

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF
CALIFORNIA**



CJA PANEL BILLING INFORMATION

July 2009

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Information for Attorneys on the CJA Panel

- CJA funds are appropriated by Congress and distributed by the AO (Administrative Office of the U.S. Courts) each fiscal year. All attorneys and experts (investigators, interpreters, paralegals, etc.) are paid from these funds.
- CJA Attorneys are appointed to represent defendants by the Court. The Court Room Deputy Clerk notifies the attorney of their appointment.
- All completed CJA vouchers are reviewed by CJA Financial Deputies and then submitted to the presiding judge for approval. The actual check is mailed from the U.S. Courts Administrative Office in Washington, D.C.
- A CJA voucher is normally received, reviewed, approved and paid within 60 days. (Most vouchers are paid in much less time.)
- The Southern District of California processes over 1,000 CJA vouchers every month.

The following information is provided to assist attorneys and service providers with CJA Voucher Processing

- Voucher preparation begins with maintaining an accurate time log of all hours worked for a CJA case.
- All CJA 20/30 vouchers must be submitted with an itemization of services provided and be divided between in court and out of court. In-court hours are hours counsel spent before a judicial officer, whether in court or chambers representing his/her client. Out of Court hours are all other hours spent working on a case.
- All CJA 21/31 vouchers must be submitted with an itemization of services provided . They must include date of service, what service was provided, and how much time was spent providing that service.
- All CJA 24 vouchers must be signed by the correct presiding judge. If the wrong judge signs the voucher, a delay may occur.
- Accurate records for copies, mileage, postage and other approved expenses are required.

- Receipts and supporting documents are required for any expense of \$50 or more.
- All vouchers exceeding the statutory maximums must have prior approval of the court or be accompanied by a letter of explanation.
- Electronic access to the electronic docket and documents filed in the ECF system is available by registering for a PACER account. No PACER fees are charged to attorneys providing services authorized by the Criminal Justice Act, 18 U.S.C. § 3006A. You may register for a PACER account at <http://pacer.psc.uscourts.gov>.
- When traveling under CJA authorization, you are subject to the same limitations and regulations as a Judiciary employee. Actual expenses while on CJA travel will be reimbursed only up to the allowable GSA per diem rate. For information on per diem rates please visit the GSA website at www.gsa.gov.
- Transcripts requested by counsel for representation of his/her client should be billed on a CJA 24, not as an expense on the CJA 20/30 voucher.
- Any compensation exceeding the statutory maximums, exclusive of reimbursement for reasonable expenses, is approved by the court and the Ninth Circuit Court of Appeals.
- Each attorney is responsible for ensuring the completeness and accuracy of their vouchers and the vouchers of the service providers they certify. The voucher must be submitted to the Clerk's Office within 90 days of sentencing or dismissal of the case (G.O. 494-A)
- Before submitting your voucher please be sure it is filled out correctly and in its entirety by double checking your math, including all backup documentation and receipts.
- Be sure to include any required orders, motions or letters as required by the statutory time and dollar amount thresholds.

MOST FREQUENT VOUCHER PREPARATION ERRORS

These mistakes may result in the return of a voucher, delay in payment and a slow down of processing time for all vouchers.

- Vouchers submitted 90 days after sentencing or dismissal without a letter of explanation.
- Overlapping dates with prior vouchers submitted on same case.
- Photocopied or missing signatures.
- Form not properly filled out.
- Use of whiteout on any portion of the form.
- Forms and/or backup documentation not legible.
- Voucher exceeds the statutory limit without an order or letter of explanation included.
- Math errors on backup documentation and/or voucher.
- Travel expenses includes mileage, parking, meals, lodging, etc. Other expenses include items such as copies, postage, etc.
- Voucher does not provide case number or incorrect case number provided.
- Mileage rate errors - Incorrect milage rate used or travel information not provided (travel to/from destinations and number of miles).
- Missing receipts for expenses over \$50.00.
- Mailing address on voucher differs from the address in our CJA payment system. Please notify CJA clerk of address changes and be sure to correct all vouchers before submitting them.
- Hourly rate incorrect.
- Submitting interim payments without prior approval from the presiding judge or supplemental payment without letter of explanation.

FAQ's

1. What is the current pay rate for CJA attorneys?

The current and past CJA hourly rates are listed on the CJA Fact Sheet. The CJA Fact Sheet can be obtained online at www.casd.uscourts.gov under the 'Attorney Assistance' section or from the Financial department.

2. How do I submit claims if service overlaps two pay rate periods?

Please submit two separate vouchers, one for services performed before the rate change, and one for services performed on or after rate change (*example: rate change 05/20/07. If you worked on a case from 01/01/07 - 05/31/07, all work done from 01/01/07-05/19/07 on one voucher and all work done from 05/20/07-05/31/07 on a separate voucher.*)

3. Can I claim mileage? What is the current mileage rate?

Yes. The current and past CJA mileage rates are listed on the CJA Fact Sheet. The CJA Fact Sheet can be obtained online at www.casd.uscourts.gov under the 'Attorney Assistance' section or from the Financial department.

4. What are the current statutory limits for service providers and attorneys?

The current and past CJA statutory limits are listed on the CJA Fact Sheet. The CJA Fact Sheet can be obtained online at www.casd.uscourts.gov under the 'Attorney Assistance' section or from the Financial department.

5. What do I need if my voucher exceeds the statutory limits?

If your voucher exceeds the statutory limit you are required to submit a motion and court order authorizing your claim with your voucher. If an order was not approved prior to completing your services you may submit a letter of explanation describing the events that caused you to exceed the limit with your voucher. Should these items not be submitted with your voucher, it will be returned to you which will result in a delay of payment.

6. Can I bill for a law student or paralegal working at my firm?

Yes. You may hire law clerks or paralegals; however, prior approval is recommended to determine the compensation rate and number of hours approved. Without prior approval, the judge may decide that this type of service was not necessary for the representation and the voucher be declined for payment. Typical rates for paralegals or law clerks range from \$25-\$50 per hour.

7. My voucher and worksheets contain quarter hours (3.25, 6.75 etc). Is this a problem?

Yes. The CJA system does not allow for more than one decimal place. Your hours should be rounded to the nearest tenth of an hour (3.25 = 3.3 hours, 6.75 = 6.8 hours, etc.). Your backup documentation should also reflect only one decimal place.

8. My voucher is over 90 days old, can I still turn it in?

Yes. You may still submit vouchers that are over 90 days old, but they must be accompanied by a letter explaining the delay in turning it in. Vouchers over the 90 day limit without a letter will be returned to you, resulting in a delay of payment. Vouchers over one year old are not accepted per general order 494-A.

9. I need to travel outside the district, can I do it and how do I get paid?

You may travel outside the district, but prior authorization **MUST** be obtained in the form of an order signed by the district judge. **The order must include the dates of travel, where you are traveling to, the case for which you are traveling for and the appropriate defendant** (see Travel Appendix). Once approval is given by the district judge you are then authorized to contact Omega World Travel (866-450-0401) and the Financial Supervisor (619-557-7347) to make your travel arrangements. Once you are ready to submit your voucher for payment, the order obtained authorizing travel **MUST** be submitted with your voucher or your voucher will be returned resulting in a delay of payment.

10. How long does it take to process my voucher?

A voucher is typically paid in under 30 days unless it is submitted to the Ninth Circuit for approval which tends to add 4 - 6 weeks onto the processing time. Please do not contact the CJA clerk about the status of your voucher unless the voucher was submitted more than 60 days prior.

11. I have a very long case and need to be paid soon, what are my options?

If you have a complex and protracted case, you may request to submit interim bills to the court. All interim payments must have prior court approval and will not be accepted without an order approving interim payments. A copy of the signed order must be provided with the voucher. If not provided, the voucher will be returned to you.

12. I traveled in the district and handled work for multiple clients on the trip, how should I bill this?

There are two billing options for multiple representations. You may bill all travel to a single client and none to the other clients, or you may divide all travel hours and expenses between clients. An example of divided travel would be as follows: 01/01/07 to El Centro (3 clients) = $240\text{miles}/3 = 80$ miles per client. 4 hours travel time/ $3 = 1.3\text{hrs}$, 1.3hrs, & 1.4hrs and note on each voucher that the travel has been divided between multiple clients. Under no circumstances is it acceptable to bill a full trip multiple times. Multiple billings are tracked by the CJA Clerk and will be removed and reported to the judge presiding over each case with duplicate billings.

13. There is a different person answering at the CJA desk, do I have the wrong number?

No. The CJA desk phone number does not change, it is 619-557-5736. Duties in the Financial Department of the Clerk's Office are rotated among staff periodically but anyone at the CJA desk has been fully trained or has previously worked at the desk and can answer any questions.

TRAVEL APPENDIX

Traveling for CJA

- Travel within the district is permitted without prior authorization from the court. Only mileage and travel time are billable expenses for in-district travel. The current mileage rate is a national standard set by GSA and is intended to cover gas as well as wear and tear expenses. The current and past CJA mileage rates are listed on the CJA Fact Sheet. The CJA Fact Sheet can be obtained online at www.casd.uscourts.gov under the 'Attorney Assistance' section or from the Financial department.
- Travel outside the district that requires air travel, lodging or other extraordinary expenses MUST be approved by order of the court. Your order requesting travel must include the dates of travel, your destination, the defendant represented and the case number. Only after the court has authorized travel should you contact Omega World Travel and the Financial Supervisor to make the appropriate travel arrangements.
- When traveling under CJA authorization, you are subject to the same limitations and regulations as a judicial employee. CJA actual travel expenses will only be reimbursed up to the allowable GSA per diem rate. Current per diem rates may be found at www.gsa.gov for your reference.
- If you are unsure of what may or may not be reimbursed and what documentation you will need to include with your voucher to substantiate your expenses, please contact the CJA Clerk BEFORE you travel.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Defendant.

CASE NO. _____

ORDER AUTHORIZING
COUNSEL'S TRAVEL

GOOD CAUSE APPEARING, it is hereby authorized and ordered that counsel _____ may utilize Criminal Justice Act funds to travel at the government rate from _____ to _____ departing on _____ and returning on _____ for the purpose of _____.

Lodging, meals and incidental expenses up to the per diem rate as published by GSA are authorized during these dates.

IT IS SO ORDERED

Dated: _____

Hon. _____
United States District Judge

CJA FORM APPENDIX

REQUIRED INFORMATION TO PROCESS VOUCHER

The entire form must be completed; however, listed below is the information that is required for us to process a voucher. Should these items not be completed on your voucher, it will be returned which delays your payment and slows down the processing time for all vouchers.

For detailed voucher instructions, please visit ‘Guidelines for the Administration of the Criminal Justice Act and Related Statutes’ website at www.uscourts.gov/defenderservices.

CJA 20:

- BOX 2: Defendant’s name.
- BOX 3 & 4: Magistrate case number AND/OR criminal case number.
- BOX 7: Case name.
- BOX 8: Payment category.
- BOX 9: Type of person represented.
- BOX 10: Representation type.
- BOX 12: Attorney’s name and address (if you receive a voucher from the clerks office with the incorrect address, please correct and notify the CJA Clerk upon submission).
- BOX 15-18: Please double check math to prevent errors as they slow down processing time.
- BOX 19: Period of service according to your itemization of services provided.
- BOX 22: Claim status - Final, Interim or Supplemental. Interim vouchers require court order (copy must be attached to voucher). Supplemental vouchers require a letter of explanation.
Signature of attorney - signature must be the original. Copied, missing or someone signing on behalf of the attorney will result in the voucher being returned.

CJA 21

- BOX 2: Defendant’s name.
- BOX 3 & 4: Magistrate case number AND/OR criminal case number.
- BOX 7: Case name.
- BOX 8: Payment category.
- BOX 9: Type of person represented.
- BOX 10: Representation type.
- BOX 12: Attorney’s name, address, phone number and signature. Copied, missing or someone signing on behalf of the attorney will result in the voucher being returned.
- BOX 13: Description of services (date, service provided and amount of time). You can attach a separate itemization of services instead of filling in this box.
- BOX 14: Type of service provided.
- BOX 16: Please double check math to prevent errors as they slow down processing time.

- BOX 17: Service providers name, address, phone number and tax id number.
Period of service according to your itemization of services provided.
Claim status - Final, Interim or Supplemental. Interim vouchers require court order (copy must be attached to voucher). Supplemental vouchers require a letter of explanation.
Signature of Service Provider – signature must be the original. Copied, missing or someone signing on behalf of the service provider will result in the voucher being returned.
- BOX 18: Signature of attorney - signature must be the original. Copied, missing or someone signing on behalf of the attorney will result in the voucher being returned.

CJA 24

- BOX 2: Defendant's name.
- BOX 3 & 4: Magistrate case number AND/OR criminal case number.
- BOX 7: Case name.
- BOX 8: Payment category.
- BOX 9: Type of person represented.
- BOX 10: Representation type.
- BOX 12: Proceedings in which the transcript is to be used.
- BOX 13: Proceeding to be transcribed.
- BOX 15: Attorney's name, phone number and signature. Copied, missing or someone signing on behalf of the attorney will result in the voucher being returned.
- BOX 16: Signature of the presiding judge. Signature of incorrect judge will result in a delay in the voucher being processed.
- BOX 17: Court reporter or transcriber status.
- BOX 18: Description of services (date, service provided and amount of time). You can attach a separate itemization of services instead of filling in this box.
- BOX 14: Type of service provided.
- BOX 16: Service providers name, address and phone number.
- BOX 19: Social security or tax id number.
- BOX 20: Please double check math to prevent errors as they slow down processing time.
- BOX 21: Signature of Service Provider – signature must be the original. Copied, missing or someone signing on behalf of the service provider will result in the voucher being returned.
- BOX 22: Signature of attorney - signature must be the original. Copied, missing or someone signing on behalf of the attorney will result in the voucher being returned.

CJA 30

- BOX 2: Defendant's name.
- BOX 3 & 4: Magistrate case number AND/OR criminal case number.
- BOX 7: Case name.
- BOX 8: Payment category.
- BOX 9: Type of person represented.
- BOX 11: Attorney's name and address (if you receive a voucher from the clerks office with the incorrect address, please correct and notify the CJA Clerk upon submission).
- BOX 14: Stage of proceeding.
- BOX 15-17: Please double check math to prevent errors as they slow down processing time.
- BOX 18: Period of service according to your itemization of services provided.
- BOX 21: Claim status - Final, Interim or Supplemental. Interim vouchers require court order (copy must be attached to voucher). Supplemental vouchers require a letter of explanation.
Signature of attorney - signature must be the original. Copied, missing or someone signing on behalf of the attorney will result in the voucher being returned.

CJA 31

- BOX 2: Defendant's name.
- BOX 3 & 4: Magistrate case number AND/OR criminal case number.
- BOX 7: Case name.
- BOX 8: Payment category.
- BOX 9: Type of person represented.
- BOX 11: Attorney's name, address, phone number and signature. Copied, missing or someone signing on behalf of the attorney will result in the voucher being returned.
- BOX 12: Description of services (date, service provided and amount of time). You can attach a separate itemization of services instead of filling in this box.
- BOX 13: Type of service provided.
- BOX 15: Stage of Proceeding.
- BOX 16: Please double check math to prevent errors as they slow down processing time.
- BOX 17: Service providers name, address, phone number and tax id number.
Period of service according to your itemization of services provided.
Claim status - Final, Interim or Supplemental. Interim vouchers require court order (copy must be attached to voucher). Supplemental vouchers require a letter of explanation.
Signature of Service Provider – signature must be the original. Copied, missing or someone signing on behalf of the service provider will result in the voucher being returned.
- BOX 18: Signature of attorney - signature must be the original. Copied, missing or someone signing on behalf of the attorney will result in the voucher being returned.

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. TYPE PERSON REPRESENTED <input type="checkbox"/> Adult Defendant <input type="checkbox"/> Appellant <input type="checkbox"/> Other <input type="checkbox"/> Habeas Petitioner <input type="checkbox"/> Appellee
9. REPRESENTATION TYPE <input type="checkbox"/> D1 28 U.S.C. § 2254 Habeas (Capital) <input type="checkbox"/> D3 28 U.S.C. § 2255 (Capital) <input type="checkbox"/> D2 Federal Capital Prosecution <input type="checkbox"/> D4 Other (Specify) _____		
10. 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>		
11. ATTORNEY'S NAME (<i>First Name, M.I., Last Name, including any suffix</i>), AND MAILING ADDRESS Telephone Number: _____		12. 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 <input type="checkbox"/> Y Standby Counsel Prior Attorney's _____ Appointment Date: _____ (A) Because the above-named person represented has testified under oath or has otherwise 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 11, who has been determined to possess the specific qualifications by law, is appointed to represent the person in this case. (B) The attorney named in Item 11 is appointed to serve as: <input type="checkbox"/> LEAD COUNSEL <input type="checkbox"/> CO-COUNSEL Name of Co-Counsel _____ Appointment Date: _____ or Lead Counsel: _____ (C) If you represented the defendant or petitioner in any prior proceeding related to this matter, attach to your initial claim a listing of those proceedings and describe your role in each (e.g., lead in counsel or co-counsel). <input type="checkbox"/> (D) Due to the expected length of this case, and the anticipated hardship on counsel in undertaking representation full-time, for such a period without compensation, interim payments of compensation and expenses are approved pursuant to the attached order. _____ Signature of Presiding Judge or By Order of the Court _____ _____ Date of Order Nunc Pro Tunc Date (E) Repayment or partial repayment ordered from the person represented for this service at time of appointment. <input type="checkbox"/> YES <input type="checkbox"/> NO
13. NAME AND MAILING ADDRESS OF LAW FIRM (<i>Only provide per instructions</i>)		

CLAIM FOR SERVICES AND EXPENSES

14. STAGE OF PROCEEDING Check the box which corresponds to the stage of the proceeding during which the work claimed at Item 15 was performed even if the work is intended to be used in connection with a later stage of the proceeding. CHECK NO MORE THAN ONE BOX. Submit a separate voucher for each stage of the proceeding.

CAPITAL PROSECUTION	HABEAS CORPUS	OTHER PROCEEDING
a. <input type="checkbox"/> Pre-Trial	e. <input type="checkbox"/> Appeal	g. <input type="checkbox"/> Habeas Petition
b. <input type="checkbox"/> Trial	f. <input type="checkbox"/> Petition for the U.S. Supreme Court Writ of Certiorari	h. <input type="checkbox"/> Evidentiary Hearing
c. <input type="checkbox"/> Sentencing	i. <input type="checkbox"/> Dispositive Motions	U.S. Supreme Court Writ of Certiorari
d. <input type="checkbox"/> Other Post Trial	j. <input type="checkbox"/> Appeal	k. <input type="checkbox"/> Petition for the U.S. Supreme Court Writ of Certiorari
		l. <input type="checkbox"/> Stay of Execution
		m. <input type="checkbox"/> Appeal of Denial of Stay
		n. <input type="checkbox"/> Petition for Writ of Certiorari to the U.S. Supreme Court Regarding Denial of Stay
		o. <input type="checkbox"/> Other _____

HOURS AND COMPENSATION CLAIMED

FOR COURT USE ONLY

15. CATEGORIES (<i>Attach itemization of services with dates</i>)	HOURS CLAIMED	TOTAL AMOUNT CLAIMED	MATH/TECH. ADJUSTED HOURS	MATH/TECH. ADJUSTED AMOUNT	ADDITIONAL REVIEW
a. In-Court Hearings (RATE PER HOUR = \$ _____)				IN COURT TOTAL	IN COURT TOTAL
b. Interviews and Conferences with Client				Category a	Category a
c. Witness Interviews					
d. Consultation with Investigators & Experts					
e. Obtaining & Reviewing the Court Record					
f. Obtaining & Reviewing Documents and Evidence				OUT OF COURT TOTAL	OUT OF COURT TOTAL
g. Consulting with Expert Counsel				Categories b-j	Categories b-j
h. Legal Research and Writing					
i. Travel					
j. Other (<i>Specify on additional sheets</i>)					
TOTALS: Categories b thru j (RATE PER HOUR = _____)					

CLAIM FOR TRAVEL AND EXPENSES (*Attach itemization of expenses with dates*)

16. Travel Expenses (<i>lodging, parking, meals, mileage, etc.</i>)					
17. Other Expenses (<i>other than expert, transcripts, etc.</i>)					
GRAND TOTALS (CLAIMED AND ADJUSTED):					

18. CERTIFICATION OF ATTORNEY/PAYEE FOR THE PERIOD OF SERVICE FROM: _____ TO: _____	19. APPOINTMENT TERMINATION DATE IF OTHER THAN CASE COMPLETION	20. CASE DISPOSITION
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21. CLAIM STATUS Final Payment Interim Payment Number _____ Supplemental Payment

Have you previously applied to the court for compensation and/or reimbursement for this representation? YES NO If yes, were you paid? YES NO

Other than from the Court, have you, or to your knowledge has anyone else, received payment (*compensation or anything of value*) from any other source in connection with this representation? YES 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

22. IN COURT COMP.	23. OUT OF COURT COMP.	24. TRAVEL EXPENSES	25. OTHER EXPENSES	26. TOTAL AMT. APPROVED
27. SIGNATURE OF THE PRESIDING JUDGE			DATE	27a. JUDGE CODE

Contact Information

CJA Clerk 619-557-5736

Financial Supervisor:
Mickey Ochoa 619-557-7347

United States District Court
Southern District of California
Clerk's Office - Main Number 619-557-5600

Office of Defender Services
Duty Day Attorney 202-502-3030

Omega World Travel 866-450-0401

Guidelines for the Administration of
the Criminal Justice Act and Related
Statutes www.uscourts.gov/defenderservices