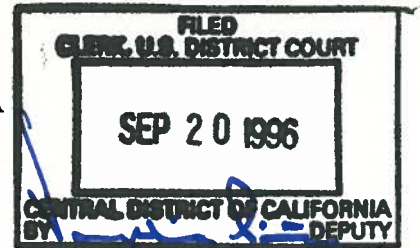


UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA



IN THE MATTER OF: )  
)  
AMENDMENTS TO THE PLAN FOR )  
THE IMPLEMENTATION OF THE )  
CRIMINAL JUSTICE ACT OF 1964, )  
AS AMENDED, 18 U.S.C. § 3006A )  
\_\_\_\_\_ )

GENERAL ORDER NO. 96-19

WHEREAS, the number of death row inmates who will exhaust their state court remedies and be in a position to seek federal habeas corpus relief in this district is expected to increase, and

WHEREAS, representation of persons who have been convicted and sentenced to death requires a specialized knowledge of state and federal appellate procedure, certiorari practice, state and federal habeas corpus procedure, criminal and constitutional jurisprudence, and entails an extraordinary commitment of time, and

WHEREAS, this Court is responsible for ensuring the adequate representation of financially eligible persons seeking federal habeas corpus relief when such representation is required in the interest of justice, and

WHEREAS, the Central District of California has a Federal Public Defender established pursuant to subsection (g)(2)(A) of the Criminal Justice Act of 1964, as amended, 18 U.S.C. § 3006A [hereinafter referred to as "the Act"], and

WHEREAS, efficient coordination between the Court and the Federal Public Defender in the assignment of counsel to all capital federal habeas corpus cases is desired,

IT IS HEREBY ORDERED, that the Plan for the Implementation of the Criminal Justice Act for the Central District of California, dated February 8, 1971, as amended [hereinafter "the CJA Plan"], is amended to designate the Federal Public Defender to provide representation in connection with capital federal habeas corpus cases.

IT IS FURTHER ORDERED that the primary goal of the Federal Public Defender under this amendment to the CJA Plan will be to assist the Court in ensuring that adequate representation is provided to persons under death sentence who seek federal habeas corpus relief. Toward that end:

a. The Chair of the Death Penalty Committee and the Federal Public Defender shall meet on a quarterly basis to outline a plan which shall be used by the Committee in assigning counsel to capital federal habeas corpus cases. The plan shall identify the number of cases that will be assigned to the Federal Public Defender and the approximate dates of the assignments.

b. Upon filing, all capital federal habeas corpus cases, shall be referred to the Death Penalty Committee for the appointment of counsel. The Federal Public Defender shall be appointed as counsel of record in cases where there is no conflict of interest up to the fixed number each year in accordance with the plan. The Federal Public Defender shall assist the Court in recruiting and selecting counsel for capital federal habeas corpus cases not assigned to its office.

c. The Federal Public Defender is authorized to coordinate resources

with other state and national organizations providing legal assistance to death-sentenced inmates.

d. The Federal Public Defender may maintain a brief bank and clearinghouse of materials to assist lawyers in capital habeas corpus cases in federal courts as funding permits.

e. The Federal Public Defender is authorized to perform such other tasks, including the preparation and filing of amicus briefs, as may be necessary to ensure that adequate representation is provided to financially eligible persons in capital federal habeas corpus proceedings.

In order to ensure effective supervision and management by the Federal Public Defender, the Court shall assign cases in the name of the Federal Public Defender rather than in the name of the individual staff attorneys.

The Federal Public Defender may obtain investigative, expert, or other services without regard to the requirements or limitations set forth in the Plan dated February 8, 1971, as amended, with respect to procurement of such services by CJA panel attorneys.

The provisions of the Plan dated February 8, 1971, as amended, shall remain in effect except to the extent that they are inconsistent with the provisions of this addendum, in which case the provisions of the addendum shall govern.

This general order shall supersede General Order 303 previously filed with the Court and shall take effect upon its approval by the Judicial Council of the Ninth Circuit.”