



JUDICIAL CONFERENCE OF THE UNITED STATES

WASHINGTON, D.C. 20544

WILLIAM B. TRAXLER, JR.
CHAIRMAN, EXECUTIVE COMMITTEE

(864) 241-2730

August 16, 2013

Honorable Catherine C. Blake
United States District Court
Edward A. Garmatz Federal Building and
United States Courthouse
Baltimore, MD 21201-2605

Dear Judge Blake:

Thank you for appearing at yesterday's meeting of the Executive Committee to discuss the anticipated shortfall in the Defender Services account for fiscal year (FY) 2014 and how that shortfall should be addressed in the forthcoming FY 2014 interim financial plan. We appreciate your efforts to help us find a way forward in the dire fiscal circumstances faced by the federal defender program and the judiciary at large, and we hope that this opportunity to share information and ideas will lead to positive outcomes.

After a lengthy discussion, the Executive Committee determined that the impending budget shortfall constitutes an emergency requiring immediate action on behalf of the Judicial Conference to preserve the indigent criminal defense function performed in the judiciary. Accordingly, the Committee is committed to providing FY 2014 funding for federal defender organizations at a level sufficient to maintain nationwide virtually 100% of their projected on-board staffing as of the end of FY 2013. To achieve this objective, the Committee has also decided, subject to the receipt of additional funding or the taking of other steps to reduce funding requirements, to—

- (1) Defer into FY 2015 up to four weeks of panel attorney payments that otherwise would be payable in FY 2014.
- (2) Reduce, on a temporary, emergency basis, by \$15.00 per hour the panel attorney compensation rates for capital and non-capital case representations, which the Judicial Conference has otherwise authorized pursuant to 18 U.S.C. § 3006A(d)(1), for work performed from September 1, 2013, through September 30, 2014.

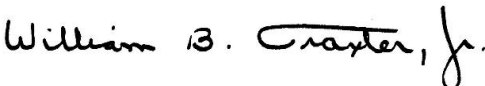
In taking these measures, the Executive Committee shares your view that reducing panel attorney compensation rates, deferring panel attorney payments, and limiting federal defender organization funding to the maintenance of current on-board staff are undesirable, and may impact the delivery of justice, but are necessary to avoid permanent damage to the federal

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defender program. Measures of this kind, however, are not sustainable in the long term, and certainly would not be required if the judiciary were receiving an appropriate level of funding in this account. The Committee nonetheless remains committed to the goal of ensuring that the defender program can operate within its annual appropriations. With that in mind, we will continue to monitor developments and intend to revisit the matter when, in our opinion, events warrant.

Sincerely,

A handwritten signature in black ink that reads "William B. Traxler, Jr." with a stylized flourish at the end.

William B. Traxler, Jr.

cc: Members of the Judicial Conference
Honorable Julia S. Gibbons
Mr. Reuben C. Cahn
Mr. Michael S. Nachmanoff