APPENDIX A

CRIMINAL JUSTICE ACT
TRAINING PANEL PILOT PROGRAM
WESTERN DISTRICT OF VIRGINIA

MENTEE DUTIES AND RESPONSIBILITIES

I. OBJECTIVES OF THE TRAINING PROGRAM

The United States District court (the Court) has designed this Training Program to identify and help prepare viable candidates to qualify for appointment to the CJA Panel. An important objective of this Program is to encourage increased participation of women and minorities on the CJA Panel, its primary goal is to obtain the best qualified CJA Panel candidates. As such, the Program is open to all qualified candidates.

Mentees who successfully complete the Program will be encouraged to apply for appointment to the Panel. If a Mentee does apply, in addition to following the normal application review process, the Committee will solicit the views of the Mentor, the Division Review Panel, and the judge(s) before whom the Mentee has appeared as to whether the Mentee qualifies for appointment.

II. MENTEE PARAMETERS

A. Cases

1. Cases that will serve as teaching vehicles for the Program will be newly presented cases that will expose the Mentee to myriad issues across the spectrum of representation (*e.g.*, grand jury issues, fast track program procedures, bail and release, discovery review, proffer sessions, plea negotiations, sentence guideline calculations and negotiations, client interviews and conferences regarding various issues and themes, legal research and writing, and possible evidentiary hearing and trial).

2. The Mentor Attorney from the Federal Public Defender's Office will serve as lead counsel in the case. The Mentor will contact the Clerk's Office for assistance in assigning a Mentee to the case. Once the Deputy Clerk has arranged for the assignment of the Mentee, the Deputy Clerk will relay that information to the Mentor attorney.

3. The Mentee assigned to the case will be contacted by the Mentor soon after assignment. The Mentor will identify the Mentee to the Court and to the defendant.

4. The Court may authorize the Mentee to participate in the proceedings. However, the Court, in its discretion, may preclude the Mentee from participating in certain aspects of the defendant's representation.

5. Mentees will not receive compensation under the Criminal Justice Act but will provide their services *pro bono*. Mentees should consider participation in the Program as an investment in their future that could lead to their acceptance on the CJA Panel.

6. Mentees will contact the PACER website at: http://pacer.psc.uscourts.gov and complete the online registration form. Training Panel attorneys should, under "Firm Name," type in his/her name followed by "CJA Training Panel Attorney." Once the registration has been submitted, the Training Panel attorney will receive his/her own ID number and password directly from PACER. Training Panel attorneys should be aware, however, that PACER services are monitored and that the use of the free service is for CJA related matters only. Unauthorized use of the PACER service will result in removal from the Training Panel. Any Training Panel member who wishes to use PACER for non-related CJA matters must register under his/her own name and obtain a different account number.

7. Mentees will contact the Clerk's Office and make arrangements to register for using the court's CM/ECF system if not previously registered for this service. Online and personal training on the use of this system is available from the Clerk's Office.

8. Mentees will contact the Clerk's Office to make arrangements to be admitted to practice before the Western District of Virginia. Attorney admission fees will be waived for training panel attorneys.

B. Mentee Protocols

Mentees will be expected and permitted to:

1. Appear and argue on the record on behalf of the defendant. The Mentor, as counsel of record, must be present in court with the Mentee **at all times**. The Mentee will be required to register for and otherwise comply with the Court's ECF requirements.

2. Under the direction **and in the presence** of the Mentor, confer on behalf of the defendant with: government counsel; chambers; U.S. Probation and Pretrial Officers; federal, state and local law enforcement agents and agencies; U.S. Bureau of Prison personnel; defendant's family; friends and potential witnesses; interpreters; and other members of the defense team, such as investigators or paralegals.

3. Obtain, organize, and review discovery material, perform legal research, draft and file submissions, pleadings, memoranda and motions, under the direction, review and co-authorship of the Mentor, organize exhibits, and engage in other trial preparation activities;

4. Under the direction **and in the presence** of the Mentor, participate in hearings, trials and evidentiary proceedings. Examination of witnesses or any addresses or statements to a jury will be done only under the direction of the Mentor and with the Mentor present during the examination, the address, or statement.

5. Mentees will be required to complete a minimum of [six] CLE credits that focus on federal criminal practice skills. In addition, Mentees are strongly encouraged to attend Program orientation sessions and other seminars and workshops coordinated by the Federal Public Defender's Office.

6. Each Mentee must fill out an evaluation form as to his/her mentor at the conclusion of the training period and submit that form to the Federal Public Defender for the Western District. All evaluation forms will be confidential. The training period will terminate when the matters the Mentor and Mentee have worked on together have concluded, or at a time that may be mutually agreed upon by the Mentor.