

FILED
Clerk
District Court

MAY 01 1998

For The Northern Mariana Islands

By _____
(Deputy Clerk)

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6 IN THE UNITED STATES DISTRICT COURT
7 FOR THE NORTHERN MARIANA ISLANDS
8

9 GENERAL ORDER NO. 98-00002

10 In re Amendment of)
11 CRIMIAL JUSTICE ACT PLAN)
12)
13)
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15)
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Miscellaneous No. 98-00001

ORDER

14 IT IS ORDERED that the court's Criminal Justice Act Plan be and hereby is
15 amended, effective the date of this order, as follows:
16

17 Transfer of a Criminal Appointment to a Substitute Attorney

18 If an attorney appointed to represent a criminal client chooses to
19 decline the appointment, he or she may, within 48 hours of notification
20 of the appointment (not including weekends or federal or local legal
21 holidays), find or hire a substitute attorney who is willing and able to
22 immediately take over as defendant's counsel. An attorney seeking to
23 transfer a criminal appointment to an attorney in the same law firm is
24 required to follow the procedure set out below.

25 When a criminal appointment is sought to be transferred, it is the
26 obligation of the attorney originally appointed to file with the court the
"Motion for Transfer of Criminal Appointment" form (see attached),
signed by both the appointed and the substitute attorney. Said form
shall be filed as soon as practicable after signing. No purported transfer

1 is effective (and, absent exceptional circumstances, no time may be billed
2 by the substitute attorney) until the court has received the completed,
3 signed form. Upon receipt of the form, in the usual case the court will
4 sign the order approving the transfer without further action regarding
5 the transfer by either the original or substituted attorney. The
6 transferring attorney will not be compensated for any time spent seeking
7 to effect a transfer.

8 The attorney originally appointed has an ethical obligation to
9 preserve and protect the defendant's speedy trial rights, up to and
10 including the filing of the transfer form with the court. Transfer of a
11 criminal appointment does not relieve an attorney of future
12 appointments, although future appointments may also be transferred in
13 the manner described above.

14 The motion and order specified above shall be substantially in the form as
15 shown in Attachment A hereto.

16 IT IS SO ORDERED.

17 DATED this 1st day of May, 1998.

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19 _____
20 ALEX R. MUNSON
21 Judge

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Attachment A

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN MARIANA ISLANDS

UNITED STATES OF AMERICA,)	Criminal No. ____-____
)	
Plaintiff)	
)	
v.)	MOTION AND ORDER
)	TO TRANSFER CRIMINAL
_____)	APPOINTMENT
)	
Defendant)	
_____)	

_____, originally appointed by the court to represent the defendant named above, moves to transfer the appointment to _____, who has agreed to substitute in as attorney of record and immediately accept full responsibility for defense of this matter.

DATED this ____ day of _____, 19__.

_____	_____
Appointed Attorney	Substituted Attorney

IT IS SO ORDERED.

DATED this ____ day of _____, 19__.

ALEX R. MUNSON
Judge