PANEL ATTORNEY FACT SHEET: U.S. District **COURT** Middle of PA

Information Regarding the Completion of Vouchers Submitted under the Criminal Justice Act - CJA Forms 20 and 30
August 2008

This document complements and supplements the instructions to the vouchers to address lessons learned from an audit of CJA panel attorneys and interpreters. The judiciary is reviewing the applicable CJA forms and instructions for possible revisions.

CJA FORMS AND INSTRUCTIONS (available at http://www.uscourts.gov/forms/uscforms.cfm)

- **CJA Form 20** (http://www.uscourts.gov/forms/CJA/CJA20.pdf) – Appointment and Authority to Pay Court-Appointed Counsel, and corresponding **CJA Form 20 instructions** (http://www.uscourts.gov/forms/cja20.html).

- **CJA Form 30** (http://www.uscourts.gov/forms/CJA/CJA30.pdf) – Death Penalty Proceedings: Appointment of and Authority to Pay Court-Appointed Counsel, and corresponding **CJA Form 30 instructions** (http://www.uscourts.gov/forms/cja30.html)

To receive payment, CJA Form 20 or 30 must be completed properly. Please read the instructions to the forms carefully when submitting a voucher.

Attorneys must maintain contemporaneous time and attendance records for all work performed as well as expense records. Such records, which may be subject to audit, must be retained for three years after approval of the panel attorney's final voucher for a case. **Any overpayments are subject to collection, including deduction of amounts due from future vouchers.**

PANEL ATTORNEY PAYMENT VOUCHER GUIDANCE

- Panel attorneys should review their vouchers to ensure that they do not contain errors, duplicate payment claims, or other improper charges. Attorneys should also review their billing practices to ensure that claims are appropriate.

- A panel attorney may not submit duplicate bills for time spent in common on more than one CJA representation. For example, if an attorney is traveling to provide services for more than one person under the CJA, he or she may not bill the entire travel time and expenses on each payment claim. (When claims are prorated among vouchers, the supporting materials must cross reference the cases. See paragraph 2.24 of the Guidelines for the Administration of the Criminal Justice Act and Related Statutes, Volume 7, *Guide to Judiciary Policies and Procedures* (http://www.uscourts.gov/defenderservices/Section_A.cfm), and the instructions for items 3-6 of CJA Forms 20 and 30 regarding when the proration of time is required.)

- With respect to mileage expenses, the number of miles and the origination and destination of the travel must be submitted as part of the supporting documentation (see instruction 17 to CJA Form 20 and instruction 16 to CJA Form 30 for other information and documentation that is required for travel expenses).

REFERENCE MATERIALS

For additional information regarding payment for attorney fees and expenses, please see the Guidelines for the Administration of the Criminal Justice Act and Related Statutes (CJA Guidelines), Volume 7, *Guide to Judiciary Policies and Procedures*, which is available at http://www.uscourts.gov/defenderservices/ Section_A.cfm.

- Chapter 2 – Appointment and Payment of Counsel
- Chapter 6 – Representation in Federal Death Penalty Cases and in Federal Capital Habeas Corpus Proceedings