

INFORMATION PACKET FOR COURT-APPOINTED COUNSEL
UNDER THE CRIMINAL JUSTICE ACT
(Non-Capital Cases Only)

ALL CJA VOUCHERS MUST BE FIGURED IN TENTHS OF AN HOUR

1. Notice to court appointed counsel of public disclosure of attorney fee information (applicable to cases completed on or after January 25, 1998) See 18 U.S.C. §3006A
2. Instructions regarding allowable expenses and completion of the CJA20 voucher
3. Instructions for CJA form 20 voucher
4. Instructions for In Court Hourly Worksheet, Out of Court Hourly Worksheet, Other Expense Worksheet, and Worksheets for completion purposes and examples of each.
5. General Information for “Other Expenses” on the voucher
6. CJA-26, to be completed in support of any claim for excess compensation (replaces certification memorandum of counsel).

THE FOLLOWING ARE AVAILABLE UPON REQUEST:

- CJA21 - Form for payment of experts such as investigators, psychologists, and interpreters
- Procedures for handling Payment of Fact Witness Fees in criminal cases (fact witnesses called by CJA attorneys pursuant to court order).
- Form OBD-2 - Instructions for Fact Witnesses Appearing on Behalf of the United States Government (not applicable to federal employees), to be transmitted to witness with subpoena. NOTE: Form OBD-3 (Fact Witness Voucher) will be furnished to court-appointed counsel after court orders witnesses subpoenaed and “paid as though they are government witnesses.” Per Diem and hotel rates in each divisional office for transmittal to each witness with Form OBD-2 and Subpoena.

THE FOLLOWING ARE AVAILABLE ON THE INTERNET SITE (www.txed.uscourts.gov)

- Criminal Justice Act Plan for the Eastern District of Texas with amendment attached
- Speedy Trial Plan for the U. S. District Court, Eastern District of Texas

**INSTRUCTIONS REGARDING ALLOWABLE EXPENSES AND COMPLETION OF
CJA 20 PAYMENT VOUCHER**

The following information addresses questions most frequently asked by persons preparing expense vouchers.

*******ALL CJA FORMS MUST BE SUBMITTED FOR PAYMENT WITHIN 45 DAYS OF THE FINAL DISPOSITION OF THE CASE!*******

Submit completed vouchers to the clerk's office or courtroom deputy assigned to appointing judge.

USE THE CORRECT VOUCHER

- CJA 20 Counsel for defendant
- CJA 30 Counsel for petitioner/defendant in death penalty cases
- CJA 21 Experts and other services in criminal cases, such as investigators, doctors, etc.
- CJA 31 Experts and other services in Death Penalty cases
- CJA 24 Transcripts and copies of transcripts
- CJA 26 Excess Compensation Claims (must be completed if claim is in excess of statutory limit)

Hourly rates for attorneys in non capital criminal cases

Appointment date	In court hourly rate	Out of court hourly rate
prior to 1/01/2000	\$65	\$45
after 1/01/2000 and before 4/01/2001	\$70	\$50
after 4/01/2001 and before 5/01/2002	\$75	\$55
after 5/01/2002 and before 1/1/2006	\$90	\$90
1/1/2006 to 5/19/2007	\$92	\$92
5/20/2007 to 12/31/07	\$94	\$94

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1/1/2008 to 3/10/2009	\$100	\$100
3/11/09 to 12/31/2009	\$110	\$110
1/1/2010 to present	\$125	\$125

ALLOWABLE
EXPENSES (Not all

Copies
Fax
Westlaw/Lexis
Certified mail
Parking
Telephone calls (itemize by date, person
called and charges) Travel/meals
(out of pocket expenses) - Travel costs not to
exceed the per diem of Federal Employees Hotel
Room (government rate) plus \$38.00 for food
Copy Charges:

inclusive) EXPENSES
NOT ALLOWABLE (Not
all-inclusive)

Subscription to newspaper
General Office Overhead
Secretarial Services
Filing Fees
Printing of Briefs

Current fee is 15 cents per page. You must include number of pages; e.g. 3 pages @ .15
= .45

MILEAGE RATE:

1/13/00 to 1/21/01	.325/mile
1/22/01 to 1/20/02	.345/mile
1/21/02 to 1/01/03	.365/mile
1/02/03 to 1/04/04	.36/mile
1/05/04 to 2/04/05	.375/mile
2/05/05 to 8/31/05	.405/mile
9/01/05 to 12/31/05	.485/mile
1/01/06 to 1/31/07	.445/mile
2/01/07 to 3/18/07	.485/mile
3/19/07 to 7/31/08	.505/mile
8/01/08 to 12/31/09	.55/mile
1/01/10 to 12/31/2010	.50/mile
1/01/11 to 12/31/2011	.51/mile

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PERSONAL EXPENSES OF THE DEFENDANT

Personal expenses for the defendant (such as meals, lodging, clothing, transportation) are not reimbursable under CJA.

Note: See attached procedures for payment of fact witnesses called by CJA attorneys pursuant to court order.

Receipt Required:

For any item \$50.00 or more, a receipt and/or copy of canceled check must be provided.

If Westlaw/Lexis is used, provide copy of actual bill and brief statement of subject matter of the research.

If you have any questions or need forms, contact the courtroom deputy serving the court in your Divisional Office location.

Witness Subpoenas and Payment:

Witnesses for a defendant who has court-appointed counsel are paid by the Department of Justice (U.S. Marshal) on Form OBD-3 upon a court order designating that specifically named witnesses “be paid as though they are government witnesses”. **They cannot be paid from CJA funds.**

Service of subpoenas is handled by the U.S. Marshal.

Worksheets:

All services and expenses must be listed on worksheets as provided in this packet. Please check for mathematical errors before submitting your voucher for payment.

CJA-20 PAYMENT PROCEDURE:

1. Courtroom deputy will present original CJA-20 packet (initial voucher already signed by judge approving the appointment) to designated attorney, at hearing or by mail.
2. Upon disposition of case, court-appointed attorney will submit completed CJA-20 (and CJA-26, if applicable), with worksheets and any required receipts to U.S. District Clerk’s Office for auditing purposes.
3. Clerk’s Office will forward CJA 20 with worksheets to the judge for review and signature.

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4. If the amount claimed is not in excess of the statutory amount, the approved voucher will be forwarded to the Tyler Division office for payment. If the amount claimed exceeds the statutory maximum, the certified voucher, supported by CJA Form 26, which has been executed by counsel, with the certification of the assigned judge attached, will be forwarded to the Circuit Executive for the Fifth Circuit Court of Appeals, and when finally approved, will be returned to the Tyler Division office for payment.

PANEL ATTORNEY CASE COMPENSATION MAXIMUMS

Felonies	\$9,700 at trial court	\$6,900 at appeal
Misdemeanors	\$2,800 at trial court	\$6,900 at appeal
2241, 2254, or 2255 cases	\$9,700 at trial court	\$6,900 at appeal
most other non capital representations	\$2,100 at trial court	\$2,100 at appeal

Any vouchers that exceed those maximums must go to 5th Circuit for further approval. Be certain to prepare your CJA Form 26.

INFORMATION REGARDING INTERPRETERS

Attorneys may, when necessary, use interpreters to go with them to interview defendants.

Please be advised that when you use them, you must only incur charges with them consistent with our regulations. The amount payable to interpreters follows.

CERTIFIED INTERPRETERS

This means that they are certified with the Federal Government, Administrative Office of the United States Courts. The three languages for which Certification has been established are Haitian Creole, Navajo, and Spanish. If you are not sure whether someone is certified or not, you may call 903-590-1033 and ask for Peggy Thompson.

Full Day: \$388.00

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Half Day: \$210.00
Overtime: \$ 55.00 per hour if the interpreter spends more than 8 hours.

NON CERTIFIED INTERPRETERS

Full Day: \$187.00
Half Day: \$103.00
Overtime: \$ 32.00 per hour if the interpreter spends more than 8 hours.

If you have trouble locating an interpreter, you may call the number listed above.

You will need to request a **CJA21** for the case you are appointed, and complete that, attaching an invoice from the interpreter, so that we can pay the interpreter.

The court will take care of obtaining an interpreter for any court settings.