

OVERALL PURPOSE AND OBJECTIVE

THE OVERALL PURPOSE AND OBJECTIVE OF THIS PROGRAM IS TO GET THOSE ATTORNEY'S WHO HAVE NOT PAID THEIR BUY OUT FEE AND HAVE NOT RECEIVED ANY CLE IN CRIMINAL LAW, THE NECESSARY CLE HOURS REQUIRED BY SENATE BILL 7 SO THAT THEY CAN BE APPOINTED AS FIRST CHAIR TO REPRESENT INDIGENT CRIMINALLY ACCUSED DEFENDANTS. THERE WILL BE NO FEE CHARGE FOR THIS CLE.

EL PASO COUNTY EMPLOYS THE EL PASO PLAN WHICH CALLS FOR THOSE ATTORNEYS IN EL PASO COUNTY UNDER THE AGE OF 55 YEARS, WHO DO NOT WISH TO RECEIVE COURT APPOINTMENTS, TO PAY A \$600.00 "BUY OUT" FEE TO THE EL PASO BAR ASSOCIATION. THIS INCOME IS THEN TURNED OVER TO THE COUNTY OF EL PASO AND USED TO OFFSET THE COST OF COURT APPOINTMENTS. SENATE BILL 7 REQUIRES THAT ANY LAWYER, APPOINTED TO REPRESENT CRIMINALLY ACCUSED DEFENDANTS, HAVE A MINIMUM OF 6 HOURS OF CLE IN CRIMINAL LAW. THIS HAS CREATED THE OPPORTUNITY FOR LAWYERS TO AVOID RECEIVING COURT APPOINTMENTS AND AVOID PAYING THE BUY OUT FEE BY SIMPLY NOT GETTING THE REQUIRED CRIMINAL LAW CLE. TO REMEDY THIS SITUATION, THE COURTS OF EL PASO COUNTY WILL APPOINT THOSE LAWYERS NOT PAYING THE BUY OUT FEE AND NOT HAVING THE REQUIRED CLE, A MENTOR LAWYER FROM THE PUBLIC DEFENDER'S OFFICE. THE ASSISTANT PUBLIC DEFENDER WILL ACT AS FIRST CHAIR AND MENTOR THE APPOINTED LAWYER AS SECOND CHAIR THROUGH THE INITIAL INTERVIEW, ARRAIGNMENT, INVESTIGATION, 28.01 PRE-TRIAL, TRIAL PREPARATION, MOTIONS HEARINGS, JUDGE'S CONFERENCE AND TRIAL. THE CLIENT WILL BE PROTECTED IN HAVING THE ASSISTANT PUBLIC DEFENDER, WHO HAS THE REQUIRED CLE, AS THEIR FIRST CHAIR LAWYER. THE SECOND CHAIR MENTORED LAWYER WILL RECEIVE CLE FOR HIS OR HER PARTICIPATION IN THE REPRESENTATION.

CONTENT, SUBJECT MATTER AND AGENDA

INITIAL INTERVIEW	<u>1.0 HR</u> LAWYERS INTERVIEW CLIENT TO INFORM CLIENT OF THE NATURE OF THE CHARGES, THE BLACK LETTER LAW, DEFENSES AND TO GET THE CLIENT'S SIDE OF THE STORY.
ARRAIGNMENT	<u>0.5 HR</u> LAWYERS MEET WITH CLIENT PRIOR TO COURT SESSIONS, GO OVER EXPECT PROCEEDINGS AND DEFENDANT'S PLEA. LAWYER'S OBSERVE THE ARRAIGNMENT OF CASES CALLED BEFORE THEM AND ANSWER THE CALL OF THEIR CASE AND PROCEED TO ARRAIGN THE DEFENDANT, RECEIVE AND REVIEW THE STANDARD DISCOVERY ORDER, SIGN FOR ANY FUTURE COURT SETTINGS AND REQUEST BOND REVIEW IF NECESSARY.
INVESTIGATION	<u>2.0 HR</u> LAWYERS MEET TO REVIEW DA'S CASE FILE, DISCUSS DEFENSE STRATEGY, OUTLINE ANY POINTS THAT NEED TO BE INVESTIGATED OR RESEARCHED, DETERMINED WHICH WITNESSES NEED TO BE INTERVIEWED AND WHAT MOTIONS NEED TO BE FILED.
28.01 PRE-TRIAL	<u>0.5 HR</u> LAWYERS MEET WITH CLIENT PRIOR TO COURT PROCEEDING TO COVER MOTIONS THAT HAVE BEEN FILED AND THE NEED FOR ANY EVIDENTIARY HEARINGS. LAWYERS WILL OBSERVE THE PROCEEDINGS OF CASES CALLED BEFORE THEIRS AND ANSWER THE CALL OF THEIR CASE, INDICATE WHAT MOTIONS NEED TO BE HEARD THAT ARE NOT COVERED BY THE STANDARD DISCOVERY ORDER AND SET ANY MOTIONS REQUIRING A HEARING.
TRIAL PREPARATION	<u>2.0 HR</u> LAWYERS MEET WITH CLIENT AND PREPARE TRIAL STRATEGY, DISCUSS WITH CLIENT HIS OPTIONS REGARDING HIS TESTIMONY, PLEA, JURY OR JUDGE, POINTS OF CROSS EXAMINATION.
JUDGE'S CONFERENCE	<u>0.5 HR</u> LAWYERS ANSWER DOCKET CALL AND ANNOUNCE PLEA OR TRIAL.