



JUDICIAL COUNCIL OF CALIFORNIA

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LAURAE. SPEED
Director, Leadership Support Services

November 14, 2022

Ms Laurel Thorpe, Executive Director
Central California Appellate Program
2150 River Drive, Suite 300
Sacramento, California 95833

Dear Ms Thorpe:

You may recall in April 2020 (in response to requests by the Executive Directors of the California Appellate Court Appointed Counsel Project Offices (Project Offices) and the Board of California Appellate Defense Counsel) the Judicial Council Appellate Court Appointed Counsel Program agreed to allow submission of early interim claims on cases, in recognition of the financial stresses and cashflow interruptions caused by adjusting to the state of emergency related to COVID-19 pandemic. These additional interim claims provisions have been extended but are currently set to expire on December 31, 2022. Because of the added benefit to the panel attorneys in the ability to submit an early claim in specific situations, we are making this permanent, as outlined below, subject to change or rescission as determined by the Program.

We will continue to allow an early interim claim for hours on Line 2 on the claim form, “Record Review:” (1) where the record length exceeds 1,500 pages; or (2) where counsel has been waiting for an augmented or corrected record longer than 90 days; and also continue to allow an additional interim claim to be submitted after the Reply Brief is filed for hours on Line 8, “Reply Brief” and Line 10, “Review of Opposing Brief.”

Effective January 1, 2023, the Project Offices should use the Claim Detail Type “Early Interim” instead of “COVID-19 Related” in the District Courts of Appeal–Court Appointed Counsel System when submitting an early interim claim under these circumstances.

Ms Laurel Thorpe
November 14, 2022
Page 2

In addition, if an early interim claim is submitted because counsel has been waiting more than 90 days for an augmented or corrected record, a notation(s) of ">90 days" should continue to be made on Line 4, "Motions to Augment," and/or on Line 5, "Other Motions" for supplemental record rule 8.403(b) motions.

We hope that this will continue to provide you and the panel attorneys that provide such critical services to the people of California flexibility and additional financial stability in these extraordinary times. Please let us know if there is anything else we can do to assist you.

Sincerely,



Laura E. Speed, Director
Leadership Support Services

cc: Ms Lynelle Hee, Executive Director, Appellate Defenders, Inc.
Mr. Rick Lennon, Executive Director, California Appellate Project-LA
Mr. Patrick McKenna, Executive Director, Sixth District Appellate Program
Mr. Jonathan Soglin, Executive Director, First District Appellate Project
Hon. Jon B. Streeter, Chair, Appellate Indigent Defense Oversight Advisory Committee
Ms Marcela Eggleton, Manager, Special Projects and Court Appointed Counsel Program