersey sponsors a mentoring program that helps identify and prepare experienced State Court practitioners for appointment to the Panel. Pursuant to Section VIII(C)(4) of the Criminal Justice Act Plan for the District of New Jersey, "all CJA Panel members are expected to agree to reasonable mentoring requests unless a compelling reason excuses participation at a particular time or in a particular case."

Are you willing to mentor a Training Panel mentee?

☐ Yes ☐ No

11. DURATION OF APPOINTMENT

I understand that if I am appointed to represent a criminal defendant in any case before the United States District Court for the District of New Jersey pursuant to its Criminal Justice Act Plan, the appointment will continue through any appeal that may be taken to the United States Court of Appeals for the Third Circuit and to the United States Supreme Court, and any Rule 35 Motion for Reduction of Sentence which may be appropriate following the conclusion of the appeals, as well as any related proceedings that may result from the appellate process, unless relieved from the appointment by Order of Court.

☐ Yes ☐ No

12. EXTENT OF REPRESENTATION

- (a) I am willing to represent litigants under the Criminal Justice Act on appeal in cases in which I have not been appointed as counsel before the District Court. ☐ Yes ☐ No
- (b) I am willing to represent petitioners (other than those sentenced to death) who sue under 28 U.S.C. Sections 2254 or 2255 for habeas corpus relief. ☐ Yes ☐ No
- (c) Do you have a preference as to which Vicinage you wish to serve in as a member of the CJA Panel?
If yes, please indicate your Vicinage preference: ☐ Yes ☐ No
- ☐ Camden ☐ Newark ☐ Trenton

13. CRIMINAL HISTORY

Have you ever been convicted of a crime? ☐ Yes ☐ No

If yes, please give the circumstances:

14. REFERENCES

Please provide the names and phone numbers of two (2) Judicial references and two (2) references from adversaries.

1.
2.
3.
4.

15. APPLICANT DECLARATION

I have reviewed the new Criminal Justice Act Plan adopted by the United States District Court for the District of New Jersey on August 22, 2018, and agree to be bound by its terms and conditions. I declare under penalty of perjury that the forgoing answers and statements are true and correct.

Executed On: _____
(Date)

Signature of Applicant (for E-Mail submission please use s/Name)

SELECTION COMMITTEE USE ONLY:

☐ Applicant Accepted

☐ Applicant Rejected

Vicinage Assignment: ☐ Camden ☐ Newark ☐ Trenton

Comments: