

## **EVAN A. JENNESS**

**Evan A. Jenness** is a tenured federal and state criminal defense attorney, and former Deputy Federal Public Defender. She is the principal of her own firm, and represents individuals and entities in criminal and regulatory investigations; pre-trial, trial and appellate proceedings; and administrative matters. She also is well-versed in professional responsibility, and frequently advises attorneys regarding ethics issues.

Ms. Jenness has defended a broad array of matters, including those involving alleged securities, health care and bank fraud, immigration violations, civil rights violations, obstruction of justice, false statements, corruption, violent crimes, narcotics trafficking, and many other felony and misdemeanor offenses. Over the past several years, she has represented numerous members of the Los Angeles Sheriff's Department in connection with the Department of Justice's investigation and prosecution of many of its members in the United States District Court in Los Angeles. She also has substantial experience representing individuals in extradition, treaty transfer, contempt and probation/supervised release revocation proceedings. She has handled over 500 docketed matters in the U.S. District Court for the Central District of California, in addition to numerous matters in California State courts and other federal courts. In addition to docketed cases, she has an extensive record of pre-charging representation, and routinely represents witnesses and other third parties in criminal and collateral matters. She also is a regular author and lecturer regarding criminal defense and professional ethics.

Ms. Jenness has substantial expertise in the area of attorneys' professional responsibility and ethics. She frequently advises lawyers and others, and writes and lectures on issues such as the duty to protect client confidences, conflicts of interest, the attorney-client privilege and work-product doctrine, ineffective assistance of counsel, contempt, the duty of candor, and other matters involving legal ethics. As an advisor staffing the ethics hotline for the National Association of Criminal Defense Lawyers, she regularly assists other lawyers in addressing ethics issues of concern to them. As a member of the Attorney Discipline Committee of the Central District of California, she participates as a team member in evaluating disciplinary referrals for consideration by the court. She also is a past-President of the L.A. County Bar Association's Professional Responsibility & Ethics Committee.

Ms. Jenness has a strong commitment to social justice, including individual rights and liberties, economic fairness, civil rights, disability rights, and gender, racial and orientation non-discrimination. As the daughter of a career United Nations employee, she grew up in various countries in Africa (Nigeria, Lesotho, Botswana and Sudan), as well as the East Coast of the United States. She has a multi-racial family whose members live in the United States and overseas. She has made her home in Southern California since 1988.

Ms. Jenness is a member of the Federal Bar Association (Board Member & Past-President, Los Angeles Chapter); Los Angeles County Bar Association (Former Member & Past-Chair, Professional Responsibility & Ethics Committee; Past-Member, Board of Trustees); American Bar Association; Women's White-Collar Defense Association, L.A. Chapter; Former Lawyer Representative to the Ninth Circuit Judicial Conference (Past-Co-Chair, Central District of California Lawyer Representatives); National Association of Criminal Defense Lawyers (Ethics Advisory Committee Co-Chair; Attorney Advisor, Ethics Hotline; Editorial Board Member, *The Champion Magazine*; Past-Board Member); and U.S. District Court, Central District of California, Standing Committee on Attorney Discipline.

Ms. Jenness is a 1988 graduate of Columbia Law School, where she was a Harlan Fiske Stone Scholar and an Editor of the *Journal of Law and Social Problems*. Following law school, she served as a law clerk to the (late) Hon. Harry L. Hupp, United States District Judge, Central District of California. She previously served as a trial attorney in the Office of the Federal Public Defender in the Central District of California. She received her Bachelor of Arts degree, *Summa Cum Laude*, with Highest Honors in Economics, from Brandeis University, and was selected as a member of *Phi Beta Kappa*. She is designated annually in *Southern California Super Lawyers®* and *The Best Lawyers in America: White-Collar Crime*.

Ms. Jenness has strong leadership skills, works well with others, and enjoys taking on new challenges and developing improved ways to address longstanding issues. She is a particularly good oral and written advocate. She is team-oriented, and has a high degree of empathy and compassion. She has been dubbed 'Tenacious E' based on her tireless pursuit of justice for her clients. She has enjoyed positive relationships with clients and other lawyers throughout her professional life, and has the respect of judges and others in the legal community.

During her free time, Ms. Jenness enjoys collecting photographs (a passion she acquired from her mother, who published photo documentaries), following politics in the media, financial analysis and investing (an off-shoot of her undergraduate degree in economics), hiking and travel.

# EVAN A. JENNESS

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## EDUCATION

*Columbia University School of Law, Juris Doctor, 1988*  
Harlan Fiske Stone Scholar  
Columbia Journal of Law and Social Problems  
Research & Writing Editor, 1987-88; Staff, 1986-87

*Brandeis University, Bachelor of Arts, 1984*  
Highest Honors in Economics  
*Summa Cum Laude, Phi Beta Kappa, Dean's List*  
Recipient of Steinfield Prize in Economics, 1984

*London School of Economics & Political Science*  
Junior year abroad, 1982-83

**PROFESSIONAL** *Law Offices of Evan A. Jenness, Los Angeles, California*  
Criminal Defense Attorney, Fall, 2004 - Present

*Office of the Federal Public Defender, Los Angeles, California*  
Deputy Federal Public Defender, June, 1996 - Fall, 2004

*Law Offices of Barry Tarlow, Los Angeles, California*  
Criminal Defense Attorney, Winter, 1993 - June, 1996

*Irell & Manella, Los Angeles, California*  
Litigation Associate, Fall, 1989 - Winter, 1993

*United States Federal District Court, Central District of California*  
Law Clerk to the (late) Hon. Harry L. Hupp, Fall, 1988 - Fall, 1989

*O'Melveny & Myers, Los Angeles, California*  
Summer Associate, Summer, 1987

*Nutter, McClennan & Fish, Boston, Massachusetts*  
Summer Associate, Summer, 1986

## **MEMBERSHIPS & DESIGNATIONS**

ABA West Coast Regional White Collar Crime Committee, Board Member  
ABA CJS White Collar Crime Committee, Member  
Federal Bar Association, Member & Past-President, Los Angeles Chapter  
Former Lawyer Representative to the Ninth Circuit Judicial Conference  
    Co-Chair of the Central District of California Lawyer Representatives (2010-11)  
Los Angeles County Bar Association,  
    Member & Past-Member of Board of Trustees (2011-13)  
    LACBA Committee on Prof. Responsibility & Ethics, Former Member & Past-Chair (2010-11)  
National Association of Criminal Defense Lawyers,  
    Ethics Advisory Committee, Co-Chair  
    Ethics Advisory Hotline, Attorney Advisor  
    Editorial Board, *The Champion Magazine*  
U.S. District Court, C.D. California Standing Committee on Attorney Discipline, Member  
*Southern California Super Lawyers*®  
*The Best Lawyers in America: White-Collar Crime*

## **PUBLICATIONS**

*When Silence Isn't Golden: Misleading a Court by Omission*, Vol. 35, No. 5, LACBA Update (May, 2015)

*Elite Lawyers Before the Justices*, published letter to the Editor, New York Times, Opinion (January 5, 2015)

*The "Silver Tsunami" and Sentencing - Age and Health as Mitigating Factors*, NACDL *The Champion Magazine* (publication pending Fall, 2013)

*A New State Bar Ethics Opinion May Justify Improper Attorney-Client Communications*, Vol. 124, No. 232, *Los Angeles Daily Journal* (November 30, 2011)

*Representing the Individual in Internal Investigations*, ABA CJS White Collar Crime Newsletter (Summer, 2011)

*Being an Ambassador of the Federal Bar*, Vol. 124, No. 65, *Los Angeles Daily Journal* (April 5, 2011)

*Ethics & Advocacy Dilemmas - Possessing Evidence of a Client's Crime*, NACDL, *The Champion* (Cover Feature, December, 2010)

*Judicial Remembrance, The Hon. Florence-Marie Cooper, U.S. District Judge, Central District of California, Federal Bar Association The Federal Lawyer (March/April, 2010) (co-author)*

*Hot Potatoes - The Perplexing Problem of Evidence of Crime, Vol. 30, No. 3, LACBA Update (March, 2010)*

*Judicial Profile, The Hon. Audrey B. Collins, Chief U.S. District Judge, Central District of California, Federal Bar Association The Federal Lawyer (September, 2009) (co-author)*

*Boomers in the Dock: Age and Sentencing Mitigation, ALM Business Crimes Bulletin (December, 2008)*

*Bringing Sentencing Sanity to Operation Malicious Mortgage, ALM Business Crimes Bulletin (September, 2008)*

*Gaining the Upper Hand in Arguing “Loss” in Securities Fraud Cases, NACDL The Champion Magazine (September, 2008)*

*“Loss” in the Air Will Not Do, ALM Business Crimes Bulletin (April, 2008)*

*Attorney-Client Intimacy - Too Hot to Handle?, Vol. 27, No. 6, LACBA Update (June/July 2007)*

*Supervising Outside Agents in a ‘Blame the Lawyers’ World, Vol. 26, No. 7, LACBA Update (August, 2006)*

*Combating Governmental Interference With Witnesses, Vol. 33, No. 1, CACJ Forum (2006)*

*No Duty to Rat in California, Vol. 25, No. 7, LACBA Update (August, 2005)*

*The Problem of Prosecutorial Vouching, Vol. 32, No. 4, CACJ Forum (2005)*

*Ninth Circuit Affirms Prosecutors’ Plenary Duty to Investigate Potential Brady/Giglio Evidence, Vol. 28, No. 3, CACJ Forum (2001)*

*Shabazz Case Illustrates the Havoc Caused by Paid Informers, published letter to the Editor, New York Times, Opinion (March 30, 1995)*

## **LECTURES & APPEARANCES**

Los Angeles CJA Indigent Defense Panel Appellate Training Program (5/2/15) -  
“Professional Responsibility & the Criminal Defense Function”

Federal Bar Association, Ninth Annual Bankruptcy Ethics Symposium (12/13/13) - “An  
Ethics Conversation With Evan Jenness”

Association of Federal Defense Attorneys Webinar (9/25/13) - “Ethical Issues in Criminal  
Defense Practice 2013”

Association of Federal Defense Attorneys Webinar (6/27/12) - “Ethical Issues in Criminal  
Defense Practice 2012”

American Bar Association Annual White-Collar Crime Conference - Miami, Florida  
(3/1/12) - “Ethical Pitfalls and Blunders in White Collar Practice” (panelist)

University of Southern California Law School - Los Angeles, California (2/13/12) -  
“Ethical Issues in Criminal Defense Representation” (LLM program lecture)

Westlaw Webinar (1/24/12) - “Driving the Guidelines Off the Cliff: Issues for Tax,  
Securities and Mortgage Fraud, and Money Laundering Cases”

Federal Defender Services of Idaho - Boise, Idaho (9/23/11) - “Professional  
Responsibility & Ethics for Criminal Defense Counsel”

NACDL Annual Conference - Denver, Colorado (8/5/11) – “On the Edge of the Ethical  
Cliff: When Prosecutors Go Too Far” (co-speaker)

LACBA Annual Ethics Symposium (1/29/11) – “The Two C’s - Conflicts &  
Confidentiality” (co-speaker Diane Karpman, Esq.)

LACBA, Protecting Client Confidences Against Homeland Security Searches of Laptop  
Contents When Traveling Across Borders (12/08/2010) - “Border Searches and Privacy  
Issues” (panelist)

Federal Bar Association, Sixth Annual Bankruptcy Ethics Symposium (12/03/10) -  
“California’s New Proposed Rules of Professional Conduct”

NACDL Annual White Collar Crime Conference (10/1/10) - “Making Ends Meet:  
Obtaining Insurance Advancement & Indemnity in White Collar Cases” (co-speaker)

Advanced Federal Criminal Law Seminar - St. Louis, Missouri (06/24/10) - “Federal  
Sentencing Update 2009-2010”

NACDL Winter Seminar - Aspen, Colorado (1/11/10) - “A Sentencing Update & a View From the Bench” (panelist)

LACBA Ethics 2010: Keeping Current in a World of Change (1/09/10) - “What to Do When the Attorney-Client Relationship Ends” (co-speaker)

Federal Bar Association, Sixth Annual Bankruptcy Ethics Symposium (12/18/09) - "Issues in Client Confidentiality" (panelist, moderator)

Disability Rights Legal Center, Loyola Law School (10/13/09) - “Ethics and Professional Responsibility”

NACDL Annual White Collar Crime Conference (10/1/09) - “More Jail, Less Justice - White Collar Sentencing Unhinged From Reality” (panelist)

NACDL Annual Meeting & Seminar (8/7/09) - “Ethical Post-Conviction in Light of Innocence” (panelist)

Los Angeles CJA Indigent Defense Panel Appellate Training Program (3/26/09) - “Ethical Dilemmas and Post-Conviction Responsibilities”

LACBA Ethics Symposium (1/10/09) – “Termination of the Attorney-Client Relationship” (co-speaker)

Federal Bar Association, Fifth Annual Bankruptcy Ethics Symposium (12/12/08) - “What’s Up With Ethics?”

Los Angeles CJA Indigent Defense Panel Annual Training Program (11/22/08) - “Ethical Dilemmas and Post-Conviction Responsibilities” (co-speaker)

Los Angeles County Bar Association/Federal Bar Association (10/22/08) – “Federal Court Practice in the Central District of California - Changes, Trends and Updates” (panel moderator)

Administrative Office of the U.S. Courts, Federal Defender Services, Mobile, Alabama (10/17/08) – “Resolving Ethics Issues in Federal Criminal Defense Practice”

Los Angeles County Public Defender Training Program (10/2/08) - “Professional Responsibility & Criminal Defense”

Administrative Office of the U.S. Courts, Defender Services, Los Angeles, California (9/6/08) – “Ethical Issues Confronting Criminal Defense Attorneys” (panelist)

Los Angeles Federal Public Defender, Training Program for New Defenders (4/17/08) – “Ethics & Federal Defense Practice”

NACDL Winter Seminar - Aspen, Colorado (1/25/08) – “Strategies for Resolving Ethical Issues in Criminal Law – Issues From the Trenches of Criminal Defense Practice” (panelist)

LACBA Criminal Justice Section: Navigating the Federal Criminal Court Maze - A Nuts & Bolts Primer (1/19/07) – “Ethics in Federal Practice” (co-speaker)

LACBA Ethics 2007: Keeping Current in a World of Change (12/14/07) - “Ethics in Criminal Defense Practice” (co-speaker)

ABA West Coast Regional White Collar Crime Committee Annual Meeting (12/11/07) - “2007 Federal Sentencing Update”

NACDL Mid-Winter Conference - San Diego, California (2/23/07) – “Ethical Responsibility in the Technological Age”

LACBA CLE Seminar (2/15/07) – “Strategies for Managing Civil, Criminal and Ethical Risks for the Mid- and Large Sized Law Firm” (co-speaker)

NACDL Winter Seminar - Aspen, Colorado (1/25/07) – “Federal Sentencing Update” (panelist)

## **OTHER**

Profiled in *Women Criminal Defense Attorneys*, “Women Criminal Defense Attorneys: Interview With Evan Jenness” (May, 2015)<sup>1</sup>

Profiled in *California Super Lawyers*, “Tenacious E” (February, 2014)<sup>2</sup>

Speaker at the LACBA 2012 Outstanding Jurist Award Luncheon honoring the Hon. Audrey B. Collins, Chief Judge, Central District of California (5/11/12)

Featured lawyer in *Careers in Criminal Law*, by Ellen Brotman, “Criminal Defense isn’t

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<sup>1</sup> Available at: <http://womenscriminaldefenseattorneys.com/women-criminal-defense-attorneys-interview-with-evan-jenness/>.

<sup>2</sup> Available at: <http://www.superlawyers.com/california-southern/article/tenacious-e/0bfb5be5-ccf5-4a84-84ed-8888a7b7ca9d.html>.



Something You Practice / Evan Jenness” (American Bar Association, 2010)

## **REFERENCES**

Available upon request.