

**APPLICATION FOR
INDIGENT DEFENDER PANEL
WESTERN DISTRICT OF WISCONSIN**

Thank you for considering this application for membership on the Indigent Defender Panel, for the Western District of Wisconsin. With the opening of Federal Defender Services of Wisconsin, Inc. in this district as of January, 2005, total private appointments under the Criminal Justice Act of 1964 (CJA) will be fewer, probably constituting 25 - 40% of the indigent persons accused in federal court here.

That change in the number of appointments presents an unprecedented opportunity to strengthen the CJA panel, and to build a solid core of indigent defenders who practice regularly in federal court. For those selected to serve on the revamped and possibly smaller Indigent Defender panel, they may see more federal appointments, not fewer. Initially, we hope to form an Indigent Defender panel of approximately 35 lawyers, or some number close to that. Lawyers serving on the panel should expect **at least 3 - 5 appointments in federal court a year**. All lawyers in good standing in the Wisconsin bar will be eligible to apply for the Indigent Defender panel. Absence of initial inclusion will not mean permanent exclusion.

But membership on the panel will entail a significant commitment to superior defense in federal criminal cases. Regular CLE programs focused on federal criminal practice will be an obligation. Another obligation for some may be peer review of pending applications and service as a "first-chair" lawyer with applicants who seek admission to the Indigent Defender panel. Most importantly, the ability to accept 3 - 5 appointments every year and to represent indigent clients well and vigorously will be essential for Indigent Defender panel members.

If you can make this commitment, the Federal Defender's office invites you to apply. We look forward to working with you in federal court. You may apply at any time, and applications will be considered on a rolling basis.

Daniel W. Stiller
Federal Defender

Michael W. Lieberman
Supervisory Associate
Federal Defender

NOTE: You may attach additional pages to complete answers as necessary. Some of the requested information may not apply to you. For example, the fact that you may not have published a law review article certainly will not disqualify you from the Indigent Defender panel. We ask for some information only so that we are alerted if you *have* published any law review articles, or have similar accomplishments. Such accomplishments may suggest particular areas of interest or competence. You may attach pages to complete answers as necessary.

1. *Basic Information.*

A. Name: _____

B. Business address: _____

C. Business telephone number: _____

D. Business fax number: _____

E. Business e-mail address: _____

F. Law school attended and year of graduation: _____

G. Year of admission to Wisconsin bar: _____

____H. Year of admission to any other state or federal courts: _____

I. Are you in good standing in the Wisconsin bar? _____

J. Have you ever received a public reprimand, a suspension, or a revocation of your license to practice law in Wisconsin, or been the subject of similar actual discipline in any other state? ____.

If yes, please explain: _____

K. In what language(s) other than English are you proficient? _____

I. Year of admission to: United States District Court, W.D. Wis. _____

United States District Court, E.D. Wis. _____

United States Court of Appeals, 7th Cir. _____

United States Supreme Court _____

2. *Nature of Practice.*

A. Years employed as a public defender (and name of program): _____

B. Years taking SPD appointments: _____

C. Any experience as a prosecutor (years, position, agency): _____

D. Current firm and length of service: _____

E. Portion of practice devoted to:

(1) Criminal trial work: _____

(2) Federal criminal trial work in specific: _____

(3) Criminal appeals: _____

F. If you have taken CJA appointments in the past, when did you start and approximately how many have you taken? _____

G. Describe the remaining portion of your practice. You may include information about your past practice, if the nature of your practice has changed significantly since your admission to the Wisconsin bar:

_____H. As to specialized areas of criminal practice,

(1) Have you ever practiced in United States Tax Court, or handled a civil tax claim in United States District Court? _____

_____ (2) Have you ever defended a complicated criminal tax case, at least through pretrial motions? For purposes of this question, "complicated" means a case involving an indirect method of proof, such as net worth and expenditures or bank deposits and expenditures. _____

(3) Do you have any accounting, business, or substantive tax background? _____

_____ (4) Have you ever practiced in immigration proceedings? _____
If yes, how often? _____

_____ (5) Do you have experience defending cases in which critical evidence was on a computer hard drive? _____
Do you have any specialized knowledge of computer hardware and/or software? _____

(6) In what other unusual or specialized areas of criminal practice do you have competence? _____

(7) Have you ever appeared in any court on a proceeding under the Uniform Code of Military Justice? _____

3. *Reasons for Seeking Membership on Indigent Defender Panel.*

A. Why do you wish to defend indigent persons accused in federal court?

B. Are you willing to represent indigent defendants on appeal in the United States Court of Appeals for the Seventh Circuit? _____

_____ C. Are you willing to represent indigent defendants in the United States District Court in trials that may run two weeks or even more?

D. How do you assess your trial skills? _____

D. How do you assess your appellate skills? _____

4. *Past Work.*

A. Please list any published decisions on which you were counsel of record:

B. Please list the client names, approximate trial dates, judges' names, case numbers, and types of offense of the last three federal cases you tried to verdict (criminal or civil, whether in W.D. Wis. or in another district):

C. Please list the client names, approximate trial dates, judges' names, case numbers, and types of offense of the last three state *criminal* cases you tried to verdict in any county or state: _____

D. Please list the titles and citations of any articles you have published in any law review, journal, magazine, or newspaper: _____

E. In approximately how many of the following types of cases have you served as sole or lead counsel, and handled at least through pretrial motions in state or federal court:

Intentional homicide _____ Number tried to verdict _____

RICO _____ Number tried to verdict _____

Drugs _____ Number tried to verdict _____

Any conspiracy _____ Number tried to verdict _____

Fraud _____ Number tried to verdict _____

Pornography _____ Number tried to verdict _____

Sexual assault _____ Number tried to verdict _____

F. In your estimation, what is the most complex case you ever have handled at least through pretrial motions in state or federal court? Please give details explaining your answer:

G. Please attach one brief or portion of a brief, not exceeding 10 pages, that you personally have authored in the last two years (regardless who may have signed the brief).

5. *References.*

Please name three people, and provide their addresses and telephone numbers, who think that you would be a good addition to the Indigent Defender panel. It is acceptable here to include one or more judges, if you wish, but you need not:

(1) _____

(2) _____

(3) _____

6. *Adversaries and Co-Counsel.*

A. Please list two prosecutors (including name, position, and telephone number) against whom you have worked who would evaluate you fairly:

_____ B. Please list two lawyers (including their telephone numbers) who have represented co-defendants in a case or cases with you, who also would evaluate you fairly:

7. *Other Qualifications.*

A. Are you knowledgeable about the United States Sentencing Guidelines, the Sentencing Reform Act of 1984 (18 U.S.C. §§3551-3586), and the Bail Reform Act of 1984 (18 U.S.C. §§3141-3156)?

_____ _____
Yes No

B. Do you carry professional malpractice insurance with minimum liability coverage of at least \$200,000 for each occurrence?

_____ _____
Yes No

C. Do you agree to maintain professional malpractice insurance with at least that minimum liability coverage for each occurrence if selected to serve on the Indigent Defender panel?

_____ _____
Yes No

8. *Personal Statement.*

Please provide a statement addressing any aspect of your qualifications, commitment, personal experiences, schooling, or other consideration that bears on your application to serve on the Indigent Defender panel: _____

9. You may attach your resume or curriculum vitae, but are not required to do that.

I promise that the information I have provided in this application is true, and is as accurate as my memory and records permit.

Date:_____

Applicant

Please return to:

Michael W. Lieberman
Federal Defender Services of Wisconsin, Inc.
222 West Washington Avenue, Suite 300
Madison, Wisconsin 53703

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