

UNITED STATES DISTRICT COURT  
DISTRICT OF PUERTO RICO



**MEMORANDUM**

TO: All CJA Panel Attorneys

FROM: *Aida M. Delgado-Colón*  
Aida M. Delgado-Colón, Chief U.S. District Judge  
Chairperson, Criminal Justice Act Committee

*Frances Ríos de Morán*  
Frances Ríos de Morán, Esq.  
Clerk, U.S. District Court

DATE: August 19, 2013

RE: Temporary Emergency CJA Payment Measures

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In 2013, the Federal Judiciary experienced budget cuts of over \$350 million, which led to significant reductions in the funds allocated to local United States Probation Offices ("USPO") and Federal Public Defenders Offices ("FPD"), including reduction in personnel and staff. The USPO has over 10 positions which it cannot hire, and its supervision and treatment budget has been negatively impacted. Furthermore, due to budgetary constraints, the FPD has been forced to impose significant employee furloughs while refraining from undertaking representations in a number of cases that typically would have been assigned to the FPD, all in an effort to close the budget gap caused by sequestration.

While the threat of additional budget cuts to the Federal Judiciary appears imminent, the Administrative Office ("AO") and the Judicial Conference continue to emphasize the need for supplemental funding from Congress. Statistical and other

supporting data is being provided to members of Congress by Chief District and Circuit Judges, AO staff, Defender Services, and members of the Judicial Conference. Yet, in spite of the dramatic effects being experienced by the entire Federal Judiciary and its components, it remains uncertain what Congress will do. Regardless, we are anticipating additional cuts and preparing accordingly.

In looking for solutions that will allow us all to continue to provide the services required by constitutional mandate, on Friday, August 16, 2013, the Judicial Conference determined that it will be necessary to take the following temporary measures, subject to the receipt of additional funding or the taking of other steps to reduce funding requirements:

- a) 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). This rule will apply **for work performed from September 1, 2013, through September 30, 2014.**
- b) Defer into Fiscal Year 2015 up to four weeks of panel attorney payments that otherwise would be payable in Fiscal Year 2014.

During these trying economic times, U.S. District and Magistrate Judges, Clerk's Office and U.S. Probation staff, the Office of the Federal Public Defender, and CJA panel attorneys must remain committed to the efficient use of those resources at their disposal.

We want to thank all components of the judiciary for their dedication during these extraordinarily tough times. I am aware that for some time now we have dealt with budgetary constraints demanded by the Circuit. In view of the actions taken by Congress the measures previously undertaken have proven insufficient. Today, we face yet another measure that the Judicial Conference has considered over others more drastic. We understand these new measures are temporary in nature. On behalf of all court members let me say that your contribution towards preservation of constitutional mandates and the rights of indigent defendants and your services to the Judiciary is invaluable. We take this opportunity to thank each one of you for your contribution.