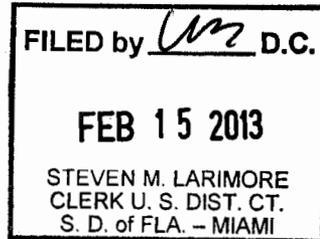


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
ADMINISTRATIVE ORDER 2013-11

**IN RE: AMENDMENT TO THE COURT'S
CRIMINAL JUSTICE ACT PANEL PLAN
FOR THE UNITED STATES DISTRICT COURT,
SOUTHERN DISTRICT OF FLORIDA**



The Court's Amended Criminal Justice Act Panel Plan, adopted on January 13, 1993, has been amended by the Judges of this Court. Paragraph A, on page three, under the heading "Administrative Organization" is amended to read as follows:

1. CJA PANEL

The Court shall establish a panel of private attorneys (the Criminal Justice Act "CJA" Panel) who are eligible and willing to be appointed to provide representation under the Criminal Justice Act. The Court shall approve attorneys for membership on the CJA Panel after receiving recommendations from the Panel Selection Committee established pursuant to paragraph B, of this Plan. Members of the CJA Panel shall serve at the pleasure of the Court.

Each panel member shall serve for a term of three years, except that the panel in existence at the time when this section is first implemented shall serve staggered terms as follows: one-third of the members of the panel shall serve for one year, another one-third shall serve for two years, and the remaining one-third shall serve for three years. The existing panel shall be randomly divided into three groups by separate administrative order.

A panel member whose conduct or representation does not meet the high standards expected of members may be removed by the Conduct Review Panel prior to the expiration of his or her term as provided in paragraph F of this Plan.

Whenever the term of a CJA Panel member expires, that attorney may apply for a new term. In filling the vacancies of members whose terms have expired, the Panel Selection Committee shall first consider any Renewal Applications from members whose terms are expiring. If, after considering all Renewal Applications, there are still open positions to be filled, only then shall the Panel Selection Committee solicit and review applications from new applicants.

Paragraph F of the Amended CJA Plan, on page six, under the heading "Administrative Organization" is amended to read as follows:

F. Removal And Conduct Review Of Panel Members

Membership on the CJA Panel is an honor and a privilege and members are expected to provide representation at a level that exceeds mere competent representation. A member of the CJA Panel may be removed from the Panel prior to the expiration of that attorney's term whenever the Court determines that the member has failed to fulfill the obligations of Panel membership or has engaged in other conduct which renders it inappropriate that he be continued as a Panel member.

All complaints concerning the conduct of a CJA Panel member shall be forwarded to the United States District Court Judge, who is designated as the Liaison to the Court's CJA Panel Committee. If the Liaison determines that a complaint alleges facts that, if true, would warrant consideration of removal of the CJA Panel member, the Liaison may direct the Chair of the Committee to review the complaint, and make any necessary inquiry.

The Chief Judge of the District shall appoint a second United States District Court Judge who, with the Liaison, will constitute a Conduct Review Panel to consider all complaints, and to determine what action, if any, should be taken. If the two Conduct Review Panel members, after consultation with the Chair of the Committee, unanimously agree on a course of action, then their decision is final. If the two members of the Conduct Review Panel do not agree, then the Chief Judge will determine the course of action. The Court, either through the Conduct Review Panel, or by decision of the Chief Judge, has the authority to remove an attorney from the CJA Panel at any time, or to take such other action as it deems appropriate.

It is solely within the discretion of the Conduct Review Panel as to how a complaint should be investigated, heard and determined.

DONE and ORDERED in Chambers, at Miami, Miami-Dade County, Florida, this 14th day of February 2013.



FEDERICO A. MORENO
CHIEF UNITED STATES DISTRICT JUDGE

Copies furnished to:

Honorable Joel Dubina, Chief Judge, Eleventh Circuit
All Southern District and Magistrate Judges
James Gerstenlauer, Circuit Executive, Eleventh Circuit
Steven M. Larimore, Court Administrator – Clerk of Court
Library