SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
ADMINISTRATIVE ORDER 20–12

Additions to the Criminal Justice Act Panel of Attorneys

WHEREAS, by Administrative Order 18-04, issued on May 14, 2018, the Chief Judge re-established the CJA Panel for a four year period of time, as required by Administrative Order 09-07; and

WHEREAS, Administrative Order 18-04 provided that Provisional Members previously appointed shall remain in such status until the end of their original two-year term, prior to the expiration of which they must apply to become a Full Member; and

WHEREAS, Administrative Order 09-07 ordered that, between periods of re-establishment, the Committee on Criminal Justice Act Panel Attorneys ("Committee") shall accept, at any time, applications to the Panels from qualified attorneys, and make recommendation to the Chief Judge, to add such qualified attorneys to any Panel as the Committee deems appropriate in accordance with the needs of the Court, reserving the right to act expeditiously with regard to any application, while deferring action with regard to any other application; and

WHEREAS, by Orders issued March 18 and 19, May 14, June 19 and August 13, 2020 the Chief Judge declared a judicial emergency due to the COVID-19 pandemic and ordered that all deadlines and time limits in Criminal Division statutes, court rules, and standing and other orders issued by the Court that would otherwise expire before November 9, 2020, including indictment deadlines and trial deadlines, pursuant to D.C. Code §§ 23-102, 23-1322(h), and 24-801, are suspended, tolled, and extended and may be further suspended, tolled, and extended as circumstances change; and

WHEREAS, since March 18, 2020 and until further notice, the Criminal Division will not be conducting nonjury or jury trials and will issue written notice 30 days prior to the recommencement of non-jury trials and 60 days prior to the recommencement of jury trials to provide the prosecution and defense sufficient time to subpoena witnesses and prepare for trial; and

WHEREAS, the Committee has reviewed and considered all pending applications from current Provisional Members for Full Panel and/or requests for extension of Provisional term that would otherwise have expired, and recommended names of attorneys to be appointed to the CJA Panel as Full Members, or extended as Provisional Members; and

WHEREAS, the Chief Judge is satisfied that the recommendations of the Committee with respect to the attorneys to be placed on the CJA Panel have been made after careful study and consideration of each attorney and should be accepted in their entirety without change; and

WHEREAS, it is in the best interest of the administration of justice for these recommendations to be implemented at this time;

NOW, THEREFORE, it is by the Court,

ORDERED, that attorneys are appointed as Full or extended as Provisional Members of the CJA Panel as re-established by Administrative Order 18-04 as set forth in the attached list; and it is further

ORDERED, that new applications to the CJA Panel shall be held in abeyance pending expiration of the declaration of judicial emergency; and it is further

ORDERED, that, absent suspension or removal, an extended Provisional attorney remaining on the Provisional Panel may submit an earlier application to the Full Panel and shall receive six-months' notice from Committee prior to the expiration of the extended Provisional term, at which time the attorney must submit an application to the Full Panel, provided that the attorney has represented a defendant in at least two felony jury trials, as lead counsel or second chair; and it is further

ORDERED, that, absent suspension or removal, an attorney hereby appointed to the Full Panel is appointed until the date of re-establishment of the Panel in 2022, at which time the attorney must submit an application for reappointment, pending the determination of which the attorney may remain a CJA Panel member; and it is further

ORDERED, that an attorney's membership on the CJA Panel is conditioned upon compliance with all Administrative Orders setting an annual cap for attorney compensation for appointed representation and providing representation in conformance with the Attorney Practice Standards for Criminal Defense Representation previously published; and it is further

ORDERED, that this Order shall take effect on the 1st of September, 2020.

SO ORDERED.
BY THE COURT
DATE: September 1, 2020

Robert E. Morin
Chief Judge

ATTACHMENT

CJA IMPLEMENTATION COMMITTEE RECOMMENDATIONS FOR ADDITIONS TO THE CJA PANEL

FULL PANEL MEMBERS

1. Sean Farrelly
2. Claudine Harrison
3. Chris Langello
4. Jonathan Lanyi
5. Gregory Lipper
6. Michelle Lockard
7. Howard Margulies
8. Carl Messineo

PROVISIONAL PANEL MEMBERS with term originally expiring in June 2020

1. Ephraim Aberra
2. Michael Barfield
3. Omar Bississo
4. Terry Eaton
5. Kavita Kalsy
6. Christina Thomas
7. Kira West
8. Cynthia Works