



NEWS ALERT

February 2023

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DEAR PANEL MEMBERS,

Save the date!

The Defender Dinner will be April 28th, from 5:00 to 7:30 p.m. It'll be held at the same location in past years, the Westin San Diego Gas Lamp at 910 Broadway Circle. We look forward to seeing you there! More details to follow.

ADI & Court Holiday - Closures

- Lincoln's Birthday – Monday, February 13th
- President's Day – Monday, February 20th

Ready for another case?

Please let ADI know by emailing the [Request for Appointment Outside of the Normal Rotation](#) form to Lynelle Hee at ikh@adi-sandiego.com.

We have streamlined this form. It's available on the website at Panel ABC's → Request for Appointment Outside of the Normal Rotation (PDF).

Claims Corner – TrueFiling & Other Technical Issues

This is my plug to encourage panel attorneys to claim your actual time on the compensation claim and avoid any temptation to self-cut to the guidelines. If the time exceeds the guidelines, use the comments field to explain, including any technological hurdles like difficulty with secured

forms, TrueFiling issues, etc. The information will really help us support our claim recommendations to the JCC and assist in any audit questions.

San Diego County Appeals – Travel is Needed to View or Copy Exhibits

All panel attorneys who accept an appeal from San Diego will likely need to travel to view/obtain copies of exhibits. In the past, we've been able to provide copies of exhibits for counsel outside of San Diego. However, the superior court has limited our ability to continue that practice.

Please continue to contact your assigned staff attorney if you need an exhibit. The staff attorney can also try to figure out other avenues for obtaining the material, such as contacting trial counsel. If travel is necessary, the staff attorney can approve travel time and expense reimbursement on the claim.

Third Edition of the Appellate Practice Manual

We are really excited to announce the launch of the Third Edition of the ADI Manual. This was a year-long project led by Howard Cohen and his team – Art Martin, Elena Min, Pauline Villanueva, Savannah Montanez, and Siri Shetty. Staff attorneys Anita Jog, Anna Law-Jauregui, Jill Kent, Laura Furness, Leslie Rose, Linda Fabian, and Michele Cella supported the team tremendously by proofing the material. With the release of the Third Edition, we have decided to retire Chapter 9 – Federal Habeas Corpus.

I want to highlight Chapter 1 which provides an insight into the statewide guidelines for case classification and explains how we match attorneys to cases depending on the experience level of the attorney and complexity of the case. The ADI Manual is posted on [ADI's public website \(http://www.adi-sandiego.com/panel/manual.asp\)](http://www.adi-sandiego.com/panel/manual.asp) and the SharePoint site.

Delgadillo Orders Following the Filing of a No-Issues Brief

Divisions One and Three are issuing *Delgadillo* orders in Penal Code section 1172.6 appeals. However, Division Two is sending the orders in all post-judgment appeals. ADI has posted sample *Delgadillo* briefs to the website (see below).

ADI Website Updates

[New legislation for Dependency Cases 2023](http://www.adi-sandiego.com/delinq_depend/dependency/dep_articles.asp) is now posted at Delinquency/Dependency → Dependency Articles (http://www.adi-sandiego.com/delinq_depend/dependency/dep_articles.asp).

We have added a number of sample briefing in light of *People v. Delgadillo* (2022) 14 Cal.5th 216, including:

- *Delgadillo* Template with *Anders* Issues
- *Wende* brief Template after OSC Issued in Penal Code section 1172.6 Proceeding. This template includes an argument that *Wende* as opposed to *Delgadillo* procedures apply in this scenario.

These samples are posted on the ADI public website at Practice Tools → Forms & Samples (http://www.adi-sandiego.com/practice/forms_samples.asp)

ADI SharePoint Site Updates

If you haven't received the Microsoft invitation email, or if you have any questions or need help with the registration, please contact the [SharePoint Registration Team](#).

We recently updated the article, "To Brief or Not to Brief", and it is posted on the SharePoint site under Criminal Law Practice Articles.

As always, please reach out to me if you have any questions, concerns, or suggestions. ~ Lynelle

