

**From:** [Andy Archuleta]

**Sent:** Monday, February 02, 2015 5:22 PM

**To:** Schumm, Joel M

**Cc:** [Cait Clarke]; [Rebecca Blaskey]; [Robin Maher]; [Stephen Macartney]; [Robin Mason]

**Subject:** FY 2014 Use of Experts by CJA Panel Attorneys

Joel - Good afternoon. Through this email I am providing you with CJA Panel attorney expert usage data per your recent request to Cait Clarke, Chief, Defender Services Office. First let me begin by providing you with a listing of what is considered to be an "expert" related to representations handled by members of the panel. Following is the listing:

1. Investigator
2. Interpreter/Translator
3. Psychologist
4. Psychiatrist
5. Polygraph
6. Documents Examiner
7. Fingerprint Analyst
8. Accountant
9. CALR (Westlaw/Lexis, etc.)
10. Chemist/Toxicologist
11. Ballistics
12. Other (e.g. Blood Splatter Expert, Military Historian, Cultural Expert, DNA Analyst)
13. Weapons/Firearms/Explosive Expert
14. Pathologist/Medical Examiner
15. Other Medical
16. Voice/Audio Analyst

17. Hair/Fiber Expert
18. Computer (Hardware/Software/Systems)
19. Paralegal Services
20. Legal Analyst/Consultant
21. Jury Consultant
22. Mitigation Specialist
23. Duplication Services
24. Litigation Support Services
25. Computer Forensics Expert
26. Transcript(s)

The following information being provided is for the recently completed U.S. federal fiscal year 2014, which started on October 1, 2013, and ended on September 30, 2014. During this period CJA panel attorneys handled a total of 87,403 representations. Assuming one expert per representation, experts were used 14,842 times, or seventeen (17) percent of the time. As you will note in the listing of experts above, interpreters/translators are also included in the list. In theory if a CJA panel attorney is assigned a client who he/she is unable to communicate with, the court really doesn't have much of choice other than to authorize approval and payment for an interpreter/translator in such an instance. Such a need becomes "mandatory" as opposed to "discretionary". Above it was mentioned that experts were used in 14,842 representations. If to subtract the use of interpreters/translators from this amount the use of an expert(s) drops down to a total count of 8,319, or ten (10) percent.

Another way to look at this data would be to take the total number of panel attorney representations from fiscal year 2014 (87,403) and subtract the total number of immigration representations for the same period (for the same reason listed in the previous paragraph). Doing this reduces the total number of CJA panel representations to 59,389. Of this total, experts were used 12,408 times, or twenty-one (21) percent. If to subtract the use of interpreters/translators from this amount the use of an expert(s) drops down to a total count of 7,751, or thirteen (13) percent.

Please let me know if you have any questions. Thanks.

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