

**APPLICATION FOR
INDIGENT DEFENDER PANEL
EASTERN DISTRICT OF WISCONSIN**

Thank you for considering this application for membership on the Indigent Defender Panels, Trial and Appellate, of the Eastern District of Wisconsin. With the formation of Federal Defender Services of Wisconsin, Inc. in this district, total private appointments under the Criminal Justice Act of 1964 (CJA) will be fewer. They will constitute 25 - 40% of the indigent persons accused in federal court here, or on appeal in the United States Court of Appeals for the Seventh Circuit.

That change in the number of appointments presents an unprecedented opportunity to strengthen the CJA panel, and to build a solid core of indigent defenders who practice regularly in federal court. For those selected to serve on the Indigent Defender panel, they may see more federal appointments, not fewer. Those not initially selected will have an opportunity to develop skills and to "second-chair" panel members, federal defenders, or members of the emeritus panel, and perhaps to join the Indigent Defender panel later. All lawyers in good standing in the Wisconsin bar will be eligible to apply for the Indigent Defender panel. Absence of initial inclusion will not mean permanent exclusion.

But membership on the panel will entail a significant commitment to superior defense in federal criminal cases. Regular CLE programs focused on federal criminal practice will be an obligation. So may peer review of pending applications and service as a "first-chair" lawyer with applicants who seek admission to the Indigent Defender panel. Most importantly, the ability to accept 3 - 5 appointments every year and to represent indigent clients well and vigorously will be essential for Indigent Defender panel members. Applicants must also be registered with the District Court's ECF-PACER system through the Clerk of Courts Office.

If you can make this commitment, the Federal Defender's office invites you to apply. We look forward to working with you in federal court. You may apply at any time, and applications will be considered on a rolling basis.

Note: You may attach additional pages to complete answer as necessary.

1. *Basic Information*

A. Name: _____

B. Business Address: _____

C. Business and home telephone numbers: _____

D. Law school attended and year of graduation: _____

E. Year of admission to Wisconsin Bar? _____

F. Are you in good standing in the Wisconsin bar? _____

G. Have you ever received a public reprimand, a suspension, or a revocation of your license to practice law in Wisconsin, or been the subject of similar actual discipline in any other state? _____

If yes, please explain:

H. In what language(s) other than English are you proficient? _____

I. Year of admission to: U.S. District Court, E.D. of WI. _____

U.S. Court of Appeals, 7th Cir. _____

U.S. Supreme Court _____

2. *Nature of Practice*

A. Years employed as a public defender (and name of program):

B. Any experience as a prosecutor (years, position, agency):

C. Current firm and length of service: _____

D. Portion of practice devoted to:

(1) Criminal trial work: _____

(2) Federal criminal trial work: _____

(3) Criminal appeals: _____

E. Describe the remaining portion of your practice. You may include information about your past practice, if the nature of your practice has changed significantly since your admission to the Wisconsin bar:

F. As to specialized areas of criminal practice,

(1) Have you ever practiced in the United States Tax Court, or handled a civil tax claim in the United States District Court? _____

(2) Have you ever defended a complicated criminal tax case, at least through pretrial motions? For purposes of this question, "complicated" means a case involving an indirect method of proof, such as net worth and expenditures or bank deposits and expenditures. _____

(3) Do you have any accounting or substantive tax background? _____

(4) In what other unusual or specialized areas of criminal practice do you have competence? _____

3. *Reasons for Seeking Membership on Indigent Defender Panel.*

A. Why do you wish to defend indigent persons accused in federal court?

B. Are you willing regularly to represent indigent defendants on appeal in the United States Court of Appeals for the Seventh Circuit?

C. How do you assess your trial skills?

D. How do you assess your appellate skills?

E. What do you offer indigent clients in federal criminal cases that many applicants probably do not?

F. With 2 to 3 months notice of a firm trial date, would you be available represent a person in trial if the trial were to last 6 to 12 weeks? You may add comments if you wish.

4. *Past Work.*

A. Please list any published federal decisions on which you were counsel of record, whether the decision was published in the Federal Supplement, in the Federal Reporter, or in the United States Reports:

B. Please list any published state decisions on which you were counsel of record that you think noteworthy or want the committee to consider:

C. Please list the client names, approximate trial dates, judges' names, case numbers, and types of offense of the last three federal cases you tried to verdict (*criminal or civil*, whether in the E.D. of Wisconsin or in another district):

D. Please list the client names, approximate trial dates, judges' names, case numbers, and types of offense of the last three state *criminal* cases you tried to verdict in any county or state:

E. Please list the titles and citations of any articles you have published in any law review, journal, magazine, or newspaper:

F. In approximately how many of the following types of cases have you served as sole or lead counsel and handled at least through pretrial motions:

Intentional homicide _____ Number tried to verdict _____

RICO _____ Number tried to verdict _____

Drugs, with 3 or more
defendants _____ Number tried to verdict _____

Any conspiracy (but
not state PTAC charges) _____ Number tried to verdict _____

Sexual assault _____ Number tried to verdict _____

G. In your estimation, what is the most complex case you ever have handled at least through pretrial motions? Please give details explaining your answer:

H. Please attached two briefs or portions of briefs, each one not exceeding 10 pages that you personally have authored in the last two years (regardless who may have signed the briefs).

5. *References.*

A. *If you have been practicing fewer than five years, you may (but are not required to) attach the form included in this packet, signed and completed by a state or federal judge before whom you have appeared in the last two years. Lawyers practicing five years or more need not submit the judicial evaluation form.*

B. Please name three people, and provide their addresses and telephone numbers, who think that you would be a good addition to the Indigent Defender panel. It is acceptable here to include one or more judges, if you wish, but you need not:

(1) _____

(2) _____

(3) _____

6. *Adversaries and Co-Counsel.*

A. Please list two prosecutors (including name, position, and telephone number) against whom you have worked who would evaluate you fairly:

B. Please list two lawyers (including their telephone numbers) who have represented co-defendants in a case or cases with you, who also would evaluate your fairly:

7. *Other Qualifications (Required by the CJA Plan for the Eastern District of Wisconsin).*

A. Are you knowledgeable about the United States Sentencing Guidelines, the Sentencing Reform Act of 1984 (18 U.S.C. §§ 3551-3586), and the Bail Reform Act of 1984 (18 U.S.C. §§ 3141-3156)?

Yes _____ No _____

You may explain further if you wish:

B. Do you carry professional malpractice insurance with minimum liability coverage of at least \$200,000.00 for each occurrence?

Yes _____ No _____

C. Do you agree to maintain professional malpractice insurance with at least that minimum liability coverage for each occurrence if selected to serve on the Indigent Defender panel?

Yes _____ No _____

8. *Personal Statement.*

Please provide a statement addressing any aspect of your qualifications, commitment, personal experiences, schooling, or other consideration that bears on your application to serve on the Indigent Defender panel.

9. *Panel Desired.*

A. On which Indigent Defender panel or panels do you seek to serve?

Trial only _____

Appellate only _____

Both trial & appellate _____

- B. For lawyers seeking to serve on the appellate panel, are you willing and able to prepare a petition for a writ of certiorari in the United States Supreme Court when your client direct you to do so?

Yes _____ No _____

I promise that the information I have provided in this application is true, and is as accurate as my memory and records permit.

Dated: _____

Applicant

Please return to:

Craig W. Albee, Federal Defender
FEDERAL DEFENDER SERVICES OF WISCONSIN, INC.
517 E. Wisconsin Avenue - Suite 182
Milwaukee, Wisconsin 53202

JUDICIAL ASSESSMENT

I, _____, judge of the _____,
[insert name of court and jurisdiction]

am familiar with the legal work of _____.
[applicant]

I have become familiar with the applicant's work through appearances before me in my courtroom, most notably:

[insert name of case or cases, type of proceeding, and approximate dates]

Further, I think the applicant's best lawyering skills are:

[describe]

Finally, I believe that the applicant is of high integrity, consistently adheres to the highest ethical standards, and demonstrates a genuine commitment to excellent representation of persons accused in criminal cases. I base my belief in the applicant's commitment to criminal defense on:

[explain specific occasions or settings in which the applicant displayed that commitment]

Any further comments the judge wishes to add:

Dated: _____

Signature