



Chambers of
DALE S. FISCHER
United States District Judge

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

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MEMORANDUM

TO: CJA TRIAL PANEL ATTORNEYS

**FROM: HON. DALE S. FISCHER, CHAIR
CRIMINAL JUSTICE ACT COMMITTEE**

RE: DUTY DAY PROCEDURES

DATE: JANUARY 17, 2012

There is a growing problem with CJA Trial Panel attorneys failing to respond timely to the Court on their assigned duty days. (This does not refer to the calls for coverage on large take downs.)

Each day there is an assigned "team" of CJA Panel attorneys responsible for covering either Magistrate or District Court (and PIA on the designated PIA days in the different divisions). The Southern and Eastern divisions have duty coverage "weeks"; the Western division has duty coverage days. For all divisions, it is the responsibility of the team on duty to ensure that attorneys are available and actually appear when called by the Court.

More and more the Court is having to track down attorneys who are on duty. The Court has been resorting to calling attorneys from other teams in order to meet case load needs because of the lack of availability of the team on duty or the failure of the attorneys to respond to the Court's calls.

It is the responsibility of the CJA Panel Team on duty to ensure that a panel member is available to cover the Court's case needs. In order to address this growing problem, the following procedure will now be enforced:

Each team will be responsible for selecting a member of that team as the contact person for the Court for a particular duty day or week. It will be the responsibility of that panel member to notify the Court which team member(s) will be appearing for cases that day.

It will be that panel member's responsibility to inform the Court whether the appearing attorney will be taking the case(s) or specially appearing for other members of the team on duty.

If no member of the duty team is available on the duty day (whether because of calendar conflicts or case load volume), it will be the responsibility of the designated team member to arrange for another panel attorney to appear for the duty day.

For District Court duty, the same procedure will apply to the extent the Court notifies the team ahead of time of the need for an appearance. However, it is the responsibility of the team on duty to ensure that a panel member is available on the duty day to cover any emergency appearance needed by the Court. The panel member who is responsible to cover appearances will update the website to show that he or she is the panel member to be contacted on that day(week).