

**APPLICATION FOR THE INDIGENT DEFENSE PANEL REGULAR LIST**

- **Attorney Name:**
- **State Bar No:**
- **Today's Date:**
- **Date placed on IDP Provisional List:**
- **Date by which all material/information requested herein must be returned to Cheyenne:**

**You are presently on the Provisional List of the Indigent Defense Panel (IDP). The Policies and Procedures of the IDP (Section VI) provide:**

- 1. Attorneys on the Regular IDP Attorney List are NOT employees of the County of Sacramento, the SCBA or the IDP. Being on the Regular IDP Attorney List allows attorneys to be independent contractors, who pursuant to the MOU, agree to accept cases from CCD where the Office of the Public Defender of Sacramento County is unable to provide representation.**
- 2. All applicants on the Regular IDP Attorney List shall first be admitted to the Provisional IDP Attorney List.**
  - a. An attorney will ordinarily be on the Provisional IDP Attorney List for a period of one year. This can be extended for an additional two periods of up to six months each upon a vote of the Committee and with the agreement of the attorney.**
  - b. After the above defined period of time, if not terminated earlier, the Provisional attorney shall be dropped from the Regular IDP Attorney List unless the Committee, after a majority vote of those present after a quorum has been established, determines to place the attorney on the Regular IDP Attorney List.**

**The burden is on you to establish your qualifications to be placed on the Regular IDP Attorney List. If you do not do so, you will be dropped from the Provisional List after the expiration of one year and will no longer be assigned cases by CCD.**

**In order to request consideration for placement on the Regular IDP Attorney List, there are several things you must do within thirty (30) days of the mailing of this letter. First, you must update your IDP application. Go to the CCD website and download the current IDP application. If the application that you submitted for**

**placement on the IDP Provisional Attorney List was an earlier version, you must fill out the current application in its entirety. If the application you submitted for the Provisional Attorney List is the same version, you must only update your application with any different or additional information.**

**Next, you must go to the CCD Office and pick up your “case list”. The list includes the case numbers of CCD cases you have been assigned, as well as the client name and charges.**

**The list does not distinguish as to which cases went to trial. So, you must designate which cases on the list were tried. List the case name, case number, department where tried, the name of the trial judge and the name(s) of the prosecutor and any co-counsel, and whether the case was tried by the court or a jury. We will verify that listing using CJIS. For Sacramento cases, you may separately list retained cases you wish to have considered. Include the case name, case number, charges, the name of the Judge and whether the case was tried. (If the case was not tried, list the Judge who dismissed the case or took the plea; if the case was tried, list the trial Judge). These Sacramento cases will also be verified through the CJIS system. Please be accurate with your lists as incorrect information can result in denial of your application to be placed on the Regular Attorney IDP List. We only need minute orders if you wish us to consider out of county cases. Attach the case list and trials list to your updated application. In addition to the case list and trial list, you must list three attorneys on the Regular IDP Attorney List who have observed you in court. It is recommended that you also prepare a letter explaining your trial and negotiated case experience during the time you have been on the IDP Provisional List.**

**All requests for placement on the Regular Attorney List must be accompanied by at least one original writing sample prepared in the defense of a client assigned by CCD while the attorney was on the Provisional List. This writing sample or these**

**writing samples must have been filed in court in the course of one or more cases the attorney has handled. The sample or samples should not exceed 25 pages.**

**If, in addition to placement on the Regular Attorney List, you are requesting an upgrade, the relevant Application for Upgrade must be attached to your updated application. These can be found on the SCBA website ([www.sacbar.org](http://www.sacbar.org)).**

**In addition to the above documents, your request to be considered for the Regular IDP Attorney List should note any Marsden Motions that have been made during your time on the Provisional IDP Attorney List, whether or not such motion was granted. List the case name, case number and the name of the Judge who ruled on the motion. The request should also note any past or pending Peer Review matters and should include any documentation you believe to be relevant regarding such matters. Finally, the request should note any informal complaints about your performance of which you are aware and include any documentation you believe to be relevant regarding such matters.**

**Provisional List Attorneys applying for placement on the Regular IDP Attorney List are welcome to cause information to be submitted on their behalf. However, any such information solicited by the member attorney must be submitted directly by the person giving the information to the Executive Assistant of the IDP at the above address and shall not be delivered by the applicant. Exceptions to this are the updated application itself, any application for upgrade in level, case lists and trial lists, writing samples, pre-existing documents such as awards or certificates and supporting court documents such as Minute Orders.**

**All applications for placement on the Regular IDP Attorney List must be accompanied by the Acknowledgments and the Authorization and Release below. See also the attached checklist to be sure you have all required supporting documents.**

**BY MY SIGNATURE BELOW, I ACKNOWLEDGE THAT I HAVE READ AND AGREED TO THE FOLLOWING:**

**I have read and understood the Policies and Procedures of The Sacramento County Bar Association's Indigent Defense Panel Committee and the Indigent Defense Appellate Committee, as well as the Sacramento County/ Sacramento County Bar Association MOU.**

- 1. Attorneys on the Regular IDP Attorney List are NOT employees of the County of Sacramento, the SCBA or the IDP. Being placed on the Regular IDP Attorney List allows attorneys to be independent contractors, who pursuant to the MOU, agree to accept cases from CCD where the Office of the Public Defender of Sacramento County is unable to provide representation.**
- 2. Case assignments are in the sole discretion of Conflict Criminal Defenders and not the SCBA or the IDP. The level at which an attorney is classified defines the highest level at which an attorney may be assigned cases by the CCD. An attorney may also be assigned cases at a lower level.**
- 3. I have read and understand the following:**
  - a. It is critical to the evaluation process that judges, attorneys and other individuals feel they may speak freely about the attorney's qualifications for the upgrade. Therefore, it is strictly prohibited for a attorney to contact any individual that the attorney believes has given information about the attorney to the Qualifications Subcommittee of the IDP or the IDP Committee for the purpose of attempting to change the input of the person believed to have given the information. Harassment of any person providing information or who is believed by the applicant to have provided information is also strictly prohibited.**
  - b. Any activity such as is described in the preceding subsection is grounds for denial of the request to be placed on the Regular IDP Attorney List.**
  - c. Attorneys requesting placement on the Regular IDP Attorney List are welcome to cause information to be submitted by third parties on their behalf. However, any such information solicited by said attorney must be submitted directly by the person giving the information to the Executive Assistant of the IDP and shall not be delivered by the applicant.**
- 4. I understand that the most important single factor in evaluating an applicant is his or her reputation for honest and integrity in all segments of the criminal justice community. A lawyer's word is his or her most precious asset. Without impeccable credibility, a lawyer cannot hope to successfully serve the clients entrusted by the court to the Conflict Criminal Defenders and the Indigent Defense Panel. Any false statement or material omission on this application or to the Qualifications**

**Subcommittee is grounds for denial of the request to be placed on the Regular IDP Attorney List.**

- 5. Any attorney on the Regular IDP Attorney List applying for an upgrade in level shall have the right to request classification based upon other qualifications or experience equivalent to those required for the level requested.**
- 6. Classification level in the IDP is contingent upon review and approval by the IDP COMMITTEE and is within the sole discretion of the IDP COMMITTEE.**
- 7. An attorney may ask to address the IDP Committee for reconsideration of its decision pursuant to the Rules for the IDP.**

**Date:**

**Signed:** \_\_\_\_\_

**Print Name:** \_\_\_\_\_

**AUTHORIZATION AND RELEASE**

(Please attach as a separate page)

I hereby acknowledge and agree that my application to be placed on the Regular IDP Attorney List of the Sacramento County Bar Association Indigent Defense Panel may be given to or shared with individuals or entities that assist the panel in evaluating the qualifications of potential Panel participants. I further acknowledge and agree that for the purpose of aiding the Panel in evaluating my background and qualifications, the Panel's designee(s) will be entitled to seek and obtain information and documents concerning me from prior employers, firms, law schools and other educational institutions, attorneys, judges and other third parties, including but not limited to those individuals set forth in my application.

I hereby authorize any person or entity to release to the Panel or its designee(s) any and all information which such person or entity may have about me (whether public, personal or confidential) for the purpose of aiding the Panel in evaluating my background and qualifications for participation on the Panel. I understand that I am not entitled to copies of any information received by these agencies, and under no circumstances will I be permitted to know the contents of any information which is deemed confidential by the submitting agencies or such person(s) or entities. In addition, I hereby authorize a photocopy, fax, or other non-original transmission of this release to be as valid as the original.

I understand and agree that the information received by the Sacramento County Bar Association, and the Indigent Defense Panel is confidential. I further understand and agree that, excepting the final decision of the panel, I am not entitled to any information, written or otherwise, regarding any decisions made by the Sacramento County Bar Association or the Indigent Defense Panel.

I hereby release and discharge the County of Sacramento, the Sacramento County Bar Association, the Indigent Defense Panel, together with all their agents and representatives, and any person furnishing information, from any and all liability of every nature and kind arising out of the furnishing of such information, the investigation of my background and qualifications, and this release shall be binding on my legal representatives, heirs and assignees.

Date:

Signed: \_\_\_\_\_

Print Name: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

## Checklist

Be sure to include:

- Updated IDP application (or new application if current version was not used for initial application)
- Case list from CCD
- Jury trial list, including case name, case number, name of D.A., name of any co-counsel and name of trial judge
- Writing sample (from a CCD assigned case)
- Marsden motion list (including case name, case number and name of judge who heard the motion(s))
- Peer review and informal complaint information
- Name of three other IDP attorneys who have observed you in court
- Signed acknowledgments page
- Signed release
- Application for upgrade (if a higher level is being requested)

**Please submit a scanned copy and mail or drop off the original.**