

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA
3

4 An Order Establishing a Standing
5 Committee of Judges and Delegating
6 Review and Approval for Criminal
7 Justice Act Compensation Claims and
Advance-Authorization Requests

General Order 2021-01

8 The Criminal Justice Act of 1964, as amended (18 U.S.C. § 3006A) (the “CJA”),
9 requires the United States District Courts to place in operation a plan for furnishing
10 representation for certain persons who are financially unable to obtain adequate legal
11 representation. The United States District Court for the District of Nevada (“the Court”)
12 has established a Plan for Implementation and Administration of the Criminal Justice Act
13 (the “Plan”) consistent with the CJA; the policies and procedures of the Ninth Circuit;
14 and the policies, procedures, and regulations of the Judicial Conference (together, the
15 “CJA Guidelines”). The Plan seeks, *inter alia*, to incorporate policies and
16 recommendations of the 2018 Report of the Ad Hoc Committee to Review the Criminal
17 Justice Act of the Judicial Conference (the “Cardone Report”).

18 Accordingly,

19 **IT IS HEREBY ORDERED** that the Court will establish a CJA Standing
20 Committee comprised of three judges with representation from both the unofficial
21 southern and northern divisions of the District, whose members will be selected by the
22 Chief Judge of this district. The CJA Standing Committee is authorized to oversee and
23 manage the operation of the CJA panel in this district. As provided by the Plan, the CJA
24 Standing Committee will consult with the Federal Public Defender to establish a CJA
25 Panel Committee comprised of criminal-defense practitioners to manage the process for
26 selection and renewal of panel attorneys. The CJA Standing Committee retains final
27 authority to take appropriate remedial action to address the performance or conduct of
28 any panel attorney.

1 **IT IS FURTHER ORDERED** that the Court delegates to the CJA Standing
2 Committee the authority to review, approve, adjust, or deny:

- 3 A. Requests to exceed the statutory maximum for attorney fees paid under the
4 Plan, including the services of associate attorneys, by more than \$25,000 per
5 representation, including making the required certification that the
6 representation is extended or complex as defined under the CJA Guidelines,
7 and all associated vouchers;
- 8 B. Requests for funding for experts, investigators, or other service providers of
9 more than \$10,000 per provider, and all associated vouchers;
- 10 C. Requests for daily transcripts or non-routine travel;
- 11 D. Any other funding requests or claims for compensation authorized by the CJA
12 that have not been explicitly delegated to CJA Resource Counsel; and
- 13 E. Removal, suspension, selection, and renewal of attorneys appointed under the
14 Plan (“CJA Panel Attorneys”) based on the recommendation of the CJA Panel
15 Committee.

16 **IT IS FURTHER ORDERED** that the Court delegates to the Federal Public
17 Defender, under the supervision of the CJA Standing Committee and consistent with the
18 Plan, the authority to review, approve, adjust, or deny in accordance with the Plan:

- 19 A. CJA compensation claims requesting payment (“vouchers”) for the services of
20 an attorney or service provider that are within statutory funding limits not
21 requiring pre-authorization;
- 22 B. Requests to exceed the statutory maximum for attorney fees, including the
23 services of associate attorneys, by \$25,000 or less per representation, including
24 making the required certification that the representation is extended or
25 complex as defined under the CJA Guidelines, and all associated vouchers;
- 26 C. Requests for funding for experts, investigators, or other service providers of
27 \$10,000 or less per provider, and all associated vouchers;
- 28 D. Requests for non-daily transcripts or routine travel and all associated vouchers;

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and

E. Vouchers for authorized daily transcripts and non-routine travel.

IT IS FURTHER ORDERED that all requests for compensation, funding, or pre-authorization under the CJA and the Plan, including any denials or reductions of compensation or funding requests, will be considered and resolved according to the procedures in the Plan.

IT IS FURTHER ORDERED that the investigation of any complaints against CJA Panel Attorneys and all remedial action taken against such attorneys will be imposed consistent with the Plan.

This Order is effective immediately.

Dated January 4, 2021.



Miranda M. Du
Chief United States District Judge