

APPENDIX

CJA VOUCHER BEST PRACTICES

I. Introduction

Providing fair compensation to appointed counsel is a critical component of the administration of justice and a shared responsibility for both the court and counsel. Consistent with the guidelines and procedures established in this field, CJA panel attorneys should be promptly compensated for time expended in court and time reasonably expended out of court and reimbursed for expenses reasonably incurred. Past experience indicates that the vast majority of disallowed expenses for CJA counsel relate to a variety of technical audit issues which can be easily avoided by counsel through adherence to a few best practices. As an aid to counsel in performing the process of vouchering for services provided in appointed cases, enclosed please find a list of Best Practices in this field:

First, remember that CJA funds reimburse counsel for their work as counsel. Therefore, counsel should refrain from submitting vouchers which bill for secretarial tasks like copying, faxing, and mailing.

Second, many disallowed claims can be avoided by careful proofreading of the proposed voucher to avoid common typographical errors such as duplicate entries or entries which contain typographical errors, i.e., billing 15 hours for the meeting which lasted 1.5 hours.

Third, make sure that your voucher entries are consistent with the facts of the particular case and the court record. For example, counsel should refrain from vouchering for review of co-defendant documents in single defendant cases and should make sure that number of in-court hours billed are consistent with the court hours reflected on the docket.

Fourth, when billing tasks which individually take less than six minutes, such as reading an email, do not bill .1 (6 minutes) for each task. Instead, aggregate these tasks for billing purposes.

Fifth, counsel should be mindful of how Electronic Case Filing (ECF) effects CJA voucher billing. For example, because it is a clerical function, counsel should not charge for downloading, reviewing, renaming, saving, printing, or forwarding a Notice of Electronic Filing unless the notice is a text-only entry unaccompanied by an Electronic Court Filing (“ECF”) document. Counsel may bill for reading substantive ECF documents but should aggregate time spent during the day and ensure that double billing of time does not occur. Likewise, counsel should not bill for service of documents which are automatically served through ECF.

Sixth, counsel should be aware of, and follow, *per diem* rules when vouchering. For example, ensure that: (1) you do not exceed allowable per diem limits; (2) you do not bill for non-approved items; (3) you do not bill for meals when no overnight travel is involved; (4) in budgeted cases you do not bill the full hourly rate for air travel, since only ½ the hourly rate is permitted; and (4) when meals are included in per diem you do not voucher for alcoholic beverages or tips exceeding 20%.

Seventh, counsel should refrain from submitting vouchers seeking reimbursement for non-case related personal expenses for a defendant such as haircuts, acquiring attire for court, or locating personal items.

Eighth, counsel may not seek reimbursement for time associated with responding to media inquiries.

Ninth, counsel should attach all required receipts to the voucher.

Tenth, counsel should not bill the time spent preparing a voucher for submission.

Counsel with CJA vouchering questions are encouraged to contact Holly Snell at the clerk’s office at (570) 207-5614.