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October News Alert

Dear Panel Members,

This month's content includes:

- Court updates
- MCLE opportunities
- ADI website updates

We look forward to seeing you at the 2026 Defender Reception!

Court Updates

Division Two Policy for Pro Per Petitions for Rehearing

Div. 2 has been receiving pro per petitions for rehearing in non-*Wende/Delgadillo* cases. In some cases, the court has been informed that appointed counsel recommended that the client file a pro per petition for rehearing.

Div. 2 wants us to remind attorneys that they will not accept petitions for rehearing from appellants in pro per, except in *Wende/Delgadillo* cases. If they receive a pro per petition for rehearing, they will not file it. Their normal practice is to route it to appointed counsel for appropriate action.

Division Three Revision to

Oral Argument Form

After receiving feedback, the court has modified the oral argument form. The revision should be out shortly.

Questions #2 and #3 have been combined, and the revised form reads as follows:

(2) All parties **MUST** select only one of the following:

___ (a) Waives Oral Argument; NO appearance, even if other parties request argument.

___ (b) Requests Oral Argument (Appear In Person ___/Remote ___), but agrees to waive if no other party selects option (c).

___ (c) Requests Oral Argument (Appear In Person ___/Remote ___), will appear no matter what other parties select.

___ (d) Ineligible for Oral Argument (No Brief Filed).

If no party selects choice (c), the parties will be deemed to have waived oral argument.

MCLE Opportunities

The Practical and Ethical Use of AI in Appellate Practice

October 5th from 12 to 1:00 p.m. | Remote

Hosted by ADI

Presented by: USF School of Law legal writing professors Nicole Phillips and Megan Hutchinson

This program provides attorneys with a practical introduction to the responsible use of generative AI in legal practice. The program examines lawyers' ethical and professional competency obligations, explains key AI concepts, and discusses the integration of AI into legal education and legal practice. The program also addresses AI-assisted

research, drafting, case preparation, and productivity tools while learning best practices for supervising and verifying AI-generated work.

1.0 hour of Technology MCLE credit.

Registration

FDAP's Annual Seminar **October 23rd from 9:00 to 3:15 p.m. | In-person**

Location: Oakland Endowment Center

Host: FDAP

Join FDAP on October 23rd to earn MCLE credit, meet with your colleagues in person, hear from some great speakers, and connect with the appellate indigent representation community.

This year's seminar will have criminal and dependency breakout sessions and two joint sessions:

Criminal Breakout Sessions

- Recent Legal Developments in Criminal, Juvenile, and Civil Commitment Law
- Keeping Up With the Confrontation Clause
- Miranda at 60: A Fresh Look at Challenging Confessions

Dependency Breakout Sessions

- How to Mine Case Law to Bolster Your Dependency Practice
- Addressing Implicit Bias in Juvenile Dependency Cases
- The Foundation Crumbles: Challenging Jurisdiction on Appeal
- Joint Sessions
- Brief Writing Tips: Exposition, Clarity, and Persuasion
- Being Understood: The Ethics of Client Communication in Appellate Practice

Approximately 5.50 hours of MCLE credit, including appellate and criminal specialization, will be provided. If you have any questions,

contact mcle@fdap.org.

Please note the training will not be recorded or live streamed.

Coffee, tea, and muffins will be provided in the morning and a boxed lunch (with vegan and vegetarian options) will be provided in the afternoon.

Registration

Website Updates

Dependency Law

No-Issue Filings: A Practical
Guide for Appointed Counsel in
Dependency and Civil
Commitment Cases

Dependency Law



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