

CJA REFERENCE MANUAL

CONTENTS

- 1. CJA 20, Appointment of and Authority to Pay Court-Appointed Counsel**
 - a. [Intro](#)
 - b. [Forms](#)
 - i. [CJA 20](#)
 - ii. [Worksheets, in- and out-of-court time and expenses \(USDCNH 56A, B, C, revised 12/99\)](#)
 - c. [CJA 20 samples](#)
 - i. [CJA 20](#)
 - ii. [Worksheets](#)
 - d. [Vouchers Covering Different Hourly Reimbursement Rates](#)
 - i. [Intro](#)
 - ii. [Attachment to CJA Voucher \(USDCNH-59\)](#)
 - iii. [Samples](#)
 - (1) [CJA 20](#)
 - (2) [Attachment](#)
 - e. [Instructions](#)
 - f. [Checklist for Voucher Completion](#)
 - g. [Case Compensation Maximums](#)
 - h. [Reimbursement Rates](#)
 - i. [Voucher Tips](#)
 - j. [Computing In-Court Time](#)

- 2. CJA 21, Authorization and Voucher for Expert and Other Services**
 - a. [Intro](#)
 - b. [Forms](#)
 - i. [CJA 21](#)
 - c. [CJA 21 sample](#)
 - d. [Instructions](#)
 - e. [CJA 25, Notice to CJA Panel Attorneys](#)

- 3. CJA 24, Authorization and Voucher for Payment of Transcript**
 - a. [Intro](#)
 - b. [Forms](#)
 - i. [CJA 24](#)
 - c. [CJA 24 sample](#)
 - d. [Instructions](#)

- 4. Motions for Claims in Excess of Statutory Maximum**
 - a. [Intro](#)
 - b. [Suggested Elements for a Motion for Compensation Claim in Excess of the Statutory Case Compensation Maximum](#)

- 5. [Circuit Court Representation](#)**

- 6. [Public Disclosure of Payment Information](#)**

- 7. [Public Access Systems](#)**

- 8. [Paralegal Services](#)**

- 9. Document Filing Samples**
 - a. [Motion/Objections/Memorandum/Affidavits, Filing Requirements](#)
 - b. [Motion Format](#)
 - c. [Objection Format](#)
 - d. [Exhibits, Instructions for Filing](#)

10. Miscellaneous Info

- a. Computer Hardware and Software
- b. Memo, Sealed Documents, 2/14/01
- c. Computer-Assisted Legal Research
- d. Commercial Computer-Assisted Legal Research Services
- e. Clothing for Indigent Prisoners
- f. Witness Vouchers
- g. Interim Payments
- h. Fact Witnesses

11. CJA Plan

CJA 20
APPOINTMENT OF AND AUTHORITY TO PAY
COURT-APPOINTED COUNSEL

CJA 20:

Items 1-14 will be completed by the Clerk's Office (generated by the CJA Payment System).

You will receive only a copy of the appointment form. You may make whatever copies you need. The court will require only a single signed copy when the voucher is submitted.

Worksheets:

Be sure to keep time according to the categories on the forms. A reminder: you need not use the sample worksheets provided by the court, but you must break down the time (in tenths of hours) in accordance with the categories used on the sample.

Instructions:

You will not receive instructions with each new appointment so you should refer to these instructions if you have questions.

1. CIR./DIST./DIV. CODE	2. PERSON REPRESENTED	VOUCHER NUMBER	
3. MAG. DKT./DEF. NUMBER	4. DIST. DKT./DEF. NUMBER	5. APPEALS DKT./DEF. NUMBER	6. OTHER DKT. NUMBER
7. IN CASE/MATTER OF <i>(Case Name)</i>	8. PAYMENT CATEGORY <input type="checkbox"/> Felony <input type="checkbox"/> Petty Offense <input type="checkbox"/> Misdemeanor <input type="checkbox"/> Other <input type="checkbox"/> Appeal	9. TYPE PERSON REPRESENTED <input type="checkbox"/> Adult Defendant <input type="checkbox"/> Appellant <input type="checkbox"/> Juvenile Defendant <input type="checkbox"/> Appellee <input type="checkbox"/> Other	10. REPRESENTATION TYPE <i>(See Instructions)</i>
11. OFFENSE(S) CHARGED (Cite U.S. Code, Title & Section) <i>If more than one offense, list (up to five) major offenses charged, according to severity of offense.</i>			
12. ATTORNEY'S NAME <i>(First Name, M.I. Last Name, including any suffix), AND MAILING ADDRESS</i> Telephone _____		13. COURT ORDER <input type="checkbox"/> O Appointing Counsel <input type="checkbox"/> C Co-Counsel <input type="checkbox"/> F Subs For Federal Defender <input type="checkbox"/> R Subs For Retained Attorney <input type="checkbox"/> P Subs For Panel Attorney <input type="checkbox"/> Y Standby Counsel Prior Attorney's _____ Appointment _____ <input type="checkbox"/> Because the above-named person represented has testified under oath or has satisfied this Court that he or she (1) is financially unable to employ counsel and (2) does not wish to waive counsel, and because the Interests of justice so require, the attorney whose name appears in Item 12 is appointed to represent this person in this case, OR <input type="checkbox"/> Other <i>(See Instructions)</i>	
14. NAME AND MAILING ADDRESS OF LAW FIRM (Only provide per instructions)		_____ Signature of Presiding Judicial Officer or By Order of the Court _____ Date of Order Nunc Pro Tunc Date Repayment or partial repayment ordered from the person represented for this appointment <input type="checkbox"/> YES <input type="checkbox"/> NO	

CLAIM FOR SERVICES AND EXPENSES	FOR COURT USE ONLY
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CATEGORIES <i>(Attach itemization of services with dates)</i>	HOURS CLAIMED	TOTAL AMOUNT CLAIMED	MATH/TECH ADJUSTED HOURS	MATH/TECH ADJUSTED AMOUNT	ADDITIONAL REVIEW
In Court	15. a. Arraignment and/or Plea				
	b. Bail and Detention Hearings				
	c. Motion Hearings				
	d. Trial				
	e. Sentencing Hearings				
	f. Revocation Hearings				
	g. Appeals Court				
	h. Other <i>(Specify on additional sheets)</i>				
(RATE PER HOUR - \$) TOTALS:					
Out of Court	16. a. Interviews and Conferences				
	b. Obtaining and reviewing records				
	c. Legal research and brief writing				
	d. Travel time				
	e. Investigative and other work <i>(Specify on additional sheets)</i>				
(RATE PER HOUR - \$) TOTALS:					
17. Travel Expenses <i>(lodging parking, meals mileage etc)</i>					
18. Other Expenses <i>(lodging parking, meals mileage etc)</i>					
GRAND TOTALS (CLAIMED AND ADJUSTED)					

19. CERTIFICATION OF ATTORNEY PAYEE FOR THE PERIOD OF SERVICE _____ TO: _____	20. APPOINTMENT TERMINATION DATE IF OTHER THAN CASE COMPLETION	21. CASE DISPOSITION
22. CLAIM STATUS <input type="checkbox"/> Final Payment <input type="checkbox"/> Interim Payment _____ <input type="checkbox"/> Supplemental Payment Have you previously applied to the court for compensation and/or reimbursement <input type="checkbox"/> YES <input type="checkbox"/> NO If yes, were you paid? <input type="checkbox"/> YES <input type="checkbox"/> NO Other than from the Court, have you, or to your knowledge has anyone else, received payment <i>(compensation or anything of value)</i> from any other source in connection representation <input type="checkbox"/> YES <input type="checkbox"/> NO If yes, give details on additional sheets. I swear or affirm the truth or correctness of the above statements. Signature of Attorney _____ Date _____		

APPROVED FOR PAYMENT - COURT USE ONLY

23. IN COURT COMP.	24. OUT OF COURT	25. TRAVEL EXPENSES	26. OTHER EXPENSES	27. TOTAL AMT. APPR./CERT.
28. SIGNATURE OF THE PRESIDING JUDICIAL OFFICER			DATE	28a. JUDGE/MAG. JUDGE CODE
29. IN COURT COMP.	30. OUT OF COURT	31. TRAVEL EXPENSES	32. OTHER EXPENSES	33. TOTAL AMT. APPROVED
34. SIGNATURE OF CHIEF JUDGE, COURT OF APPEALS (OR DELEGATE) <i>Payment in excess of the statutory threshold amount.</i>			DATE	34a. JUDGE CODE

**US DISTRICT COURT
IN-COURT HOURLY WORKSHEET CJA**

Case Number:

Date	Brief Description of Service Provided	Arraignment and/or Plea	Bail & Detention Hearings	Motion Hearings	Trial	Sentencing Hearings	Revocation Hearings	Other
	Page Total							
	TOTAL(S)							

**US DISTRICT COURT
OUT-OF-COURT HOURLY WORKSHEET CJA**

Case Number:

Date	Brief Description of Services Provided	Interviews, Conferences	Obtain, Review Records	Draft Pleadings, Legal Research, Brief Writing	Travel Time	Investigative, Other - e.g., letters
	Page Totals					
	TOTAL(S)					

CJA 20 APPOINTMENT OF AND AUTHORITY TO PAY COURT APPOINTED COUNSEL (Rev. 5/99)

1. CIR./DIST./DIV. CODE	2. PERSON REPRESENTED	VOUCHER NUMBER	
3. MAG. DKT./DEF. NUMBER	4. DIST. DKT./DEF. NUMBER	5. APPEALS DKT./DEF. NUMBER	6. OTHER DKT. NUMBER
7. IN CASE/MATTER OF <i>(Case Name)</i>	8. PAYMENT CATEGORY <input type="checkbox"/> Felony <input type="checkbox"/> Petty Offense <input type="checkbox"/> Misdemeanor <input type="checkbox"/> Other <input type="checkbox"/> Appeal	9. TYPE PERSON REPRESENTED <input type="checkbox"/> Adult Defendant <input type="checkbox"/> Appellant <input type="checkbox"/> Juvenile Defendant <input type="checkbox"/> Appellee <input type="checkbox"/> Other	10. REPRESENTATION TYPE <i>(See Instructions)</i>
11. OFFENSE(S) CHARGED (Cite U.S. Code, Title & Section) <i>If more than one offense, list (up to five) major offenses charged, according to severity of offense.</i>			
12. ATTORNEY'S NAME <i>(First Name, M.I. Last Name, including any suffix), AND MAILING ADDRESS</i> Telephone _____		13. COURT ORDER <input type="checkbox"/> O Appointing Counsel <input type="checkbox"/> C Co-Counsel <input type="checkbox"/> F Subs For Federal Defender <input type="checkbox"/> R Subs For Retained Attorney <input type="checkbox"/> P Subs For Panel Attorney <input type="checkbox"/> Y Standby Counsel Prior Attorney's _____ Appointment _____ <input type="checkbox"/> Because the above-named person represented has testified under oath or has satisfied this Court that he or she (1) is financially unable to employ counsel and (2) does not wish to waive counsel, and because the Interests of justice so require, the attorney whose name appears in Item 12 is appointed to represent this person in this case, OR <input type="checkbox"/> Other <i>(See Instructions)</i>	
14. NAME AND MAILING ADDRESS OF LAW FIRM (Only provide per instructions)		_____ Signature of Presiding Judicial Officer or By Order of the Court _____ Date of Order Nunc Pro Tunc Date Repayment or partial repayment ordered from the person represented for this appointment <input type="checkbox"/> YES <input type="checkbox"/> NO	

CLAIM FOR SERVICES AND EXPENSES	FOR COURT USE ONLY
---------------------------------	--------------------

CATEGORIES <i>(Attach itemization of services with dates)</i>	HOURS CLAIMED	TOTAL AMOUNT CLAIMED	MATH/TECH ADJUSTED HOURS	MATH/TECH ADJUSTED AMOUNT	ADDITIONAL REVIEW
In Court	15. a. Arraignment and/or Plea				
	b. Bail and Detention Hearings				
	c. Motion Hearings				
	d. Trial				
	e. Sentencing Hearings				
	f. Revocation Hearings				
	g. Appeals Court				
	h. Other <i>(Specify on additional sheets)</i>				
(RATE PER HOUR - \$) TOTALS:					
Out of Court	16. a. Interviews and Conferences				
	b. Obtaining and reviewing records				
	c. Legal research and brief writing				
	d. Travel time				
	e. Investigative and other work <i>(Specify on additional sheets)</i>				
(RATE PER HOUR - \$) TOTALS:					
17. Travel Expenses <i>(lodging parking, meals mileage etc)</i>					
18. Other Expenses <i>(lodging parking, meals mileage etc)</i>					
GRAND TOTALS (CLAIMED AND ADJUSTED)					

19. CERTIFICATION OF ATTORNEY PAYEE FOR THE PERIOD OF SERVICE _____ TO: _____	20. APPOINTMENT TERMINATION DATE IF OTHER THAN CASE COMPLETION	21. CASE DISPOSITION
22. CLAIM STATUS <input type="checkbox"/> Final Payment <input type="checkbox"/> Interim Payment _____ <input type="checkbox"/> Supplemental Payment Have you previously applied to the court for compensation and/or reimbursement <input type="checkbox"/> YES <input type="checkbox"/> NO If yes, were you paid? <input type="checkbox"/> YES <input type="checkbox"/> NO Other than from the Court, have you, or to your knowledge has anyone else, received payment <i>(compensation or anything of value)</i> from any other source in connection representation <input type="checkbox"/> YES <input type="checkbox"/> NO If yes, give details on additional sheets. I swear or affirm the truth or correctness of the above statements. Signature of Attorney _____ Date _____		

APPROVED FOR PAYMENT - COURT USE ONLY

23. IN COURT COMP.	24. OUT OF COURT	25. TRAVEL EXPENSES	26. OTHER EXPENSES	27. TOTAL AMT. APPR./CERT.
28. SIGNATURE OF THE PRESIDING JUDICIAL OFFICER			DATE	28a. JUDGE/MAG. JUDGE CODE
29. IN COURT COMP.	30. OUT OF COURT	31. TRAVEL EXPENSES	32. OTHER EXPENSES	33. TOTAL AMT. APPROVED
34. SIGNATURE OF CHIEF JUDGE, COURT OF APPEALS (OR DELEGATE) <i>Payment in excess of the statutory threshold amount.</i>			DATE	34a. JUDGE CODE

**US DISTRICT COURT
IN-COURT HOURLY WORKSHEET CJA**

Case Number: CR 99-130-1-JD

Date	Brief Description of Service Provided	Arraignment and/or Plea	Bail & Detention Hearings	Motion Hearings	Trial	Sentencing Hearings	Revocation Hearings	Other
2/1/99	Arraignment	.3						
4/15/99	Motion hearing			1.5				
6/1/99	Change of plea	.5						
7/15/99	Sentencing					1.0		
	other suggested entries							
	Draw jury only (scheduled for 9 am; actual start 9:30 due to delay in ct proceedings) [this entry would cover extra .5 of in-ct claim)							
	Trial, including jury deliberation [would alert us that you have correctly included waiting for verdict as in-ct time]							
	Page Total	.8		1.5		1.0		
	TOTAL(S)	.8		1.5		1.0		

**US DISTRICT COURT
OUT-OF-COURT HOURLY WORKSHEET CJA**

Case Number: CR. 99-130-1-JD

Date	Brief Description of Services Provided	Interviews, Conferences	Obtain/Review Records	Draft Pleadings, Legal Research, Brief Writing	Travel Time	Investigative, Other - e.g., letters
2/6/99	Letter to client					.2
2/6/99	Review order & file		.3			
2/21/99	Conference w/client/travel	2.0			.5	
3/22/99	Meet w/USProbation/travel	1.0			.5	
3/23/99	Draft motions			1.0		
4/15/99	Meet w/US Atty/travel	1.0			.5	
4/15/99	Motion hearing/travel				.5	
5/6/99	Conference w/client/travel	1.0			.5	
6/1/99	Telephone w/client	.2				
	Page Totals	5.2	.3	1.0	2.5	.2
	TOTAL(S)	5.2	.3	1.0	2.5	.2

VOUCHERS COVERING DIFFERENT HOURLY RATES

If you are requesting payment for services done over a span of time, which includes two different hourly rates, you'll need to add an addendum to the voucher using [USDCNH-59](#). The face of the voucher should be used for all services and expenses during the hourly rates in effect at the time of your appointment. The addendum should cover compensation plus travel and other expenses incurred under the newer rate.

For example, if you were appointed in May of 2000 when the rates were \$70/\$50 and your work extended beyond 3/31/01 when the rates increased to \$75/\$55, you'll need an addendum for the post-3/31/01 time. The face of the voucher should cover the time before 3/31/01.

Should you have been appointed in 1999 and are still working on the case after 4/1/01, you must complete two addenda--one for 1/1/00 to 3/31/01 and one for 4/1/01 and after. The face of the voucher should cover your time in 1999.

On the face of the voucher, you should type/write in, in the "Categories" section under "Claim for Services," the period of service covered on the face of the voucher. In the upper right-hand corner of the addendum sheet, indicate the dates of service covered on that sheet.

Item 19, on the face of the voucher, should include the dates of service of the appointment, from beginning to end.

Upon receipt of the completed voucher and addendum, the audit deputy will combine the figures for a total of both before sending the voucher to the court for approval.

See [CJA 20](#) and [Attachment to CJA Voucher](#) for samples of a voucher and the addendum covering two periods.

ATTACHMENT TO CJA 20 VOUCHER

FOR REIMBURSEMENT RATE PERIOD:

Attach a separate sheet for each rate period.

- G 1/14/00 to 1/21/02 - \$70 IN/\$50 OUT/32.5 ¢ per mile
- G 1/22/02 to 3/31/01 - \$70 IN/\$50 OUT/34.5 ¢ per mile
- G 4/1/01 to 1/20/02 - \$75 IN/\$55 OUT/34.5 ¢ per mile
- G 1/21/02 to 4/30/02 - \$75 IN/\$55 OUT/36.5 ¢ per mile
- G 5/1/02 to 12/31/02 - \$90 BOTH IN AND OUT/36.5 ¢ per mile
- G 1/1/03 to 12/31/03 - \$90 BOTH IN AND OUT/36 ¢ per mile
- G 1/1/04 forward \$90 BOTH IN AND OUT/37.5 ¢ per mile

DATES OF SERVICE: _____

CASE NUMBER: _____

CASE NAME: _____

ATTORNEY: _____

IN-COURT TIME					
Categories (Attach itemization of services with dates)	Hours Claimed	Total Amount Claimed	COURT USE ONLY		
			Math/Tech Adjusted Hours	Math/Tech Adjusted Amount	Add'l Review
a. Arraignment and/or Plea					
b. Bail & Detention Hearings					
c. Motion Hearings					
d. Trial					
e. Sentencing Hearings					
f. Revocation Hearings					
g. Appeals Court					
h. Other (Specify on additional sheets)					
RATE PER HOUR: G \$65 or G \$70 or G \$75 or G \$90	TOTALS: \$90				
↑ Include this amount in the GRAND TOTAL below					

OUT-OF-COURT TIME					
Categories (Attach itemization of services with dates)	Hours Claimed	Total Amount Claimed	COURT USE ONLY		
			Math/Tech Adjusted Hours	Math/Tech Adjusted Amount	Add'l Review
a. Interviews & Conferences					
b. Obtaining & reviewing records					
c. Legal research and brief writing					
d. Travel Time					
e. Investigative & other work (specify on additional sheets)					
RATE PER HOUR: G \$45 or G \$50 or G \$55 or G \$90	TOTALS: \$90				
↑ Include this amount in the GRAND TOTAL below					

TRAVEL EXPENSES (Mileage Rate: ¢)	Amount Claimed: \$	Include this amount in the GRAND TOTAL below
OTHER EXPENSES	Amount Claimed: \$	Include this amount in the GRAND TOTAL below
GRAND TOTAL THIS TIME PERIOD: \$		

CJA 20 APPOINTMENT OF AND AUTHORITY TO PAY COURT APPOINTED COUNSEL (Rev. 5/99)

1. CIR./DIST./DIV. CODE	2. PERSON REPRESENTED	VOUCHER NUMBER	
3. MAG. DKT./DEF. NUMBER	4. DIST. DKT./DEF. NUMBER	5. APPEALS DKT./DEF. NUMBER	6. OTHER DKT. NUMBER
7. IN CASE/MATTER OF <i>(Case Name)</i>	8. PAYMENT CATEGORY <input type="checkbox"/> Felony <input type="checkbox"/> Petty Offense <input type="checkbox"/> Misdemeanor <input type="checkbox"/> Other <input type="checkbox"/> Appeal	9. TYPE PERSON REPRESENTED <input type="checkbox"/> Adult Defendant <input type="checkbox"/> Appellant <input type="checkbox"/> Juvenile Defendant <input type="checkbox"/> Appellee <input type="checkbox"/> Other	10. REPRESENTATION TYPE <i>(See Instructions)</i>
11. OFFENSE(S) CHARGED (Cite U.S. Code, Title & Section) <i>If more than one offense, list (up to five) major offenses charged, according to severity of offense.</i>			
12. ATTORNEY'S NAME <i>(First Name, M.I. Last Name, including any suffix), AND MAILING ADDRESS</i> Telephone _____		13. COURT ORDER <input type="checkbox"/> O Appointing Counsel <input type="checkbox"/> C Co-Counsel <input type="checkbox"/> F Subs For Federal Defender <input type="checkbox"/> R Subs For Retained Attorney <input type="checkbox"/> P Subs For Panel Attorney <input type="checkbox"/> Y Standby Counsel Prior Attorney's _____ Appointment _____ <input type="checkbox"/> Because the above-named person represented has testified under oath or has satisfied this Court that he or she (1) is financially unable to employ counsel and (2) does not wish to waive counsel, and because the Interests of justice so require, the attorney whose name appears in Item 12 is appointed to represent this person in this case, OR <input type="checkbox"/> Other <i>(See Instructions)</i>	
		_____ Signature of Presiding Judicial Officer or By Order of the Court _____ Date of Order Nunc Pro Tunc Date Repayment or partial repayment ordered from the person represented for this appointment <input type="checkbox"/> YES <input type="checkbox"/> NO	
14. NAME AND MAILING ADDRESS OF LAW FIRM (Only provide per instructions)			

CLAIM FOR SERVICES AND EXPENSES			FOR COURT USE ONLY		
CATEGORIES <i>(Attach itemization of services with dates)</i> *** FOR THE PERIOD 10/1/00-3/31/01***	HOURS CLAIMED	TOTAL AMOUNT CLAIMED	MATH/TECH ADJUSTED HOURS	MATH/TECH ADJUSTED AMOUNT	ADDITIONAL REVIEW
In Court	15. a. Arraignment and/or Plea				
	b. Bail and Detention Hearings				
	c. Motion Hearings				
	d. Trial				
	e. Sentencing Hearings				
	f. Revocation Hearings				
	g. Appeals Court				
	h. Other <i>(Specify on additional sheets)</i>				
(RATE PER HOUR - \$) TOTALS:					
Out of Court	16. a. Interviews and Conferences				
	b. Obtaining and reviewing records				
	c. Legal research and brief writing				
	d. Travel time				
	e. Investigative and other work <i>(Specify on additional sheets)</i>				
(RATE PER HOUR - \$) TOTALS:					
17. Travel Expenses <i>(lodging parking, meals mileage etc)</i>					
18. Other Expenses <i>(lodging parking, meals mileage etc)</i>					
GRAND TOTALS (CLAIMED AND ADJUSTED)					

19. CERTIFICATION OF ATTORNEY PAYEE FOR THE PERIOD OF SERVICE _____ TO: _____	20. APPOINTMENT TERMINATION DATE IF OTHER THAN CASE COMPLETION	21. CASE DISPOSITION
22. CLAIM STATUS <input type="checkbox"/> Final Payment <input type="checkbox"/> Interim Payment _____ <input type="checkbox"/> Supplemental Payment Have you previously applied to the court for compensation and/or reimbursement <input type="checkbox"/> YES <input type="checkbox"/> NO If yes, were you paid? <input type="checkbox"/> YES <input type="checkbox"/> NO Other than from the Court, have you, or to your knowledge has anyone else, received payment <i>(compensation or anything of value)</i> from any other source in connection representation <input type="checkbox"/> YES <input type="checkbox"/> NO If yes, give details on additional sheets. I swear or affirm the truth or correctness of the above statements. Signature of Attorney _____ Date _____		

APPROVED FOR PAYMENT - COURT USE ONLY					
23. IN COURT COMP.	24. OUT OF COURT	25. TRAVEL EXPENSES	26. OTHER EXPENSES	27. TOTAL AMT. APPR./CERT.	
28. SIGNATURE OF THE PRESIDING JUDICIAL OFFICER			DATE	28a. JUDGE/MAG. JUDGE CODE	
29. IN COURT COMP.	30. OUT OF COURT	31. TRAVEL EXPENSES	32. OTHER EXPENSES	33. TOTAL AMT. APPROVED	
34. SIGNATURE OF CHIEF JUDGE, COURT OF APPEALS (OR DELEGATE) <i>Payment in excess of the statutory threshold amount.</i>			DATE	34a. JUDGE CODE	

ATTACHMENT TO CJA 20 VOUCHER

FOR REIMBURSEMENT RATE PERIOD:

Attach a separate sheet for each rate period.

- G 1/14/00 to 1/21/02 - \$70 IN/\$50 OUT/32.5 ¢ per mile
- G 1/22/02 to 3/31/01 - \$70 IN/\$50 OUT/34.5 ¢ per mile
- G 4/1/01 to 1/20/02 - \$75 IN/\$55 OUT/34.5 ¢ per mile
- G 1/21/02 to 4/30/02 - \$75 IN/\$55 OUT/36.5 ¢ per mile
- G 5/1/02 to 12/31/02 - \$90 BOTH IN AND OUT/36.5 ¢ per mile
- G 1/1/03 to 12/31/03 - \$90 BOTH IN AND OUT/36 ¢ per mile
- G 1/1/04 forward \$90 BOTH IN AND OUT/37.5 ¢ per mile

DATES OF SERVICE: 4/1/01 to 4/15/01

CASE NUMBER: CR 00-01-01-JD

CASE NAME: _____

ATTORNEY: John Doe, Esq.

IN-COURT TIME					
Categories (Attach itemization of services with dates)	Hours Claimed	Total Amount Claimed	COURT USE ONLY		
			Math/Tech Adjusted Hours	Math/Tech Adjusted Amount	Add'l Review
a. Arraignment and/or Plea	.7				
b. Bail & Detention Hearings					
c. Motion Hearings					
d. Trial					
e. Sentencing Hearings	2.0				
f. Revocation Hearings					
g. Appeals Court					
h. Other (Specify on additional sheets)					
RATE PER HOUR: G \$65 or G \$70 or G \$75	TOTALS:	2.7	\$202.50		
			↑ Include this amount in the GRAND TOTAL below		

OUT-OF-COURT TIME					
Categories (Attach itemization of services with dates)	Hours Claimed	Total Amount Claimed	COURT USE ONLY		
			Math/Tech Adjusted Hours	Math/Tech Adjusted Amount	Add'l Review
a. Interviews & Conferences	5.0				
b. Obtaining & reviewing records	.3				
c. Legal research and brief writing	1.0				
d. Travel Time	1.5				
e. Investigative & other work (specify on additional sheets)	.2				
RATE PER HOUR: G \$45 or G \$50 or G \$55	TOTALS:	8.0	\$440.00		
			↑ Include this amount in the GRAND TOTAL below		

TRAVEL EXPENSES (Mileage Rate: 34.5 ¢)	Amount Claimed: \$14.70	Include this amount in the GRAND TOTAL below
OTHER EXPENSES	Amount Claimed: \$27.15	Include this amount in the GRAND TOTAL below

GRAND TOTAL THIS TIME PERIOD: \$684.35

INSTRUCTIONS FOR CJA FORM 20
APPOINTMENT OF AND AUTHORITY TO PAY COURT APPOINTED COUNSEL

Read these instructions carefully before completing the form. Accuracy and thoroughness will aid in the prompt payment of the claim. If possible, use a typewriter to complete the form; otherwise, write legibly with a ballpoint pen (preferably black or dark blue ink). If the form is system generated, Items 1 through 12 and 14 will be preprinted on the form. Attach an itemized statement of the services provided and expenses incurred. Give the date and the number of hours claimed for each service provided. Provide dates for and a description of the expenses incurred. For additional guidance, see the *Guidelines for the Administration of the Criminal Justice Act and Related Statutes (CJA Guidelines)*, Volume VII, *Guide to Judiciary Policies and Procedures*, which is available for reference in the Clerk's office.

Appointed counsel may obtain investigative, expert, and other services necessary for adequate representation in accordance with the procedures set forth in subsection (e) of the Criminal Justice Act (CJA), 18 U.S.C. §3006A. Prior authorization from the presiding judicial officer is required for all such services where the cost, excluding expenses, will exceed \$300. Failure to obtain prior authorization will result in the disallowance of any amount claimed for compensation in excess of \$300, unless the presiding judicial officer, in the interest of justice, finds that timely procurement of necessary services could not await prior authorization. Payment for these services should be claimed directly by the service provider on a CJA Form 21, "Authorization and Voucher for Expert and Other Services."

VOUCHERS SHALL BE SUBMITTED NO LATER THAN 45 DAYS AFTER THE FINAL DISPOSITION OF THE CASE, UNLESS GOOD CAUSE IS SHOWN (PARAGRAPH 2.21A, *CJA GUIDELINES*). ALL PAYMENTS MADE PURSUANT TO THIS CLAIM ARE SUBJECT TO POST-AUDIT; CONTEMPORANEOUS TIME AND ATTENDANCE RECORDS AS WELL AS EXPENSE RECORDS MUST BE MAINTAINED FOR THREE YEARS AFTER APPROVAL OF THE FINAL VOUCHER (PARAGRAPH 2.32, *CJA GUIDELINES*). ANY OVERPAYMENTS ARE SUBJECT TO COLLECTION, INCLUDING DEDUCTION OF AMOUNTS DUE FROM FUTURE VOUCHERS

Item 1. **CIR./DIST./DIV. CODE:** This four-character location code is the circuit or district, and divisional office codes of the court where the proceedings for the person represented are held.

Item 2. **PERSON REPRESENTED:** Give the full name of the person whom you were appointed to represent.

Items 3-6. **DOCKET NUMBERS:** Provide the case file or miscellaneous number assigned by the court. Enter the number using the last two digits of the calendar year (YY), the sequential number assigned by the court (NNNNNN), and the defendant number (DDD) as shown on the indictment or charging document. Thus, the format of the docket number is YY-NNNNNN-DDD. Note: If two or more cases are heard or tried together for the person represented, complete a separate voucher, for each case

in which representation is provided (i.e., for each docket, number listed). Prorate the total time among the cases. On supporting documentation, cross reference all related claims for which costs are prorated.

Item 7. IN CASE/MATTER OF (CASE NAME): In criminal cases, enter *U.S. vs.* Defendant's Name. If it is a multiple defendant case, give the case cite as provided on the indictment or information (e.g., *U. S. vs. Lead Defendant's Name, et al*). If the person represented is not a defendant (e.g., material witness), enter the first named defendant in the court's recording of the case. If this is a civil case (e.g., habeas corpus), enter the *Name of the Petitioner vs. the Name of the Respondent* and include the respondent's title. If other than a civil or criminal case (i.e., miscellaneous matters), enter "*In the Matter of*" followed by the *Name of the Person Represented*.

Item 8. PAYMENT CATEGORY: Check the appropriate box that establishes the statutory threshold for representation in this case type. If "Other" payment category is checked, specify the category within the scope of the CJA. See paragraph 2.22 B(2) of the *CJA Guidelines*.

Item 9. TYPE PERSON REPRESENTED: Check the box that defines the legal status of the person represented.

Item 10. REPRESENTATION TYPE: From the list below, select the code that describes the type of representation:

CC	A defendant charged in a criminal case with an offense(s) that is a felony, misdemeanor, or petty offense under the United States Code, or an assimilated crime under a state code
NT	A new trial either directed from the court of appeals on remand or as a result of a mistrial
MA	Motion attacking a sentence (28 U.S.C. § 2255)
MC	Motion to correct or reduce sentence (Fed. R. Crim. P. 35)
HC	Habeas corpus non-capital (28 U.S.C. § 2254)
BP	Bail Presentment
WI	Material Witness (in custody)
WW	Witnesses (Grand Jury a Court, the Congress, a Federal Agency, etc.)
PR	Probation Revocation
PA	Parole Revocation
SR	Supervised Release Hearing
EW	Extraordinary Writs (Prohibition, Mandamus)
CH	Mental Condition Hearings (see Chapter 313 of Title 18 U.S.C.)
PT	Pretrial Diversion
EX	Extradition Cases (Foreign) (under Chapter 209 of Title 18 U.S.C.)
OT	Other types (e.g., time ups, consultations, prisoner transfer, etc.)
TD	Appeal of a Trial Disposition
CA	Other Types of Appeals
AP	Appeal From Magistrate's Decision
CF	Civil Asset Forfeiture (18 U.S.C. § 983(b)(1))
AF	Appeal of Civil Asset Forfeiture (18 U.S.C. § 983(b)(1))
JU	Juror's Employment Rights (28 U.S.C. § 1875)
PL	Appeal of Parole Revocation (18 U.S.C. § 4106A) ,
HA	Appeal of Non-Capital Habeas representation (28 U.S.C. § 2254)
ML	Action Alleging Malpractice in Furnishing Non-capital Representational Services (18 U.S.C. § 3006A(d)(1))

FOR DEATH PENALTY CASES, USE THE CJA FORM 30 AND APPLICABLE TYPE OF REPRESENTATION CODES

Item 11. OFFENSES CHARGED: Cite the U.S. Code, with title and section, or other code citation of the offense or offenses (list up to five) with which the person represented is charged. If other than a federal code is cited, state the statutory maximum period

of confinement authorized for the offense. If a civil matter, such as a habeas corpus representation or a motion attacking sentence, cite 28 U.S.C. § 2254 or 28 U.S.C. § 2255, respectively. For direct appeals from a case disposition, cite the major offense (U.S. Code, title and section) for which the defendant was convicted.

Items 12/14 ATTORNEY'S NAME AND MAILING ADDRESS and NAME AND MAILING ADDRESS OF LAW FIRM: Complete Item 12 with the legal name and address of the attorney appointed to represent the person whose name is shown in Item 2. If prior to your appointment for representation, you had a preexisting agreement with a law firm or corporation, including a professional corporation, indicating that CJA earnings belong to the law firm or corporation, rather than to the court-appointed attorney/payee, provide the name and mailing address of that law firm or corporation in Item 14. This information will allow earnings to be reported to the Internal Revenue Service (IRS) on a 1099 Statement as earnings of the law firm or corporation and not as the earnings of the attorney appointed. *(Note: Information about a pre-existing agreement, including the Taxpayer Identification Number (TIN) of the law firm or corporation, should be provided to the court staff when the attorney is admitted to the panel or at initial appointment to a case.)*

Item 13. COURT ORDER: Check the box that describes the type of counsel appointed. If appointed as a substitute counsel, give the name of the previous counsel and the appointment date. If appointed as a "Standby Counsel," check "Other" and attach a court order establishing this type of appointment in accordance with paragraph 2.17 of the *CJA Guidelines*. Also check "Other" if counsel is appointed pursuant to 28 U.S.C. § 1875(d)(1) to protect a juror's employment rights, or pursuant to 18 U.S.C. § 983(b)(1) in connection with certain judicial civil forfeiture proceedings, and attach the court order appointing counsel for this purpose. The remaining portion of this item will be completed by the clerk of court or other court-designated person. The presiding judicial officer or clerk of court should sign and date this court order to validate the appointment. If services were provided prior to court appointment, the presiding judicial officer may wish to ratify the previous service by indicating a "nunc pro tunc" date that covers the services prior to appointment. No other court order is necessary. Indicate whether the court orders full or partial repayment of the cost for representation from the person represented at the time of appointment by checking "Yes" or "No."

Item 15. IN-COURT SERVICES: Enter the total number of hours claimed (in hours and tenths of an hour) for each applicable in-court service category. To support the totals entered in each category, attach to the voucher an itemization of services, by date, and indicate the number of hours for each service. Enter the total in-court hours where required on the form, and multiply the total number of in-court hours claimed by the hourly rate in effect for the place of holding court in which the representation is provided or the attorney maintains his or her principal office. If the case is an appeal to the court of appeals, enter the higher of the rates per hour in effect for the place of holding court in which the attorney maintains his or her

principal office or the place of holding court out of which the case arose. Enter the total amount claimed in the appropriate box on the form.

Item 16. OUT-OF-COURT SERVICES: Complete according to the instructions above for in-court time, using the applicable out-of-court hourly rate of compensation. NOTE: The "**FOR COURT USE ONLY**" column will reflect any mathematical or technical adjustments to the claim during the judicial approval process or changes during a required additional review of the chief judge of the court of appeals (or delegate).

Item 17. TRAVEL EXPENSES: Travel related expenses that are incidental to the representation (e.g., transportation, lodging, meals, car rental, parking, bridge, road and tunnel tolls, etc.) must be itemized on a separate sheet, indicating dates the expense was incurred. Attach supporting documentation (receipts, canceled checks, etc.) for all travel expenses. Travel expenses by privately owned automobile, motorcycle, or aircraft should be claimed at the rate in effect for federal employees at the time of travel. For overnight travel, reasonable expenses for lodging and meals will be reimbursed on an actual expense basis; per diem is not allowed. Counsel should be guided by prevailing limitations for travel and subsistence expenses of federal employees. The clerk of court can advise you of applicable rates and federal government travel regulations.

Item 18. OTHER EXPENSES: Itemize all reimbursable out-of-pocket expenses incidental to representation. Provide dates and a brief description of the expense. Enter the total claimed where required on the form. Submit supporting documentation (receipts, canceled checks, etc.) for single item expenses in excess of \$50. Reimbursable expenses may include, in some circumstances, payments to law students or law clerks for legal research and assistance and the cost of computer assisted legal research (CALR) when conducted by counsel. See paragraphs 2.31 and 3.15 of the *CJA Guidelines* for an explanation. The following are not reimbursable expenses, and should not be claimed:

1. General office overhead, such as rent, telephone services, and secretarial services.
2. Expenses for items of a personal nature for the client (e.g., clothes, haircuts).
3. The cost of printing briefs. However, the cost of photocopying or similar copying service is reimbursable.
4. Fact witness fees, witness travel costs, and expenses for service of subpoenas. These expenses are not paid out of the CJA appropriation, but instead are paid by the Department of Justice pursuant to Fed. R. Crim. P. 17, and 28 U.S.C. § 1825. Contact the United States Marshal for payment procedures. See paragraph 3.13 of the *CJA Guidelines* for guidance on payment of witness fees generally.

5. Filing fees. These fees are waived for persons proceeding under the CJA.
6. The cost of allowable investigative, expert, or other services. (See Chapter III of the *CJA Guidelines*). Such services should be requested using a CJA Form 21.
7. Compensation taxes. Taxes paid on attorney compensation, whether based on income, sales or gross receipts are not reimbursable expenses.

Totals. Enter the Grand Totals where required by adding "in-court" and "out-of-court" totals, "travel" and "other expenses."

Item 19. CERTIFICATION OF ATTORNEY/PAYEE FOR PERIOD OF SERVICE: The person appointed by the court must certify dates of service for the representation. Indicate, where required, the date range for the services claimed on the voucher.

Item 20. APPOINTMENT TERMINATION DATE, IF OTHER THAN CASE COMPLETION: If the appointment is discontinued by order of the court (i.e., substitute counsel or reasons other than disposition of the defendant's case, such as fugitive defendant, appointment of federal defender, or retention of counsel by a defendant), give the effective date for termination of appointment.

Item 21. CASE DISPOSITION: Indicate case disposition for the person represented (e.g., dismissed, convicted/final plea guilty, probation revoked, other, etc.). Select a code from the table below.

	Type of Disposition	Code
District Court Criminal and Other Proceedings	Dismissed	1
	Acquitted by court, or government motion for judgment of acquittal granted	2
	Acquitted by jury	3
	Convicted/final plea guilty	4
	Convicted/final plea nolo	5
	Convicted/court trial	8
	Convicted/jury trial	9
	Mistrial	C
	Not Guilty/insane/court trial	E
	Guilty/insane/court trial	F
	Not guilty/insane/jury trial	G
	Guilty/insane/jury trial	H
	Other (PTD matters, other reps. Transfers)	X
	Appeals	Affirmed
Reversed		R
Remanded		0
Reversed in Part/Affirmed in Part		RA
Affirmed in Part/Reversed in Part		AR
Dismissed		1
Probation/Parole/Supervised Release	Revoked	RV
	Restored	RS
Habeas/Petitions/Writs	Granted	GR
	Denied	DE

Item 22. CLAIM STATUS: Indicate, by checking the appropriate box, whether the voucher is (1) the final payment for the services, (2) an interim payment, or (3) a supplemental payment (an additional claim submitted after a final payment is made). If an interim payment, indicate the interim payment number. Complete the remaining portion of Item 22, and sign and date the affirmation statement before submitting the claim for court approval.

Items 23-28a. APPROVED FOR PAYMENT: The presiding judicial officer will indicate the amount approved for payment in each category (Items 23 - 26). These amounts will reflect any mathematical and technical adjustments to your claim. The "TOTAL AMOUNT APPROVED/CERTIFIED" for payment equals the amount approved in the major categories, less any amounts withheld for an interim payment.

SIGNATURE OF THE PRESIDING JUDICIAL OFFICER: If the total amount approved for payment (both in-court and out-of-court), not including expenses, is less than or equal to the statutory limitation, the claim will be processed for payment. The presiding judicial officer will sign and date the voucher indicating approval of the amount to be paid in Item 27. If compensation exceeds the statutory threshold for the representation, submit a detailed memorandum, supporting and justifying that the representation was provided in a complex or extended case and that the claim for the excess amount is necessary to provide fair compensation. Upon preliminary approval of the claim, the presiding judicial officer will (1) signify approval by circling the word "cert" (for word certified) in Item 27 and (2) forward the voucher to the chief judge of the court of appeals (or delegate) for approval of the excess amount. The JUDGE CODE will be provided by the court staff.

Item 29-33. APPROVED FOR PAYMENT: For payments in excess of the statutory limitation, the chief judge for the court of appeals (or delegate) will indicate the amount approved for payment in Items 29 - 32. This amount will reflect any adjustments in your claim resulting from additional technical or mathematical review by the chief judge (or delegate). The chief judge of the court of appeals (or delegate) will indicate the TOTAL AMOUNT APPROVED for payment of the claim, less any amounts withheld for an interim payment in Item 33.

Item 34. SIGNATURE OF CHIEF JUDGE, COURT OF APPEALS (OR DELEGATE): Before the claim is paid for the excess amount, the chief judge of the appeals court (or delegate) must sign and date Item 34, approving payment for compensation that exceeds the statutory threshold. If approval is not granted, compensation will be limited to the statutory maximum for the representation and expenses as approved. The JUDGE CODE will be provided by the court staff.

UNITED STATES DISTRICT COURT - DISTRICT OF NEW HAMPSHIRE

CRIMINAL JUSTICE ACT VOUCHER (CJA 20) CHECKLIST

MORE THAN ONE VOUCHER REQUIRED?

If the same defendant is represented in more than one case, each CASE must have a separate voucher. Fees or expenses may not be duplicated. For example, for a pretrial conference in both cases which involves .6 travel time, .3 would appear on each voucher, not .6.

If appointed for the same defendant in both a grand jury matter and a subsequent criminal case, separate vouchers must be submitted for each of those appointments.

REVIEW BILLING AND CHARGES

Is there any duplication of time if more than one attorney has worked on the case? If more than one attorney, is that time separately listed and the provider identified?

Are the charges allowable, reasonable, and logical? For example, 3 hours travel time from Concord to Manchester. Not logical--travel time was not separated from interview/conference time.

DOUBLE-CHECK ENTRIES/SUPPORTING DOCUMENTS

Are figures in *tenth hours*?

Are all in-court hours claimed trial time, time with a judge (i.e., in chambers, in court, or by telephone), or time when presence at the courthouse was required?

Is mileage properly recorded by listing the specific number of miles traveled multiplied by the rate in effect at the time of the travel?

Has the math been checked?

Are grand totals from each category properly transferred to the front of the voucher from the worksheet/bill?

Are dates listed on the worksheet/bill?

Are in-court hours and out-of-court hours totaled on the front of the voucher?

Are "travel" expenses separated from "other" expenses on the front of the voucher?

Are calculations totaled in Boxes 15-18 and Grand Total line? (Insert "0" if no claim in a particular box.)

If the voucher covers more than one reimbursement rate, is the proper *addendum* attached?

Are Boxes 19-21 and all questions in Box 22 answered?

Is the voucher signed and dated?

If the amount claimed exceeds the maximum statutory amount, is a *Motion to Exceed* attached? See *LCrR 44.1(c)*.

Are supporting documents (i.e., receipts) attached for any expense in excess of \$50? If CALR was used, are the appropriate statement and receipt attached?

PREPARE FOR MAILING

Review the CJA voucher to make sure all claim information boxes (15-18 and Grand Total) are completed. Make sure in-court, out-of-court, and expense worksheets/bills and any other required materials are attached.

Keep a copy of the CJA voucher and a copy of your backup material (worksheet/bill, receipts, etc.) and forward an **ORIGINALLY SIGNED** copy of the CJA voucher, with supporting material, to the court within 45 days of disposition.

CASE COMPENSATION MAXIMUMS

Services Only, Excludes Expenses

See 18 § 3006A(d)(2) for an outline of the maximum compensation allowed for various types of representations.

Basically, the usual maximums allowed at the district court level are:

Felonies	\$5,200*
Misdemeanors	\$1,500
All Others	\$1,200

Examples of "All Others" include probation violation, supervised release hearing, witness, grand jury target.

*Includes appointments under CAFRA (Civil Asset Forfeiture Reform Act, 18 U.S.C. 983) and for non-capital habeas

Amended through September 20, 2001

REIMBURSEMENT RATES

MILEAGE	
1/1/04 to date	\$.37 ½
1/1/03 – 12/31/03	\$.36
1/21/02 – 12/31/02	\$.36 ½
1/22/01 – 1/20/02	\$.34 ½
1/14/00 – 1/21/02	\$.32 ½
4/1/99 – 1/13/00	\$.31

COMPENSATION	
Time on or after 5/1/02 - Same rate in- and out-of-court	\$90
Time on or after 4/1/01	
In-Court	\$75
Out-of-Court	\$55
Time on or after 1/1/00:	
In-Court	\$70
Out-of-Court	\$50
Time to and including 12/31/99	
In-Court	\$65
Out-of-Court	\$45

TIME INCREMENTS IN TENTHS			
6 min.	.1	36 min.	.6
12 min.	.2	42 min.	.7
18 min.	.3	48 min.	.8
24 min.	.4	54 min.	.9
30 min.	.5	60 min./1 hr.	1.0

VOUCHER TIPS

IN-COURT TIME

This is the time you are actually talking with a judicial officer. This may be in a courtroom, in chambers, or even by telephone. While the counsel voucher lists the more common occurrences such as arraignments, motion hearings, and trial, remember that pretrial conferences, status conferences, or telephone conferences with the judge also qualify as in-court time.

In-court time may also be claimed for those occasions when counsel's presence at the courthouse is required. The rule of thumb is that if counsel is required to be here and cannot be at the office, the in-court rate will apply. If a hearing is scheduled for 9 a.m. and counsel reports for that time but the hearing does not start till 9:30 a.m., that half hour spent waiting for the proceeding may be counted as in-court time. An example of text to use regarding a delay-related claim is listed on the [sample in-court worksheet](#). If, however, counsel requests a continuance to 10 a.m. to confer with his/her client, that *is not* in-court time. What we are trying to allow is fair compensation for those occasions when court is delayed due to circumstances not of counsel's making.

Also, during trial or full-day hearings, counsel may also claim in-court time from the start of the proceeding until adjournment each day of the trial. We allow this because we know that during these times, even when the court breaks for lunch or recess, counsel typically will continue to work on the case in some fashion. Again, an example of text to use regarding a trial-related claim is listed on the [sample in-court worksheet](#).

OUT-OF-COURT TIME

Time preparing vouchers cannot be claimed.

PARTNER/ASSOCIATE

When appointed counsel claims time for services furnished by a partner or associate, counsel must separately identify that person.

EXPENSES

Supporting documentation such as receipts or affidavits must be submitted for any expense in excess of \$50.

REVIEW

Office policy requires that all vouchers be audited--checked for mathematical accuracy, inclusion of supporting documentation as required, and verification of claimed time--before the voucher is sent to the presiding judge for further review and action. A copy of the voucher and supporting material should be kept by counsel in the event the deputy who audits the voucher has any questions that can be resolved over the telephone.

IN GENERAL

DO NOT list more detail than necessary on the front of the voucher. Details should be restricted to the supporting material which is not a part of the public record. See [Public Disclosure of Payment Information](#).

“Replacement” counsel: If you, for whatever reason, had to withdraw and were replaced by another panel attorney, regulations require that we hold that first voucher (yours) until the end of the case as the maximum applies per case/per defendant, not per attorney, so your amount factors into the total claim. We will send a letter to remind you that we have to hold the voucher and offer you the opportunity to file a motion for early payment.

COMPUTING IN-COURT TIME

ARRAIGNMENT SCHEDULED BY NOTICE FOR 9 AM	
Attorney Doe arrives for arraignment at 8:45 a.m. Arraignment commences at 9 a.m. Arraignment concludes at 9:10 a.m.	
CLAIM .2	10 minutes for arraignment .1 = 6 minutes, .2 = 12 minutes. .2 is closest because we round UP

MOTION HEARING SCHEDULED BY NOTICE FOR 10 AM	
Attorney Doe arrives for motion hearing at 10 a.m. Motion hearing delayed and finally commences at 10:30 a.m. Motion hearing concludes at 11:30 a.m.	
CLAIM 1.5	30 minutes or .5 for 10-10:30 a.m. required to be here 60 minutes or 1.0 for the actual hearing

TRIAL SCHEDULED: JURY SELECTION AT 9:30 AM, EVIDENCE TO FOLLOW	
Attorney Doe arrives early for trial at 9 a.m. to meet with client Jury selection set for 9:30 a.m. Jury selection delayed and finally commences at 10:30 a.m. Jury selection concludes at noon Court recesses at noon Evidence commences at 1:30 p.m. Trial concludes for the day at 4:30 p.m.	
CLAIM 7 hrs	7 hours for in-court time (.5 (30 minutes) out-of-court time, meeting with client)

<p style="text-align: center;">CJA 21 AUTHORIZATION AND VOUCHER FOR EXPERT AND OTHER SERVICES</p>

CJA 21:

Call the appropriate case manager for a system-generated form; the top portion will be completed by the deputy. You will be receiving only a single copy of the form so you may make extra copies as needed.

Unless the amount requested (for compensation, excluding travel and other expenses) is \$300 or more, you need not seek prior approval. When the service is finished, submit the completed voucher. These vouchers will be sealed upon filing unless the case has already concluded.

For those services requiring prior approval (total compensation \$300 or more), you must submit a motion. In order to prevent the possibility that the disclosure of a request will cause a defendant to reveal his or her defense, these requests should be made by *ex parte* application.

When filing a completed claim, don't forget to include the TIN (Taxpayer ID #) or social security number of the vendor. This number determines where the proceeds will be applied for tax purposes.

Experts, too, must provide receipts or documentation for expenses in excess of \$50 and supporting documentation, e.g., breakdown of time and expenses.

Instructions:

Please review these revised instructions carefully. You will not be getting instructions with each new request form so these will be your permanent reference.

CJA21 AUTHORIZATION AND VOUCHER FOR EXPERT AND OTHER SERVICES (Rev. 5/99)

1. CIR./DIST./ DIV. CODE	2. PERSON REPRESENTED	VOUCHER NUMBER	
3. MAG. DKT./DEF. NUMBER	4. DIST. DKT./DEF. NUMBER	5. APPEALS DKT./DEF. NUMBER	6. OTHER DKT. NUMBER
7. IN CASE/MATTER OF (<i>Case Name</i>)	8. PAYMENT CATEGORY <input type="checkbox"/> Felony <input type="checkbox"/> Petty Offense <input type="checkbox"/> Misdemeanor <input type="checkbox"/> Other <input type="checkbox"/> Appeal	9. TYPE PERSON REPRESENTED <input type="checkbox"/> Adult Defendant <input type="checkbox"/> Appellant <input type="checkbox"/> Juvenile Defendant <input type="checkbox"/> Appellee <input type="checkbox"/> Other	10. REPRESENTATION TYPE (See Instructions)

11. OFFENSE(S) CHARGED (Cite U.S. Code, Title& Section) *If more than one offense, list (up to five) major offenses charged, according to severity of offense.*

REQUEST AND AUTHORIZATION FOR EXPERT SERVICES

12. ATTORNEYS STATEMENT
 As the attorney for the person represented, who is named above, I hereby affirm that the services requested are necessary for adequate representation. I hereby request:
 Authorization to obtain the service. Estimated Compensation and \$ _____ OR
 Approval of services already obtained to be paid for by the United States pursuant to the Criminal Justice Act. (Note: *Prior authorization should be obtained for services in excess of \$300, excluding expenses*)

Signature of Attorney _____ Date _____
 Panel Attorney Retained Attorney Pro-Se Legal Organization
 ATTORNEY'S NAME (*First Name, M.I., Last Name, including any suffix*), AND MAILING ADDRESS _____
 Telephone _____

13. DESCRIPTION OF AND JUSTIFICATION FOR SERVICES (See Instructions)	14. TYPE OF SERVICE PROVIDER 01 <input type="checkbox"/> Investigator 02 <input type="checkbox"/> Interpreter/Translator 03 <input type="checkbox"/> Psychologist 04 <input type="checkbox"/> Psychiatrist 05 <input type="checkbox"/> Polygraph 06 <input type="checkbox"/> Documents Examiner 07 <input type="checkbox"/> Fingerprint Analyst 08 <input type="checkbox"/> Accountant 09 <input type="checkbox"/> CALR (Westlaw/Lexis, etc.) 10 <input type="checkbox"/> Chemist/Toxicologist 11 <input type="checkbox"/> Ballistics 12 <input type="checkbox"/> Weapons/ Firearms/ Explosive 13 <input type="checkbox"/> Pathologist/Medical Examiner 15 <input type="checkbox"/> Other Medical 16 <input type="checkbox"/> Voice/Audio Analyst 17 <input type="checkbox"/> Hair/Fiber Expert 18 <input type="checkbox"/> Computer (Hardware/ Software/Systems) 19 <input type="checkbox"/> Paralegal Services 20 <input type="checkbox"/> Legal 21 <input type="checkbox"/> Jury Consultant 22 <input type="checkbox"/> Mitigation Specialist 23 <input type="checkbox"/> Duplication Services (See Instructions) 24 <input type="checkbox"/> Other (Specify) _____
----------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

15. COURT ORDER
 Financial eligibility of the person represented having been established to the Court's satisfaction, the authorization requested in Item 12 is hereby granted.
 Signature of Presiding Judicial Officer or By Order of the Court _____
 Date of Order _____ Nunc Pro Tunc Date _____
 Repayment or partial repayment ordered from the person represented for this service at time of
 YES NO

CLAIM FOR SERVICES AND EXPENSES FOR COURT USE ONLY

16. SERVICES AND EXPENSES (Attach itemization of services with dates)	AMOUNT CLAIMED	MATH/TECHNICAL ADJUSTED AMOUNT	ADDITIONAL REVIEW
a. Compensation			
b. Travel Expenses (<i>lodging, parking, meals, mileage, etc.</i>)			
c. Other Expenses			
GRAND TOTALS (CLAIMED AND ADJUSTED):			

17. PAYEES NAME (*First Name, MI, Last Name, including any suffix*) AND MAILING ADDRESS _____
 TIN: _____
 Telephone _____

CLAIMANT'S CERTIFICATION FOR PERIOD OF SERVICE _____ TO _____
 CLAIM STATUS Final Payment Interim Payment Supplemental Payment

I hereby clarify that the above claim is for services rendered and is correct, and that I have not sought or received payment (compensation or anything of value) from any other source for these services.

Signature of _____ Date _____

18. CERTIFICATION OF ATTORNEY I hereby certify that the services were rendered for this case.
 Signature of _____ Date _____

APPROVED FOR PAYMENT - COURT USE ONLY

19. TOTAL COMPENSATION	20. TRAVEL EXPENSES	21. OTHER EXPENSES	22. TOTAL AMOUNT APPROVED/CERTIFIED
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23. Either the cost (*excluding expenses*) of these services does not exceed \$300, or prior authorization was obtained.
 Prior authorization was not obtained, but in the interest of justice the Court finds that timely procurement of these necessary services could not await prior authorization, even though the cost (*excluding expenses*) exceeds \$300.

Signature of Presiding Judicial Officer _____ Date _____ Judge/Mag. Judge Code _____

24. TOTAL COMPENSATION	25. TRAVEL EXPENSES	26. OTHER EXPENSES	27. TOTAL AMOUNT APPROVED
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28. PAYMENT APPROVED IN EXCESS OF THE STATUTORY THRESHOLD UNDER 18 U.S.C. § 3006A(e)(3)
 Signature of Chief Judge, Court of Appeals (or Delegate) _____ Date _____ Judge Code _____

**INSTRUCTIONS FOR CJA 21
AUTHORIZATION AND VOUCHER FOR EXPERT AND OTHER SERVICES**

Read these instructions carefully before completing the form. Accuracy and thoroughness will aid in the prompt payment of the claim. Use a typewriter if possible to complete the form; otherwise, write legibly with a ballpoint pen (preferably black or dark blue ink). If the form is system generated, Items 1 through 10 and 14 will be preprinted on the form. Attach an itemized statement of the services provided and expenses incurred. Give the date and the number of hours claimed for each service provided. Provide the dates for, and a description of expenses incurred. For additional guidance, see the *Guidelines for the Administration of the Criminal Justice Act and Related Statutes (CJA Guidelines)*, Volume VII, *Guide to Judiciary Policies and Procedures*, which is available for reference in the Clerk's Office.

ALL PAYMENTS MADE PURSUANT TO THIS CLAIM ARE SUBJECT TO POST-AUDIT. ANY OVERPAYMENTS ARE SUBJECT TO COLLECTION, INCLUDING DEDUCTION OF AMOUNTS DUE FROM FUTURE VOUCHERS.

Refer to 18 U.S.C. § 3006A(e)(1) and the *CJA Guidelines* on making Ex Parte applications for services other than counsel.

NOTE: Prior authorization from the presiding judicial officer should be obtained for all investigative, expert, or other services where the cost (excluding reimbursement for reasonable expenses) will exceed \$300. Failure to obtain prior authorization will result in the disallowance of any amount claimed for compensation in excess of \$300, unless the presiding judicial officer, finds that, in the interest of justice, timely procurement of necessary services could not await prior authorization.

Compensation may not exceed \$1,000, excluding reasonable expenses, unless the excess amount is certified by the presiding judicial officer as necessary to provide fair compensation for services of an unusual character or duration, and the amount exceeding the statutory limit is approved by the chief judge of the court of appeals (or active appeals court judge to whom the chief judge has delegated excess compensation authority).

If prior authorization is obtained for investigative, expert or other services and later it is determined that the cost of the service will exceed the initial estimate by a significant amount, you should seek, from the presiding judicial officer, further prior authorization for the additional amount.

Item 1. CIR./DIST./DIV.CODE: This four-character location code is the circuit or district and divisional office codes of the court where the proceedings for the person represented are held.

Item 2. PERSON REPRESENTED: Give the full name of the person whom you were appointed to represent.

Items 3-6. DOCKET NUMBERS: Provide the case number or miscellaneous number assigned by the court. Enter the number using the last two digits of the calendar year (YY), the sequential number assigned by the court (NNNNNN), and the defendant number (DDD),

as shown on the indictment or charging document. Thus, the format of the docket number is YY-NNNNNN-DDD. **Note:** If two or more cases are heard or tried together for the person represented, complete a separate voucher for each case in which services are provided (i.e., docket number listed). Prorate the total time among the cases. On the supporting documentation, cross reference all related claims for which costs are prorated.

Item 7. IN CASE/MATTER OF (CASE NAME): In criminal cases, enter *US. vs. Defendant's Name*. If it is a multiple defendant case, give the case cite as provided on the indictment or information (e.g., *U. S. vs. Lead Defendant's Name, et al.*). If the person represented is not a defendant (e.g., material witness), enter the first named defendant in the court's recording of the case. If this is a civil case (e.g., habeas corpus), enter the *Name of the Petitioner vs. the Name of the Respondent* and include the respondent's title. If other than a criminal or civil case (i.e., miscellaneous matters), enter "*In the matter of*" followed by the "*Name of the Person Represented.*"

Item 8. PAYMENT CATEGORY: Check the appropriate box that identifies the offense class for the representation in which the expert or other services are requested. If "Other" payment category is checked, specify the category within the scope of the CJA.

Item 9. TYPE PERSON REPRESENTED: Check the box that defines the legal status of the person represented.

Item 10. REPRESENTATION TYPE: From the list below, select the code that describes the type of representation:

CC	A defendant charged in a criminal case with an offense(s) that is a felony, misdemeanor, or petty offense under the U.S. Code, or an assimilated crime under a state code
NT	A new trial either directed from the court of appeals on remand or as a result of a mistrial
MA	Motion attacking a sentence (28 U.S.C. § 2255)
MC	Motion to correct or reduce sentence (Fed. R. Crim. P. 35)
HC	Habeas Corpus, non-capital (28 U.S.C. § 2254)
BP	Bail Presentation
W1	Material Witness (in custody)
WW	Witnesses (Grand Jury, a Court, the Congress, a Federal Agency, etc.)
PR	Probation Revocation
PA	Parole Revocation
SR	Supervised Release Hearing
EW	Extraordinary Writs (Prohibition, Mandamus)
CH	Mental Condition Hearings (See Chapter 313 of Title 18 U.S.C.)
PT	Pretrial Diversion
EX	Extradition Cases (Foreign) (under Chapter 209 of Title 18 U.S.C.)
OT	Other types (e.g., line ups, consultations, prisoner transfer, etc.)
TD	Appeal of a trial disposition
CA	Other Types of Appeals
AP	Appeal From Magistrate's Decision
CF	Civil Asset Forfeiture (18 U.S.C. § 983(b)(1))
AF	Appeal of Civil Asset Forfeiture (18 U.S.C. § 983(b)(1))
JU	Juror's Employment Rights (28 U.S.C. § 1875)
PL	Appeal of Parole Revocation (18 U.S.C. § 4106A)
HA	Appeal of Non-Capital Habeas representation (28 U.S.C. § 2254)

FOR DEATH PENALTY CASES, USE THE CJA FORM 31 AND THE APPLICABLE TYPE OF REPRESENTATION CODE.

Item 11. OFFENSES CHARGED: Cite the U. S. Code, title and section, or other code citation of the offense or offenses (list up to five) with which the person represented is charged. If other than a federal code is cited, state the maximum period of confinement authorized

for the offense. If a civil matter, such as a habeas corpus representation or a motion attacking sentence, cite 28 U.S.C. § 2254 or 28 U.S.C. § 2255, respectively. For direct appeals from a trial disposition, cite the major offense (U.S. Code, title and section) at case disposition.

Item 12. ATTORNEY'S STATEMENT, NAME AND MAILING ADDRESS: Check the appropriate box to indicate whether the request is for authorization to obtain services, or approval of services already provided. (Note that prior authorization is required for compensation of all services in excess of \$300.) Indicate the estimated cost of the services requested. Note the basis for compensation (e.g., hourly rates, daily rates, fixed fee, etc.). This statement must be signed and dated by counsel for the person represented (or by the person proceeding *pro se*). Check the appropriate box to designate attorney, status as a panel attorney, retained attorney, attorney for a legal organization (bar association, legal aid agency, or community defender organization not receiving a periodic sustaining grant under the CJA), or as a person who qualifies for representation under the CJA but has chosen to proceed *pro se*.

Give the complete legal name of the attorney appointed to represent the person whose name is shown in Item 2. Provide the mailing address and telephone number of the attorney.

Item 13: DESCRIPTION OF AND JUSTIFICATION FOR SERVICES: Briefly, describe the nature of the services requested and the reason services are necessary to provide adequate representation.

Procedures for Requesting Psychiatric and Psychological Services.

If this is a request for an, examination by a psychiatrist or psychologist, state specifically the purpose of the examination. If the examination is ordered pursuant to a statute, cite the statute (U.S. Code, title and section).

The payment procedures for psychiatric and psychological examinations are outlined below. For further information, refer to paragraph 3.11 of the *CJA Guidelines*.

1. If this is a court-ordered examination to determine, exclusively, the mental condition as set forth in 18 U.S.C. §§ 4241-4246, DO NOT USE THIS FORM, regardless of who requested the examination. Examinations conducted pursuant to these statutes are considered "non-defense" purpose examinations. The costs are paid by the Department of Justice, and claims for these examinations should be submitted to the U.S. Attorney.
2. If this is an examination exclusively for a "defense" purpose (where the person represented selects the expert and controls disclosure of the report), USE THIS FORM. The court order executed in Item 15 is sufficient for this purpose.
3. If this is a dual purpose examination for a "non-defense" and a "defense" purpose, USE THIS FORM. For the convenience of the expert, the Administrative Office will pay the expert the total amount approved and obtain reimbursement from the Department of Justice for one-half of the total amount approved. In order for the

Administrative Office to obtain this reimbursement, a separate court order authorizing the examination must be attached to the voucher when it is submitted for payment. This order should indicate (1) who requested the examination, (2) the specific purpose(s) of the examination, (3) to whom the report of the examination is directed, and (4) to whom copies of the report are to be given. This separate order is in addition to the court order at Item 15, which also must be signed and dated by the presiding judicial officer.

4. If this is a dual purpose examination for two "non-defense" purposes (e.g., evaluation of competency to stand trial under 18 U.S.C. § 4241 and evaluation of sanity at the time of the offense under 18 U.S.C. § 4242), DO NOT USE THIS FORM. Submit the entire claim to the U. S. Attorney for payment.

Item 14. TYPE OF SERVICE PROVIDER: Check the box which identifies the type of service provider requested. If you check the box "Other," be sure to specify the type of service or service provider. If computer assisted legal research (CALR) is checked, refer to paragraph 3.15 of the *CJA Guidelines* for an explanation of the criteria and procedures for approval of CALR as a necessary service under the CJA.

Item 15. COURT ORDER: This court order must be signed and dated by the presiding judicial officer. An additional court order is not necessary except for certain psychiatric and psychological examinations as explained in the instructions for Item 13, or to authorize payment for services exceeding \$300 when prior authorization was not obtained (see Item 23). Indicate whether full or partial repayment of the cost for these services was ordered by the court from the person represented by checking "Yes" or "No".

Item 16. CLAIM FOR SERVICES AND EXPENSES:

COMPENSATION (16a): Enter the total amount claimed for professional services rendered. On an attachment to the voucher, describe in detail the services provided, including dates of service and the amount of time spent (in hours and tenths of hours). State the basis for the fee claimed (e.g., hourly rate, daily rate, fixed fee).

TRAVEL EXPENSES (16b): Travel related expenses that are incidental to the representation (e.g., transportation, lodging, meals, car rental, parking, bridge, road, and tunnel tolls, etc.) must be itemized on a separate sheet, indicating dates the expense was incurred. Attach supporting documentation (receipts, canceled checks, etc.) for all travel expenses. Travel expenses by privately owned automobile, motorcycle, or aircraft should be claimed at the rate in effect for federal employees at the time of travel. For overnight travel, reasonable expenses for lodging and meals will be reimbursed on an actual expense basis; per diem is not allowed. Service providers are limited to the travel and subsistence expenses of federal employees. The clerk of court can advise you of applicable rates and federal government travel regulations.

OTHER EXPENSES (Item 16c): Itemize all reimbursable out-of-pocket expenses incidental to the services provided. Provide dates and a brief description of the expense. Submit supporting documentation (receipts, canceled checks, paid invoice, etc.) for single item expenses of \$50 or more. Do not include general office overhead (e.g., rent,

telephone services, secretarial services) as reimbursable expenses. The columns provided "**FOR COURT USE ONLY**" will reflect any mathematical or technical adjustments to the claim during judicial approval or required additional review of the chief judge of the court of appeals (or delegate).

- Item 17. PAYEE'S NAME AND MAILING ADDRESS, TAXPAYER IDENTIFICATION NUMBER (TIN), CLAIMANT'S CERTIFICATION AND CLAIM STATUS:** Provide the complete name and address of the payee (claimant). The claimant must certify dates covered in the claim for payment by indicating the date range for services rendered. Check the box to indicate the status of the claim as: (1) final payment for the services, (2) an interim payment, or (3) a supplemental payment (an additional claim submitted after the final payment). If this is an interim payment, indicate the interim payment number. The claimant or payee must sign and date the payment certification statement prior to submitting the claim to the attorney for certification that services were rendered and received. Provide the Taxpayer Identification Number (TIN) to report these earnings to the IRS.
- Item 18. CERTIFICATION OF ATTORNEY:** This section must be completed by the attorney appointed to provide representation, a retained attorney whose client is unable to afford the cost of service requested, or by a person proceeding *pro se* under the CJA.
- Items 19-22. APPROVED FOR PAYMENT:** The court will review, for reasonableness and compliance with the *CJA Guidelines*, every claim for compensation of services rendered and any claim for reimbursement of expenses incurred. The presiding judicial officer will indicate the amount approved for payment in each of the payment categories (Items 19-21). These amounts will reflect any mathematical or technical adjustments made to the claim.
- The "**TOTAL AMOUNT APPROVED/CERTIFIED**" (Item 22) is the amount approved for payment of the claim, less any amounts to be withheld in accordance with an interim payment order. Upon preliminary approval of a claim for more than the \$1,000 statutory threshold, not including expenses, the presiding judicial officer will (1) signify approval by circling the word "cert" (for word certified) and indicate the amount approved in Item 22, and (2) forward the claim to the chief judge of the court of appeals (or delegate) for additional review and approval of the excess amount.
- Item 23. SIGNATURE OF THE PRESIDING JUDICIAL OFFICER:** The presiding judicial officer must check the appropriate box to indicate (1) either the cost, excluding expenses, does not exceed \$300, or prior authorization was obtained, or (2) approval of cost, excluding expenses, exceeding \$300 when prior authorization was not obtained but in the interest of justice the court finds that timely procurement of these services could not await prior authorization. The presiding judicial officer must sign and date Item 23, indicating approval/certification of the amount indicated in Item 22. The court will provide the judge code.

If the amount approved for compensation, excluding expenses, is less than or equal to the \$1,000 statutory limitation, the claim will be forwarded for payment processing.

Items 24-27. APPROVED FOR PAYMENT: If the chief judge (or delegate) approves the excess compensation, the judge will indicate the amounts approved in each of the payment categories, Items 24-26, and the total amount approved for payment in Item 27.

Item 28. SIGNATURE OF CHIEF JUDGE, COURT OF APPEALS (OR DELEGATE): Before a claim is paid for the excess amount certified, the chief judge of the appeals court (or delegate) must sign and date Item 28, approving payment for compensation that exceeds the statutory threshold. If approval is not granted, compensation will be limited to the statutory maximum for the representation and expenses approved. The **JUDGE CODE** will be provided by court staff.

NOTICE TO CJA PANEL ATTORNEYS REGARDING AVAILABILITY OF INVESTIGATIVE, EXPERT AND OTHER SERVICES

All attorneys appointed to provide representation under the Criminal Justice Act, 18 U.S.C. § 3006A, may request, under subsection (e) of the Act, authorization to obtain investigative, expert and other services necessary for adequate representation, to be paid from funds appropriated for the administration of the Act.

In addition to investigators, psychiatrists, psychologists and reporters, services other than counsel may include, but are not necessarily limited, to interpreters, neurologists, and laboratory experts in the areas of ballistics, fingerprinting, handwriting, etc.

Requests for authority to obtain “subsection (e)” services should be made to the presiding judge or magistrate judge (see cautionary note below). In order to prevent the possibility that an open hearing concerning a request for subsection (e) services will cause a defendant to reveal his or her defense, these requests should be made by *ex parte* application. Guidelines promulgated by the United States Judicial Conference, *Guidelines for the Administration of the Criminal Justice Act*, Volume VII, *Guide to Judiciary Policies and Procedures (CJA Guidelines)*, provide that the applications shall be heard *in camera* and not be revealed without the consent of the defendant. The *Guidelines* further state that such applications shall be placed under seal until the final disposition of the case in the trial court, subject to final order of the court.

CAUTIONARY NOTE

There are, however, limitations that apply to the obtaining of these services. **PRIOR AUTHORIZATION SHOULD BE SECURED** from the presiding judicial officer for all subsection (e) services where the cost (exclusive of reimbursement for expenses) will exceed \$300. In addition to prior authorization, once the services have been provided, the claims for compensation must be approved by the presiding judicial officer. Failure to obtain prior authorization will result in the disallowance of any amount claimed for compensation in excess of \$300, unless the presiding judicial officer, in the interest of justice, finds that timely procurement of necessary services could not await prior authorization. Except in death penalty proceedings, claims for compensation in excess of \$1,000 (excluding reimbursement for expenses) may be paid only if the presiding judicial officer certifies that payment in excess of the amount is necessary to provide fair compensation for services of an unusual character or duration, and the amount of the excess payment is approved by the chief judge of the circuit (or the active circuit judge to whom the chief judge has delegated excess compensation approval authority). Payment for subsection (e) services should be claimed directly by the service provider on the CJA Form 21, “Authorization and Voucher for Expert and Other Services,” or, in death penalty proceedings, on the CJA Form 31, “Death Penalty Proceedings: *Ex Parte* Request for Authorization and Voucher for Expert and Other Services.”

Counsel should review both the Criminal Justice Act and the *CJA Guidelines*. A copy of the *CJA Guidelines* is located in the office of the Clerk of Court.

<p style="text-align: center;">CJA 24 Authorization and Voucher for Payment of Transcript</p>

CJA 24:

If you wish to seek authorization for preparation of a transcript, you may request a copy of a system-generated form from the appropriate case manager. If a case is appealed, the case manager will print a CJA 24 for mailing to counsel along with other material.

You will receive only a copy of the authorization form. You may make whatever other copies you need.

Fill in the form through Item 15. (Items 1-11 will be completed by the computer system if you request a form from a case manager.) Return one copy to the Clerk's Office; do not send it to the reporter.

After the form is reviewed/approved by a judicial officer, the Clerk's Office will give/send the approved authorization to the court or contract reporter for preparation of the transcript and completion of the Claims for Services portion.

Once the reporter has prepared the transcript, it will be sent to the attorney. The Clerk will certify, in Block 22, that the transcript has been received as the original is always filed with the court. The form will then be referred to a judicial officer for approval of payment.

Instructions:

Please review the instructions carefully. You will not be getting copies with each new request form so these will be your permanent reference.

INSTRUCTIONS
AUTHORIZATION AND VOUCHER FOR PAYMENT OF TRANSCRIPT
CJA FORM 24

Read these instructions carefully before completing the form. Accuracy and thoroughness will aid in prompt payment of the claim. If possible, use a typewriter to complete the form; otherwise, write legibly with a ballpoint pen (preferably black or dark blue ink). If the form is system generated, Items 1 through 11 will be preprinted on the form. If additional space is needed to complete an item, attach a continuation sheet to the form.

- Item 1.** **CIR./DIST./DIV.CODE:** This four-character court location code is the circuit or district, and divisional office codes of the court where authorization is given to procure the transcript.
- Item 2.** **PERSON REPRESENTED:** Give the full name of the person whom representation is being provided (i.e., the person whom transcript services are requested). Only one name should be entered in Item 2 "Person Represented."
- Items 3-6.** **DOCKET NUMBERS:** Provide the case file number or the miscellaneous number of the case for which representation is provided. Enter the number using the last two digits of the calendar year (YY), the sequential number assigned by the court (NNNNNN), and the defendant number (DDD) if applicable. Thus, the docket number format is YY-NNNNNN-DDD. Complete a separate voucher for each transcript requested. Prorate the total transcript cost among the cases when costs are shared or apportioned. Cross reference all related claims for which costs are prorated or apportioned.
- Item 7.** **IN CASE/MATTER OF (CASE NAME):** In criminal cases, enter U.S. vs *Defendant's Name*. If it is a multiple defendant case, give the case cite as provided on the information or indictment (e.g., *U.S. vs. Lead Defendant's Name, et al.*) If the person represented is not a defendant (e.g. material witness), enter the first named defendant in the court's recording of the case. If this is a civil case (e.g., habeas corpus), enter the *Name of the Petitioner vs. the Name of the Respondent* and include the respondent's title. If other than a criminal or civil case (i.e., miscellaneous matters), enter "*In the Matter of*" followed by *the Name of the Person Represented*.
- Item 8.** **PAYMENT CATEGORY:** Check the appropriate box that defines the statutory threshold for this representation type. If "Other" payment category is checked, specify the category within the scope of the Criminal Justice Act (CJA). See paragraph 2.22 B(2), of the *Guidelines for the Administration of the CJA and Related Statutes (CJA Guidelines)*, Volume VII, *Guide to Judiciary Policies and Procedures*.

Item 9. TYPE PERSON REPRESENTED: Check the box that categorizes the legal status of the person represented.

Item 10. REPRESENTATION TYPE: From the list below, select the code that describes the type of representation:

CC	A defendant charged in a criminal case with an offense(s) that is a felony, misdemeanor, or petty offense under the U.S. Code, or an assimilated crime under a state code
NT	A new trial either directed from the court of appeals on remand or as a result of a mistrial
MA	Motion attacking a sentence (28 U.S.C. § 2255)
MC	Motion to correct or reduce sentence (Fed. R. Crim. P. 35)
HC	Habeas Corpus, non-capital (28 U.S.C. § 2254)
BP	Bail Presentment
WI	Material Witness
WW	Witnesses (Grand Jury, a Court, the Congress, a Federal Agency, etc.)
PR	Probation Revocation
PA	Parole Revocation
SR	Supervised Release Hearing
EW	Extraordinary Writs (Prohibition, Mandamus)
CH	Mental Condition Hearings (see Chapter 313 of Title 18 U.S.C.)
PT	Pretrial Diversion
EX	Extradition Cases (Foreign) (under Chapter 209 of Title 18 U.S.C.)
OT	Other Types (e.g., line ups, consultations, prisoner transfer, etc.)
TD	Appeal of Trial Disposition
CA	Other Types of Appeals
AP	Appeal From Magistrate's Decision
CF	Civil Asset Forfeiture (18 U.S.C. § 983(bXI))
AF	Appeal of Civil Asset Forfeiture (18 U.S.C. § 983(bxl))
JU	Juror's Employment Rights (28 U.S.C. § 1875)
PL	Appeal of Parole Revocation (18 U.S.C. § 4106A)
HA	Appeal of Non-Capital Habeas representation (28 U.S.C. § 2254)

Item 11. OFFENSES) CHARGED: Cite the U. S. Code, title and section, of the offense or offenses for which the person represented is charged. If a death penalty case, cite the charge for which the death penalty is being sought. If a civil matter, such as a capital habeas representation or motion attacking sentence, cite *28 U.S.C. § 2254* or *28 U.S.C. § 2255*, respectively.

Item 12. PROCEEDINGS IN WHICH TRANSCRIPT IS TO BE USED: Describe briefly the nature of the proceeding or other purpose for which the transcript is required (e.g., motion hearing, trial preparation, trial, appeal).

Item 13. PROCEEDINGS TO BE TRANSCRIBED: Describe specifically the type of proceedings to be transcribed (e.g., preliminary hearing, arraignment, plea, sentencing, trial, motions, parole or probation proceedings, state court proceedings, deposition). For restrictions on trial transcripts, see Item 14.

Item 14. SPECIAL AUTHORIZATIONS (services other than ordinary transcript): The following services are permitted only if the judicial officer gives special authorization (initialed by the judicial officer where required on the form):

A. *Apportionment of Transcript Cost.* The Judicial Conference has stated that the total cost of accelerated transcript services should not be routinely apportioned among parties.

B. *Types of Transcripts:*

NOTE: ALL BUT ORDINARY TRANSCRIPT SERVICES, TO BE DELIVERED WITHIN 30 DAYS AFTER RECEIPT OF AN ORDER, REQUIRE SPECIAL PRIOR JUDICIAL AUTHORIZATION.

- (1) **Expedited** - to be delivered within 7 calendar days after receipt of an order.
- (2) **Daily** - to be delivered following adjournment and prior to the normal opening hour of the court on the following morning, whether or not it is an actual court day.
- (3) **Hourly** - ordered under unusual circumstances to be delivered within 2 hours.
- (4) **Realtime Unedited Transcript** - to be delivered electronically during the proceedings or immediately following adjournment.

C. *Trial Transcripts* - In the absence of special prior authorization, trial transcripts shall exclude the prosecution opening statement, the defense opening statement, the prosecution argument, the defense argument, the prosecution rebuttal, the voir dire and jury instructions.

D. *Multi-defendant Cases* - According to Judicial Conference policy, no more than one transcript should be purchased from the court reporter on behalf of CJA defendants in multi-defendant cases. Arrangements should be made for duplication of enough transcript copies, at commercially competitive rates, for each CJA defendant for whom a transcript has been approved. The cost will be paid from CJA funds. This policy does not preclude the court reporter from providing copies at the commercially competitive rate. In addition, the court may grant an exception to this policy based upon a finding that application of the policy will unreasonably impede the delivery of accelerated transcripts to persons proceeding under the CJA. See paragraph 3.12C of the CJA Guidelines.

Item 15. ATTORNEY' S STATEMENT: The court-appointed counsel or the person proceeding pro se under the CJA must sign and date the *affirmation statement*, and print or type the signatory's name. Check the appropriate box to designate your status as a CJA panel attorney, a retained attorney whose client is unable to afford the cost of the transcript service, a person who qualifies for representation under the CJA but who has chosen to proceed pro se, or an attorney from a legal organization (bar association, legal aid agency, or community defender organization not receiving a periodic sustaining grant under the CJA).

Item 16. COURT ORDER: This order must be signed and dated by the presiding judicial officer, indicating eligibility under the CJA. An additional court order is not necessary to authorize procurement and payment for this service.

- Item 17. COURT REPORTER/TRANSCRIBER STATUS:** Check the appropriate box that indicates the reporter's status. Generally, this information will be provided by the court, the reporter, or the clerk.
- Item 18. PAYEE'S NAME, MAILING ADDRESS AND TELEPHONE NUMBER:** Print or type the full name and mailing address of the payee. Provide the payee's telephone number, including the area code.
- Item 19. SOCIAL SECURITY NUMBER OR EMPLOYER ID NUMBER OF PAYEE:** Provide your Social Security Number (SSN) or your Employer Identification Number (EIN) that you use to report earnings to the Internal Revenue Service (IRS).
- Item 20. TRANSCRIPT COSTS:** Cost per page for transcripts prepared by official court reporters, contract court reporters, and transcribers of taped proceedings may not exceed the rates in effect at the time of the authorization. Generally, persons proceeding under the CJA may receive only the original or a copy of the transcript. Two lines for transcript costs have been provided on the form to reflect that the page rate will vary depending upon whether the party received the original or a copy, and that certain portions may be provided at a higher rate for accelerated service. (If more lines are needed to reflect these factors, attach an additional sheet and record the information in the same format as on the form.) A page of transcript shall consist of 25 lines typed on 8 -1/2 x 11 inch paper, prepared for binding on the left side, with 1-3/4 inch margin on the left side and a 3/8 inch margin on the right side. Typing shall be 10 letters per inch. Provide the page numbers for each segment of the transcript.
- Note:** Claim reimbursement for only the following expenses: (1) Travel and subsistence of assistants who aid in preparation of daily or hourly transcript, if authorized in advance by the presiding judicial officer; and (2) Extraordinary delivery costs, such as courier services or express mail (regular postage is not reimbursable). Specify and attach receipts or other supporting documentation for expenses.
- Item 21. CLAIMANT'S CERTIFICATION:** Generally, the person providing the transcript services will sign this certification. However, if the transcript has been paid for, the attorney can request reimbursement for the cost on this form by signing the claimant's certification. In that event, the attorney also must be listed as the payee in Item 18, and the information required in Items 18 and 19 (SSN, payee's mailing address and telephone number) should relate to the attorney. If the 1099 should be sent to the attorney's Law Firm, indicate the TIN of the Law Firm or corporation and the Law Firm or corporate name in Item 19.
- Items 22. CERTIFICATION OF ATTORNEY OR CLERK.** The attorney's signature in Item 22 verifies that the transcript was received. Clerks of court may verify

receipt on behalf of persons proceeding *pro se*, and on behalf of all CJA parties in districts if the practice is authorized by local rule of the court.

Item 23. APPROVED FOR PAYMENT: After reviewing for reasonableness and compliance with the *CJA Guidelines*, the presiding judicial officer or Clerk of Court, if delegated this function by the court, must sign and date the voucher.

Item 24. AMOUNT APPROVED. The amount approved for payment.

<p style="text-align: center;">MOTIONS FOR CLAIMS IN EXCESS OF STATUTORY MAXIMUM</p>

If the amount of compensation claimed (compensation only, not expenses) exceeds the statutory maximum (see 18 § 3006A(d)(2) for the allowed maximums), a motion to exceed should accompany the voucher.

Remember that the maximum applies per case/per defendant, so if you replaced another CJA attorney, his/her claim must be added to your total as it relates to the maximum.

“Complicated or extended” for an excess payment by the court should not be confused with the court designating a “complex” track for a case for trial scheduling purposes per [LCrR 10.2](#).

See [Suggested Elements for a Motion for Compensation Claim in Excess of the Statutory Case Compensation Maximum](#) for suggested items for inclusion in the motion.

SUGGESTED ELEMENTS FOR A MOTION FOR COMPENSATION CLAIM IN EXCESS OF THE STATUTORY CASE COMPENSATION MAXIMUM

*Reminder: The statutory maximum amount applies to fees for in- and out-of-court time only, **not** the total of the voucher, which includes expenses.*

Paragraph 2.22 C. (2) of the *Guidelines for the Administration of the Criminal Justice Act (CJA Guidelines), Volume VII, Guide to Judiciary Policies and Procedures* provides:

In any case in which the total compensation claimed is in excess of the statutory case compensation maximum, counsel shall submit with the voucher a detailed memorandum supporting and justifying counsel's claim that the representation given was in an extended or complex case and that the excess payment is necessary to provide fair compensation.

Paragraph 2.22 B. (3) of the *CJA Guidelines* states that a case is **complex** if the "legal or factual issues . . . are unusual, thus requiring the expenditure of more time, skill and effort by the lawyer than would normally be required in an average case," and that a case is **extended** if "more time is reasonably required for total processing than the average case." Paragraph 2.22 B. (3) lists the following criteria as useful in determining **fair compensation** in extended or complex cases: responsibilities involved measured by the magnitude and importance of the case; manner in which duties were performed; knowledge, skill, efficiency, professionalism, and judgment required of and used by counsel; nature of counsel's practice and injury therto; any extraordinary pressure of time or other factors under which services were rendered; and any other circumstances relevant and material to a determination of a fair and reasonable fee.

▶▶▶ **In our court, in lieu of the "memorandum" referred to in the *CJA Guidelines*, a motion must be filed requesting approval of the excess amount and outlining the reasons why such excess amount is justified. See [LCrR 44.1\(c\)](#)**

To assist counsel in preparing such motion, the following topics are provided for consideration. Some of these issues may not apply to a particular case or may not be noteworthy for this motion. Counsel, of course, may address topics other than those listed below.

- ▶ Length of appointment to case; total number of in-court hours, specifying pretrial hearings, trial, sentencing hearings, and other; and total number of out-of-court hours.
- ▶ Offenses charged; number of counts charged; and other pending cases of defendant during the representation.
- ▶ Number of co-defendants.
- ▶ The sentencing guideline range found by the court and whether a mandatory minimum was found or at issue at sentencing.
- ▶ Discovery materials (nature and volume) and/or discovery practices.
- ▶ Motions, legal memoranda, jury instructions, and sentencing documents, or legal research not resulting in such, which were drafted originally for this case (do not include standardized motions, etc., unless content was modified significantly).
- ▶ Investigation and case preparation (e.g., number and accessibility of witnesses interviewed, record collection, document organization).
- ▶ Investigative, expert, or other services ([CJA 21 voucher](#)).
- ▶ The following client considerations: communication with client/family, language difference, accessibility of client, other.
- ▶ Any expense (see Item 17, 18 of the CJA 20 voucher) greater than \$500.
- ▶ Any other noteworthy circumstances regarding the case and the representation provided to support this compensation request. Include, if applicable: negotiations with the U.S. Attorney's office or law enforcement agency; complexity or novelty of legal issues and factual complexity; responsibilities involved measured by the magnitude and importance of the case; manner in which duties were performed, and the knowledge, skill, efficiency, professionalism, and judgment required of and used by counsel; nature of counsel's practice and hardship or injury resulting from the representation; any extraordinary pressure of time or other factors under which services were rendered.

CONTINUING REPRESENTATION AT THE CIRCUIT LEVEL

Counsel should be aware of their continuing obligations of the [Local Rules](#) of the Court of Appeals.

While the district court representation, for voucher purposes, ends with the case's disposition in the district court, the First Circuit's Local Rule 12(b) provides that an attorney who has represented a defendant in a criminal case in the district court will be responsible for representing the defendant on appeal until the attorney is relieved of such duty by the Circuit. Detailed procedures for withdrawal in criminal cases are found in First Circuit Local Rule 46.6.

September 20, 2001

NOTICE RE PUBLIC DISCLOSURE OF CJA ATTORNEY PAYMENT INFORMATION

[CJA Form 19](#) outlines a rather complicated system for filing of “redacted” and “unredacted” copies of vouchers. In 1998, when this information was first introduced, the court contacted the Defender Services Division to get clarification. We are satisfied that their interpretation of “detailed” information is most usually the supporting material/worksheets that counsel submit with their vouchers, so that is the policy this court will follow.¹ We have never filed the supporting material in the case file; it is retained with financial records and not available to the public.

You are herewith cautioned, therefore, that only the information requested on the face of the voucher should be furnished. Details to support those entries should be on an attached worksheet.

It is **COUNSEL’S RESPONSIBILITY** to be sure unnecessary entries which may furnish “detailed information” are not on the voucher. Failure to do so could result in the public availability of such information.

If you have any questions about what is “too much” detail, you may contact Janice Boucher (225-1533) or Brenda Comire (226-7733).

¹Pertinent excerpt from AO memo dated 6/30/98:

Also, the disclosure law applies only to the voucher form and *not* to any supporting information attached to the voucher. Therefore, the supporting information and any attachments to the voucher *do not* have to be made available to the public, *even when unredacted copies of the voucher forms are released.*

**NOTICE TO COURT-APPOINTED COUNSEL
OF PUBLIC DISCLOSURE OF ATTORNEY FEE INFORMATION**

The Criminal Justice Act (CJA), 18 U.S.C. § 3006A, was amended in 1998 to require that the amounts paid to court-appointed attorneys be made publicly available upon the court's approval of the payments. Although the amended paragraph of the statute, § 3006A(d)(4), expired after two years and thus only applies to cases commenced between January 25, 1998, and January 24, 2000, the corresponding guideline (paragraph 5.01 of the Guidelines for the Administration of the Criminal Justice Act and Related Statutes, Volume VII, *Guide to Judiciary Policies and Procedures*) continues as a matter of Judicial Conference policy. The court may disclose an unredacted copy of a payment voucher submitted by defense counsel, or a redacted copy of a voucher indicating only the amounts approved for payment according to categories of services listed in the statute. The extent of disclosure depends on whether the case is pending and on whether the court determines that certain interests listed below in part B.1) require the redaction of detailed information on the voucher. Upon court approval of a voucher claim, payment information will be made available as follows:

A. BEFORE OR DURING THE TRIAL: After redacting any detailed information provided to justify the expenses, the court shall make available to the public **only the amounts approved for payment**. Upon the completion of trial, unredacted copies of the vouchers may be released, depending on whether an appeal is being pursued and whether the court determines that one or more of the interests listed in part 13.1 require the redaction of information.

B. AFTER THE TRIAL IS COMPLETED: The court shall make available to the public either redacted or unredacted vouchers as follows:

1. If trial court proceedings have been completed and appellate review is not being pursued or has concluded at the time payment is approved: The court shall make an unredacted copy of the payment voucher available to the public unless it determines that one or more of the interests listed below justify limiting disclosure to the amounts approved for payment in the manner described in part A. The interests that may require limiting disclosure include:

- (1) the protection of any person's 5th Amendment right against self-incrimination;
- (2) the protection of the defendant's 6th Amendment right to effective assistance of counsel;
- (3) the defendant's attorney-client privilege;
- (4) the work product privilege of the defendant's counsel;
- (5) the safety of any person; and
- (6) any other interest that justice may require (with the exception that for death penalty cases where the underlying alleged criminal conduct took place on or after April 19, 1995, the amount of the fees shall not be considered a reason justifying any limited disclosure).

2. If appellate review is being pursued at the time payment is approved: The court shall make available to the public only the amounts approved for payment in the manner described in part A **unless** it finds that **none** of the interests listed above in part B.1 will be compromised.

C. AFTER THE APPEAL IS COMPLETED: The court shall make an unredacted copy of the payment voucher available to the public unless it determines that one or more of the interests listed in B.1 justify limiting disclosure to the amounts approved for payment in the manner described in part A.

If counsel believes that any of the interests listed above in part B.1 justify limiting disclosure to the amounts approved for payment, counsel should submit to the court a written request, identifying the interests at risk and the arguments in support of providing protection, AT OR BEFORE THE TIME A CLAIM FOR PAYMENT IS MADE. Failure to do so could result in the public availability of unredacted copies of your vouchers without further notice.

This constitutes notice under CJA Guideline 5.01. You may NOT receive additional notice before any payment information is made available to the public.

PUBLIC ACCESS SYSTEMS

Public Access to Court Electronic Records (PACER)

The court's docket may be accessed through PACER on the court's web site (www.nhd.uscourts.gov).

You must first obtain a login/password from the PACER Service Center. Call 1-800-676-6856 or register at <http://pacer.psc.uscourts.gov/register.html>.

Exemption: There is a \$.07 per page access fee for PACER, but CJA Panel members who use PACER in connection with their CJA appointments can obtain an exempt login and password from the Service Center. When such login is used, fees are waived. You must fax (210-301-6441) or mail (Pacer Service Center, Pacer Registration, PO Box 780549, San Antonio, TX 78278-0549) evidence of membership on the panel. A copy of your letter approving your membership will be acceptable.

Opinions

Most opinions are available through the court's web page www.nhd.uscourts.gov

There is no access charge.

Web Site

We hope to offer items of special interest to CJA Panel Members. [Please let us know](#) what you might find useful.

All panel members must sign up for the e-mail notice service under the [Subscribe](#) option. The court will send notices of training, changes in procedure, etc., through this service.

PARALEGAL SERVICES

Effective with vouchers submitted on or after February 1, 2000, paralegal services may be claimed on either the [CJA 20](#), Appointment of and Authority to Pay Court-Appointed Counsel (under "Other Expenses"), or submitted separately on a [CJA Form 21](#), Authorization and Voucher of Expert and Other Services.

In either event, the amount claimed should not exceed the actual cost to the attorney (i.e., hourly salary and reasonable, reimbursable, nonoverhead expenses) and the rate of compensation should not exceed the applicable CJA rate for the attorney's compensation.

If on a CJA 20, Appointment of and Authority to Pay Court-Appointed Counsel

Any time spent by a paralegal should be included in "Other Expenses," Box 18 on the [CJA 20](#), and identified as such on the worksheet.

As with other expenses, supporting detail must be furnished on the USDCNH-56A, Expense Worksheet CJA. If the amount exceeds \$50, you should attach the invoice for services (if an outside paralegal is used) or a copy of an internal time billing statement (if the paralegal is on your staff).

If on a CJA 21, Authorization and Voucher for Expert and Other Services

You'll notice that the Form 21 includes a box for paralegal services.

As with other "expert" services, no prior authorization is necessary if the total compensation claimed will be less than \$300.

If the paralegal is on your staff and your firm will be reimbursed directly, your firm will be the service provider and the proceeds will be applied to the TIN of the firm.

Computer Hardware and Software

Counsel may apply for use of CJA funds to acquire computer hardware or software costing more than \$300, or to obtain computer systems and automation litigation support personnel and experts whose services are expected to have a combined cost exceeding \$10,000.

Contact the Clerk's Office for further information.

Reference: Guidelines, Chapter III, § 3.16, Other Services and Computer Hardware and Software, as revised 8/1/01.

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

Date: February 14, 2001
To: CJA PANEL MEMBERS
From: James R. Starr, Clerk
In re: Sealed Documents

In talking with Bjorn, he suggests that you review carefully amended [LR 83.11](#). Sealed Documents. The rule, revised 1/1/01, outlines the procedures for requesting sealed status.

Our sealed procedures now presume that information is public unless it falls under one of the exceptions in [83.11\(a\)](#).

Of particular note:

Psychiatric/psychological/medical reports: No statutory authority was found for automatic sealing; sealing must be done by court order. As these reports come directly from the doctor/facility, counsel should include in the motion requesting the examination a request to seal the report when it is filed.

CJA 20, Attorney Voucher: 18 USC § 3006A(d)(4) says the voucher shall be made public upon payment after reasonable notice to counsel to allow for redaction. Our paid vouchers are filed upon approval. Notice was mailed to all panel members when the provision went into effect and has since been contained in the [CJA Reference Material](#) sent to all panel members.

CJA 21, Services Other than Counsel. There is statutory authority to seal these documents (18 USC §3006A(e)(1) and (4)) so they fall within the exception in [LR 83.11\(a\)\(1\)](#).

Ex Parte Motions: Be advised that ex parte motions, except those pertaining to requests for expert services, are not sealed unless sealing is requested.

<p style="text-align: center;">COMPUTER-ASSISTED LEGAL RESEARCH (2.31, Guide to Judiciary Policy and Procedure)</p>

The cost of use by appointed counsel of computer-assisted legal research equipment may be allowed as a reimbursable out-of-pocket expense provided that the total amount approved for computer-assisted legal research does not exceed the total amount of attorney compensation that reasonably would have been approved if counsel had performed the research manually. Whenever appointed counsel incurs charges for computer-assisted legal research, counsel should attach to the compensation voucher the following:

- 1) a brief statement setting forth the issue or issues that were the subject matter of the research; and
- 2) an estimate of the number of hours of attorney time that would have been required to do the research manually; and
- 3) a copy of the bill and receipt for the use of the equipment or an explanation of the precise basis for the charge (e.g., indicating the extent to which it was derived by proration of monthly charges, or by charges identifiable to the specific research).

Claims for compensation for such services should be submitted on the [CJA 20](#).¹

¹Counsel should also review the full set of instructions which accompany the counsel voucher ([CJA 20](#)) and expert voucher ([CJA 21](#)) as well as the [CJA Checklist](#) to insure proper filing.

**COMMERCIAL COMPUTER-ASSISTED
LEGAL RESEARCH SERVICES**
(3.15, Guide to Judiciary Policy and Procedures)

The court may authorize counsel to obtain computer-assisted legal research services where the research is performed by employees of a commercial legal research firm or organization rather than by appointed counsel provided that the total amount charged for computer-assisted legal research services does not exceed the total amount of attorney compensation that would reasonably be approved if the appointed counsel had performed the research manually. Requests by counsel for authority to obtain such computer-assisted legal research services should include the following:

- 1) a brief explanation of the need for the research services; and
- 2) an estimate of the number of hours of attorney time that would be required to do the research manually.

Claims for compensation for such services should be submitted on the [CJA 21](#).

Clothing for Indigent Prisoners

Expenses for items of a personal nature for the client are ***not reimbursable*** expenses. Court-appointed counsel should not buy any such items for a defendant and then claim reimbursement on the counsel voucher ([CJA 20](#)).

Appropriate court attire is typically provided by the family of a defendant. However, if a prisoner is indigent and the family is unable to assist in this area, the U.S. Marshal will provide clothing for a defendant for trial based on their available resources.

Counsel should contact the Marshals Office at 225-1632 well in advance of trial if assistance is required.

DEFENDANT AS WITNESS

If a defendant in a criminal case is going to appear as a witness against another defendant, **a separate counsel voucher** ([CJA 20](#)) must first be prepared by the court and court-appointed counsel specifically assigned that task. Fees and expenses should be tracked separately from the case in which the witness is the defendant. The statutory maximum for such appointment falls in the “All Others” category.

The clerk's office should immediately be advised if such a witness arrangement is made.

INTERIM PAYMENTS

If a ***financial hardship*** would result to counsel in an extended or complex case, interim payments may be requested. If granted by the presiding judge, this procedure must be approved by the Chief Judge of the First Circuit. You will receive an order from the District Court, once approval is received from the Circuit, explaining how to file interim vouchers.

Further, regulations require that we withhold one-third of in-court and one-third of out-of-court fees from **each** interim payment. When the FINAL voucher is submitted, these withholdings should be claimed.

FACT WITNESSES

See [LR 17.1](#) regarding request for and issuance of subpoenas.

Service

The United States Marshal (USM) serves subpoenas for defendants represented by CJA counsel. CJA funds are **not** available to pay for private process servers.

The USM should have at least 10 work days for service.

Counsel should attach to the subpoena an [OBD-2](#), Instructions for Fact Witnesses Subpoenaed on Behalf of Indigent Defendant, which gives the witness information on allowable expenses, etc.

Fact Witness Voucher

The CJA attorney should obtain from the Clerk's Office an OBD-3, Fact Witness Voucher, for each witness who testifies.

The voucher is prepared by the CJA attorney. Complete:

- the identifying information at the top of the form, including the witness's social security number
- Part I, Section A
- Part II, Sections C through F, except the "Amounts (Dollars)" column

The witness signs the voucher (Section G).

The CJA attorney should then present the voucher to the clerk or a deputy who will certify it and submit it to the USM for payment. Witnesses may **not** deliver the voucher to the USM. The check will be mailed to the witness unless arrangements for immediate payment have been made in advance.

For further information on witnesses, fees, etc., please contact the New Hampshire U.S. Marshals Service at (603) 225-1632.

INSTRUCTIONS FOR FACT WITNESSES SUBPOENAED ON BEHALF OF INDIGENT DEFENDANT

Read the information contained on this form before your court appearance. Please call the U.S. Marshals Service at 603-225-1632 for information regarding travel arrangements and specific entitlements or if you have a medical condition or family situation that requires special consideration.

Verify Your Attendance

On the last business day **before** travel to court, call the defendant's attorney to verify that your attendance is required. This may prevent a wasted trip in the event the trial date is changed.

Appearance in Another City

If you are required to travel from another city to appear in court, immediately contact the U.S. Marshals Service to request instructions.

Reimbursement of Expenses & Attendance Fees

Attendance: You will be paid an attendance fee per day, including travel days.

Transportation: Call the U.S. Marshals Service to obtain information on transportation. Reimbursement will be made for travel by the least expensive method reasonably available to you. The following rules apply to transportation expenses:

Privately Owned Vehicles (POV): You will be reimbursed for travel expenses. In addition to the mileage allowance, necessary tolls, parking and other fees may be reimbursed. You must keep a record of your odometer readings if you travel by motorcycle or automobile. If two or more witnesses travel in the same vehicle, only one reimbursement for mileage can be made. **If POV expenses, including mileage, tolls, parking and other associated costs, are greater than the government airfare, you will be responsible for the difference.**

Common Carrier: If you are located outside the local court area, call the U.S. Marshals Service. Train, bus or airfare will be reimbursed at the Government rate. Reimbursement WILL NOT be made for First Class accommodations, "Frequent Flyer" tickets, or charter service. DO NOT purchase non-refundable tickets. If your appearance date changes or is canceled, you WILL NOT be reimbursed for non-refundable tickets. If you have any questions concerning transportation arrangements, please contact the U.S. Marshals Service.

Meals: If it is necessary for you to remain away from home overnight, you will receive a daily meal allowance.

Lodging: If it is necessary for you to remain away from home overnight, you will be reimbursed for the ACTUAL COST of your hotel/motel room, which may not exceed Government per diem rates. The U.S. Marshal can advise you regarding the maximum rate per night, including tax.

You Must Retain Receipts

All claims for parking must be supported by a receipt. Other expenses equal to \$25 or more must be supported by a receipt, with the exception of meals and mileage.

Dismissal

When you are advised that your attendance is no longer required, you should request information regarding the payment of the fees and allowances outlined above. The defendant's attorney will provide you with a Fact Witness Voucher on which you will be required to list your expenses. Return the completed voucher to the defendant's attorney who will present it to the clerk or a deputy clerk for certification. The form will then be processed by the U.S. Marshals Service, and the payment will be mailed to you. If you require funds to return home, you must bring this fact to the attention of the defendant's attorney who will notify the U.S. Marshals Service.