

## MEMORANDUM

FROM           LISA MAGUIRE, CHIEF DEFENDER

TO:             APPLICANTS TO THE PRIVATE DEFENDER PROGRAM

RE:             THE APPLICATION PROCESS

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This memorandum is designed to outline the process by which applications are considered, and to provide a glimpse at some of the factors that affect decisions about adding attorneys to the PDP.

All attorneys on the Private Defender Program Panel are Independent Contractors and not employees of the Private Defender's Office or the San Mateo County Bar Association.

An applicant must be an active member in good standing of the California State Bar. Upon admission to the panel, PDP attorneys must maintain active membership in the San Mateo County Bar Association for the duration of their service on the panel.

Upon admission to the panel, PDP attorneys must maintain a local office or other suitable location within San Mateo County for receiving mail, conducting business, and meeting with clients.

The Chief Defender may establish additional criteria for admission to the Private Defender Panel. Factors which are taken into consideration in the admission of an applicant to the panel are:

1. The need for additional lawyers based on an analysis of the current caseload and projections for the future;
2. The skill level of the applicant, including special skills such as language abilities;
3. The comments of the references provided by the applicant as well as comments from those not mentioned as references who have had contact with the applicant in the criminal justice community;
4. An evaluation of the applicant's devotion to the representation of the indigent as opposed to a simple desire to supplement his or her income;
5. The likelihood that the applicant will strive to and will achieve a level of excellence that will enable her or him to handle more serious cases in the future;
6. An evaluation of the applicant's ability to work within the San Mateo County criminal justice community;
7. The applicant's reputation for honesty and integrity in all segments of the criminal justice community.

8. Such other and further criteria as may be established by the Chief Defender in her discretion.

If you submit an application, and upon review of that application the Chief Defender determines that there is reason to conduct an inquiry into your background and qualifications and consult your references, you will be notified of that determination. This determination will be in the absolute discretion of the Chief Defender. There is no right to such an inquiry on any application submitted. If an inquiry is deemed to be warranted, the inquiry will go beyond a check with the references listed on the application. It will seek input from other members of the criminal, juvenile, and civil justice communities with whom an applicant may have had contact. The object of this investigation will be to obtain a picture as complete as possible of the applicant as a lawyer. This process will be time consuming.

After the inquiry has been completed, and if the Chief Defender determines, in her discretion, that further examination of your application is warranted, you will be contacted to arrange an interview. At that meeting, your background and experience will be further explored, and the operation of the Program will be more fully explained. The Chief Defender will then make a determination as to whether you will be admitted to the Private Defender Panel.

Skill level, background, experience, and the comments of references are among the factors that will be considered in the Administrator's decision. It is important for you to know, however, that every decision about adding an attorney to the Panel will include an analysis of the need for additional attorneys in light of current and projected caseloads.

We appreciate the interest you have expressed by your application.

SAN MATEO COUNTY BAR ASSOCIATION  
PRIVATE DEFENDER PROGRAM

PANEL ATTORNEY APPLICATION

APPLICANTS: Please note that fulfilling the minimum requirements for admission to the Private Defender Program attorney panel does not guarantee that you will be placed on the panel, and admission to the panel does not guarantee that any case, type of case, or number of cases will be assigned. Panel members are Independent Contractors.

CONFIDENTIAL:

Personal Data

Name: \_\_\_\_\_ California State Bar #: \_\_\_\_\_

Social Security #: \_\_\_\_\_

Principal Office Address: \_\_\_\_\_

Office telephone number: \_\_\_\_\_ Office fax number: \_\_\_\_\_

Cell phone number: \_\_\_\_\_

Check one: Sole Practitioner \_\_\_ Firm \_\_\_

Other [identify]: \_\_\_\_\_

Home address: \_\_\_\_\_

Home phone number: \_\_\_\_\_

Email address: \_\_\_\_\_

Professional Data

Law School: \_\_\_\_\_ Year graduated: \_\_\_\_\_

Year admitted to California Bar: \_\_\_\_\_ Year joined San Mateo Bar: \_\_\_\_\_

State Bar #: \_\_\_\_\_

Undergraduate school: \_\_\_\_\_ Major: \_\_\_\_\_

Year graduated: \_\_\_\_\_

Other professional/graduate degrees: \_\_\_\_\_

Educational institution: \_\_\_\_\_ Year completed: \_\_\_\_\_

California State Bar # \_\_\_\_\_ Year of admission? \_\_\_\_\_

Other states in which you are licensed to practice law: \_\_\_\_\_

Are you a State Bar Certified Specialist in any area: \_\_\_\_\_ Which? \_\_\_\_\_

Criminal Law Practice:

Please indicate number of following types of cases handled:

\_\_\_\_\_ murder cases            \_\_\_\_\_ misdemeanor cases            \_\_\_\_\_ trials  
\_\_\_\_\_ felony cases            \_\_\_\_\_ mental health proceedings  
\_\_\_\_\_ juvenile cases            \_\_\_\_\_ appeals and writs

Years of service as deputy district attorney or public defender: From \_\_\_\_\_ to \_\_\_\_\_

Years in which engaged in criminal law practice: From \_\_\_\_\_ to \_\_\_\_\_

Percentage of present law practice spent on criminal or related matters: \_\_\_\_\_ %

Criminal practice specialties (i.e., narcotics, juvenile, violent felonies, DUI, etc.)

Criminal law training programs or seminars attended [please include dates]:

References:

List names of Private Defender Panel attorneys with whom you have been co-defendant's counsel:

List names of San Mateo County Deputy District Attorneys who have been opposing counsel:

List the names of any judges before whom you have appeared:

Please list at least three references who are either attorneys or judges:

Miscellaneous

Please indicate any foreign languages spoken:

Please list anything about your background or experience that you believe would be helpful to you as a member of the Private Defender Program:

Please list anything about your background or experience that you wish to have considered regarding your qualifications to be on the Private Defender Panel:

Please attach any resume or statement that you wish to have considered regarding your qualifications to be on the Private Defender Panel.

By signing and dating this application, I am authorizing the SMCBA to conduct a check on my background and references. Additionally, I am acknowledging that I realize that attorney panel members are independent contractors and have no expectation of a specific caseload or income.

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature