



BOARD OF PAROLE HEARINGS

Panel Attorney Appointment Application Instructions



The purpose of the Panel Attorney Program is to comply with section 2256 of title 15 of the California Code of Regulations, which requires the Board of Parole Hearings (Board) to provide inmates with attorney representation at state expense if they cannot afford to retain a private attorney for a hearing before the Board.

Attorneys can be expected to be assigned 7 to 13 clients who will be scheduled for a parole hearing during a one-week period every month for an estimated but not guaranteed compensation range of \$63,000 - \$117,000 per year. Travel expenses, per diem, and other costs are not reimbursed.

Desired Qualifications

- Active membership in the California State Bar with good standing.
- Close proximity to surrounding prison facilities and willingness to travel to prison facilities.
- Knowledge of Penal Code section 3040 et seq. and general knowledge of the Board's parole suitability hearing processes.
- Knowledge of criminal law and Divisions 2 and 3 of Title 15 of the California Code of Regulations.
- Experience working with inmates and knowledge of the California correctional system.
- Experience representing clients in administrative or judicial proceedings.
- Applicants must be able to pass a background check for admission into a state prison; applicants with prior felony convictions may not pass a background check.

How to Apply

Submit a resume.

Submit a statement of qualifications using one inch margins, 12-point font, single spaced and no more than two pages in length.

Submit a minimum of four references, including name, title, address, telephone number and/or email address.

Fill out and submit the Panel Attorney Information and Certification Form (page 9 of the Panel Attorney Program Guide for the Parole Suitability Hearing Process).



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Processing of Applications

Applications will be reviewed to determine if the applicant meets the desired qualifications.

Only applicants deemed most qualified will be contacted for an interview as needed.

This is not to be considered full-time work. Work under this program is not guaranteed. The Board will assign cases as operational needs dictate.

Program Coordinator Contact Information

Electronically submit applications via email to: BPH-AttorneyScheduling@cdcr.ca.gov.

Please direct requests for Reasonable Accommodations to the interview scheduler at the time the interview is being scheduled.

Questions about the Panel Attorney Appointment Program may be directed via email to: BPH-AttorneyScheduling@cdcr.ca.gov.

For additional resources about the Board of Parole Hearings, please visit the Board's website at: <https://www.cdcr.ca.gov/bph/attorney-overview/>

Board of Parole Hearings
Panel Attorney Program Guide for the Parole Suitability Hearing Process

Fundamentals	Specifics
Purpose	<p>The purpose of this program is to comply with California Code of Regulations Title 15, section 2256, which requires the Board of Parole Hearings (Board) to provide inmates with attorney representation at state expense if they cannot afford to retain a private attorney for a hearing before the Board.</p> <p>Panel attorneys serve at the discretion of the Board; they are not employees of the Board.</p> <p>Upon approval as an active attorney by the Board, panel attorneys shall provide competent and professional legal services to their client. The Panel Attorney Program is designed to provide, on average, up to 13 clients who will be scheduled for a parole hearing during a one-week period.</p>
Attorney Panels	<p>The Board has grouped the 36 existing adult prisons located throughout California including inmates assigned to the Sacramento Central Office (SACCO) into 16 attorney panels based on their geographic proximity (i.e., the prisons in each panel are generally within a one-hour drive of each other). The 16 attorney panels are identified on pages 7 and 8.</p> <p>Within each panel, two lists of attorneys will be maintained by the Board – a list of “active” attorneys and a list of “standby” attorneys. The active attorney list is for attorneys who are currently being assigned clients. The standby list is for attorneys who have applied to be on the active attorney list and who meet the minimum qualifications of a standby panel attorney, but who are not currently being assigned clients because the panel is full.</p> <p>The Board shall periodically re-calculate the number of active attorneys needed for the panels based on the average number of hearings scheduled for each panel. The Board will adjust the number of active attorneys for each panel accordingly. If the average number of scheduled hearings decreases such that fewer active attorneys are needed for a particular panel, an active attorney will be moved to the standby list. If additional panel attorneys are needed an attorney from the standby list will be moved to the active list.</p> <p>Attorneys may apply for as many panels as they choose, but will only be approved to serve on one active panel at a time; with some limited exceptions at the discretion of the Board. An attorney may at any time request to be removed or added to another panel by writing the Board. An attorney on a standby list may at any time be moved to the active list.</p>

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Fundamentals	Specifics
Active Panel Attorney Minimum Qualifications	<p>Active attorneys must meet the following minimum qualifications at all times:</p> <ul style="list-style-type: none"> A1. Maintain a current and active license to practice law in California; A2. Be in good standing with the California State Bar, including compliance with Rule 9.9.5 of the California Rules of Court; A3. Maintain malpractice insurance; A4. Have documentation of a symptom-free tuberculin skin test and evaluation within the past year; A5. Be able to pass the security screening necessary for entrance into each of the prisons on the attorney’s panel; A6. Meet the dress code requirements for entrance into each prison during every visit; A7. Sign and submit the Panel Attorney Information and Certification Form annually (see page 9); A8. Open and maintain an account with the Board’s Disability & Effective Communication System (DECS) (DECS is a comprehensive repository of information related to each inmate’s disabilities); A9. Acquire and maintain (at the attorney’s expense) all hardware/software necessary to access DECS; A10. Open and maintain a “Blackberry Workspaces” (previously known as “WatchDox”) account (or equivalent secure, file-sharing software used by the Board) by registering an email address for access to electronic hearing files; panel attorneys are to provide at their own expense all hardware/software necessary to maintain access to the secure, file-sharing software used by the Board, and A11. Have recent experience representing inmates in the parole suitability hearing process or have observed at least three parole hearings before accepting an assignment to represent clients as an active panel attorney.
Standby Panel Attorney Minimum Qualifications	<p>Standby attorneys must meet the following minimum qualifications at all times:</p> <ul style="list-style-type: none"> B1. Maintain a current and active license to practice law in California; and B2. Be in good standing with the California State Bar, including compliance with Rule 9.9.5 of the California Rules of Court. <p>Standby attorneys who are approved to move to an active panel attorney list will have one month to demonstrate compliance with the active panel attorney minimum qualifications listed above and complete required on-line training.</p>
Panel Attorney Training Requirements	<ul style="list-style-type: none"> C1. In addition to the minimum qualifications listed above, active panel attorneys must attend at least one in-person training session conducted by the Board and/or its designee and complete required on-line training annually.

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Fundamentals	Specifics
<p>Panel Attorney Expectations (Continued on next page)</p>	<p>The following are minimum expectations for adequately representing a client as an active panel attorney:</p> <ul style="list-style-type: none"> D1. The panel attorney shall review their client’s central file and have an initial hearing preparation meeting in person with their client within 30 calendar days of accepting the case; the average length of the initial hearing preparation meeting shall be one to two hours; attorneys representing a client assigned to SACCO will conduct the initial hearing preparation meeting via telephone; the panel attorney shall review the client’s central file prior to the initial hearing preparation meeting; in the unusual event that a panel attorney is assigned a case less than 60 days before the hearing, the panel attorney shall review the client’s central file and conduct an initial hearing preparation meeting in person with their client as soon as possible; D2. The panel attorney shall conduct at least one additional hearing preparation meeting in person with each client either (1) at least 60 days prior to the client’s scheduled hearing date or (2) within two weeks of the Comprehensive Risk Assessment (CRA) being finalized under section 2240 of title 15 of the California Code of Regulations, whichever date is later; attorneys representing a client assigned to SACCO will conduct hearing preparation meetings via telephone; in the unusual event that a panel attorney is assigned a case less than 60 days before the hearing, the panel attorney shall conduct a second hearing preparation meeting in person with their client before the hearing; D3. During hearing preparation meetings with a client, the panel attorney shall discuss the client’s most recent CRA, parole plans, programming, disciplinary history, criminal history, youth offender factors (if applicable), and elderly parole considerations (if applicable); D4. The panel attorney shall review each client's documented disabilities and needs for reasonable accommodations under the Americans with Disabilities Act (ADA) in DECS in advance of each hearing preparation meeting and each scheduled hearing; the attorney shall also document in DECS what accommodations, if any, were provided to the client during the attorney’s hearing preparation meetings with the client; a panel attorney shall document in DECS if no accommodations were necessary; D5. If the panel attorney’s client is identified in DECS as needing a sign language interpreter, the panel attorney shall use a sign language interpreter when communicating with the client during hearing preparation meetings and at the hearing; D6. The panel attorney shall use the Board’s telephonic foreign language interpreter service to communicate with a client when needed to establish effective communication;

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Fundamentals	Specifics
<p>Panel Attorney Expectations</p>	<p>D7. The panel attorney shall not rely on written communications with a client (a) who is under CDCR’s Developmental Disability Program with a designation in DECS as DD1, DD2, or DD3, (b) under CDCR’s Mental Health Services Delivery System at the Enhanced Outpatient Program, Mental Health Crisis Bed, or Intermediate Care Facility level of care; (c) in a licensed Psychiatric Inpatient Program under the care of CDCR or the Department of State Hospitals; (d) designated as having a learning disability or vision impairment in DECS, or (e) has a Test of Adult Basic Education of 4.0 or lower;</p> <p>D8. The panel attorney shall raise appropriate and timely objections to the hearing panel regarding the client’s need for reasonable accommodation under the ADA and submit a timely grievance to the Board if the attorney believes the client did not receive reasonable accommodation as required under the ADA during the client’s hearing;</p> <p>D9. If the panel attorney encounters logistical problems meeting and communicating with a client or obtaining access to relevant documents, including the CRA, the panel attorney shall immediately notify Board staff at BPHLiferAnalyst@cdcr.ca.gov and shall make all reasonable efforts to resolve the problem in advance of the hearing;</p> <p>D10. The panel attorney shall appear for the scheduled hearing at least 30 minutes prior to the scheduled start time, allowing sufficient time for parking, entry into the institution, and walking to the hearing room;</p> <p>D11. The panel attorney shall remain available for the entire hearing day;</p> <p>D12. If there is an emergency that delays or prevents a panel attorney from appearing timely for a hearing, the panel attorney shall immediately notify Board staff via email at BPHLiferAnalyst@cdcr.ca.gov or by phone at (916) 217-4137;</p> <p>D13. The panel attorney shall have valid state or federal government-issued identification upon arrival to the institution; if the panel attorney experiences problems entering an institution on the day of a hearing, the attorney shall immediately notify Board staff via email at BPHLiferAnalyst@cdcr.ca.gov or by phone at (916) 217-4137.</p>
<p>Additional Panel Attorney Expectations (Continued on next page)</p>	<p>The following are additional expectations for panel attorneys:</p> <p>E1. The panel attorney shall behave in a competent and professional manner at all times with Board staff, institution staff, and all hearing participants;</p> <p>E2. The panel attorney shall wear professional attire at parole hearings;</p> <p>E3. The email address listed on the Panel Attorney Information and Certification Form (page 9) is the email of record for the attorney that will be used for all written communications from the Board, including panel and client assignments; it is the panel attorney’s responsibility to notify the Board of a change in the panel attorney’s email address;</p>

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Additional Panel Attorney Expectations	<p>E4. The panel attorney shall respond to an offer of a panel assignment from the Board within three business days; if the panel attorney declines the assignment or fails to respond within three business days, the Board will consider it a request for a voluntary suspension (see below).</p> <p>E5. The panel attorney shall cooperate with the Board or its designee to verify compliance with panel attorney minimum qualifications, expectations, and training requirements;</p> <p>E6. The panel attorney shall not permit another attorney, including other panel attorneys, to represent a client assigned by the Board to the panel attorney;</p> <p>E7. The panel attorney shall promptly notify the Board if the panel attorney is arrested, charged, or convicted of a misdemeanor or felony in any jurisdiction;</p> <p>E8. The panel attorney shall submit invoices as required for all clients assigned by the Board.</p>
Confidentiality Agreement	<p>A panel attorney is legally and ethically bound to use the information contained in any documents provided by the Board for the sole purpose of representing their client through the parole suitability hearing process. A panel attorney is prohibited from distributing the documents or disclosing their contents to anyone who is not directly involved in representing the panel attorney's client in the parole suitability hearing process. Failure to protect the confidentiality of documents received from the Board will result in the panel attorney being referred to the Executive Officer to determine whether the panel attorney will continue to be assigned cases as an active panel attorney.</p>
Referrals to the Executive Officer	<p>Failure to meet any of the minimum panel attorney qualifications, expectations, or training requirements shall result in referral to the Executive Officer to determine whether the panel attorney will continue to be assigned cases.</p> <p>The Board and/or its designee may collect data concerning the outcome of scheduled hearings, use surveys, interview inmates and others, observe hearings, and review hearing transcripts to determine the level and quality of representation provided by a panel attorney.</p> <p>A panel attorney who is (a) referred to the California State Bar for alleged misconduct by any state or federal judge or the Board's Chief Counsel or (b) arrested, charged or convicted of a misdemeanor or felony shall be referred to the Executive Officer to determine whether the panel attorney will continue to be assigned cases.</p>

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Fundamentals	Specifics
Voluntary Suspension	<p>A voluntary suspension is a request by an active panel attorney to not be assigned cases for a period of one to four weeks. A panel attorney may request a voluntary suspension no more than three times during a calendar year (January 1 through December 31). Requests for a voluntary suspension from a panel attorney must be submitted in writing and include a specific start and end date. In addition, if a panel attorney declines the assignment of a panel or fails to respond within three business days to a panel assignment, the Board will consider it a request for a one-week voluntary suspension (see E4 above).</p>
Payment	<p>All panel attorney payments must be requested using the Board’s Panel Attorney Invoice, available on the Board’s website at https://www.cdcr.ca.gov/bph/attorney-overview/ (see BPH form 1076). Panel attorneys shall scan and submit one invoice per assigned client via email to BPHAccountingLiaison@cdcr.ca.gov.</p> <p>Incomplete invoices will not be processed.</p> <p>Panel attorneys shall certify the services they rendered to each assigned client by placing their initials next to the appropriate "Description of Services Performed." Panel attorneys shall also identify dates of completion and duration of interviews.</p> <p>Panel attorneys will be paid a flat rate of \$750 for each client assigned to them by the Board whose case they complete. A case is completed when a scheduled hearing results in a waiver, stipulation, postponement, continuance, grant of parole, or denial of parole. Panel attorneys who are unable to represent their assigned client through completion of the case may receive a pro-rated fee for services at the discretion of the Executive Officer or designee.</p> <p>Invoices shall not be submitted until the client’s case is completed or the fiscal year ends (June 30th of each year). In order to ensure timely payment, invoices shall be submitted within six months of completing all hearing-related work for a client.</p>

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Panel Listing with Cities

Panel #1

- Pelican Bay State Prison (PBSP): Crescent City, CA

Panel #2

- High Desert State Prison (HDSP): Susanville, CA
- California Correctional Center (CCC): Susanville, CA

Panel #3

- California Medical Facility (CMF): Vacaville, CA
- California State Prison, Solano (SOL): Vacaville, CA

Panel #4

- San Quentin State Prison (SQ): San Quentin, CA

Panel #5

- Folsom State Prison (FSP): Represa, CA
- California State Prison, Sacramento (SAC): Represa, CA
- Mule Creek State Prison (MCSP): Lone, CA
- Sacramento Central Office (SACCO): Rancho Cordova, CA

Panel #6

- California Health Care Facility (CHCF): Stockton, CA
- Sierra Conservation Center (SCC): Jamestown, CA
- Deuel Vocational Institution (DVI): Tracy, CA

Panel #7

- Valley State Prison (VSP): Chowchilla, CA
- Central California Women's Facility (CCWF): Chowchilla, CA

Panel #8

- Correctional Training Facility (CTF): Soledad, CA
- Salinas Valley State Prison (SVSP): Soledad, CA

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Panel #9

- Pleasant Valley State Prison (PVSP): Coalinga, CA
- California Substance Abuse Treatment Facility (SATF): Corcoran, CA
- California State Prison, Corcoran (COR): Corcoran, CA
- Avenal State Prison (ASP): Avenal, CA

Panel #10

- North Kern State Prison (NKSP): Delano, CA
- Kern Valley State Prison (KVSP): Delano, CA
- Wasco State Prison (WSP): Wasco, CA
- California Correctional Institution (CCI): Tehachapi, CA

Panel #11

- California Men's Colony (CMC): San Luis Obispo, CA

Panel #12

- California City Correctional Facility (CAC): California City, CA
- California State Prison, Los Angeles County (LAC): Lancaster, CA

Panel #13

- California Institution for Men (CIM): Chino, CA
- California Institution for Women (CIW): Corona, CA
- California Rehabilitation Center (CRC): Norco, CA

Panel #14

- Ironwood State Prison (ISP): Blythe, CA
- Chuckawalla Valley State Prison (CVSP): Blythe, CA

Panel #15

- Calipatria State Prison (CAL): Calipatria, CA
- California State Prison, Centinela (CEN): Imperial, CA

Panel #16

- Richard J. Donovan Correctional Facility (RJD): San Diego, CA

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Panel Attorney Information and Certification Form

PLEASE TYPE OR PRINT LEGIBLY

I agree to all of the terms described in the Panel Attorney Appointment Program Guide (consisting of 8 pages) as well as the reimbursement rates described therein. I acknowledge the Board of Parole Hearings has not made an offer of employment or a guarantee of appointment and failure to meet or maintain the terms described in the Program may result in removal from one or all panels.

Printed Name

CA State Bar Number

Signature

Date

Driver's License Number

Date of Birth

Office Telephone Number

Cellular Number

E-mail Address

Business Address (available to inmate clients and the Board of Parole Hearings):

Please indicate below which panel groupings you are interested in applying (*Check all that apply*):

1 , 2 , 3 , 4 , 5 , 6 , 7 , 8 , 9 , 10 ,
11 , 12 , 13 , 14 , 15 , 16

Note: An attorney may only be active on one panel at a time

Initial _____