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November 12, 2013

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Instead, the only factor for recipients to consider is whether acceptance of the criminal appointment would not impair their civil practices. The result is that recipients may deny representation to criminal defendants where doing so is antagonistic to the mission to promote equal access to justice.

Equal Access to Justice

Proposed sections 1612.4(a) and 1612.5 enumber IS Classification to promote equal

access to justice because they do not authorize representation under circumstances where denial

representation in furtherance of a substantial interest in justice. The following are examples of

suggested language:

Revise § 1613.5, adding § 1613.5(c) as follows:

**§ 1613.5 Criminal representation in Indian tribal courts**