

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT
141 CHURCH STREET
NEW HAVEN, CONNECTICUT 06510
(203) 773-2140

ROBERTA D. TABORA
CLERK

DINAH MILTON KINNEY
CHIEF DEPUTY

**INSTRUCTIONS TO CJA PANEL ATTORNEYS
CJA 20 APPOINTMENT OF AND AUTHORITY TO PAY COURT APPOINTED COUNSEL
VOUCHER PREPARATION**

Updated 3/16/09

Read these instructions carefully before completing the form. Accuracy and thoroughness will aid in the prompt payment of the claim. Because the form is system generated, Items 1 through 12 and 14 will be preprinted for you. Attach an itemized statement of the services provided and expenses incurred. **YOU MUST USE THE COURT'S GENERATED WORKSHEETS FOR YOUR SUPPORTING DOCUMENTATION.** 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.

The following information will assist you in understanding how your CJA vouchers [CJA 20 Form "Appointment of and Authority to Pay Court Appointed Counsel"] are processed. Guidelines are also provided to help counsel avoid the areas where errors most frequently occur.

1. **DO NOT SEND VOUCHERS DIRECTLY TO CHAMBERS!** All vouchers should be sent to Clerk's Office, U. S. District Court, 450 Main Street, Hartford, CT 06103, Attention: CJA Audit Clerk.
2. **BEFORE COMPLETING YOUR VOUCHER, MAKE SEVERAL PHOTOCOPIES OF IT FOR USE IF YOU PLAN TO SUBMIT SUPPLEMENTAL PAYMENTS. YOU MAY USE A PHOTOCOPIED VOUCHER AS LONG AS IT CONTAINS YOUR ORIGINAL SIGNATURE!**
3. Hourly rates for compensation have changed several times in the last few years. A rate chart is available on the court's website or by calling the Clerk's Office. **IF YOU PERFORMED WORK WHICH SPANS MORE THAN ONE COMPENSATION RATE PERIOD, YOU MUST SUBMIT DIFFERENT CJA 20 VOUCHERS FOR EACH SET OF RATES. YOU MAY NOT SUBMIT ONE VOUCHER WITH THE RATES COMBINED.**

4. Your time must be claimed in tenths of hours. Please use the following chart as a guide:

0 - 5 minutes =	.1	31 - 36 minutes =	.6
6 - 12 minutes =	.2	37 - 42 minutes =	.7
13-18 minutes =	.3	43 - 48 minutes =	.8
19 - 24 minutes =	.4	49 - 54 minutes =	.9
25 - 30 minutes =	.5	55 - 60 minutes =	1.0

Do not submit claims for partial minutes (e.g., .25, .16, .35 etc.)

5. If the total claim for compensation exceeds the statutory maximum [\$8600.00, \$2400 or \$1800.00 depending on the type of representation], **YOU MUST SUPPLY A CJA 26 Supplemental Information Statement which complies with the Second Circuit's content requirements.** This should be submitted with your voucher. **IF YOUR VOUCHER EXCEEDS THE STATUTORY MAXIMUM AND IS NOT ACCOMPANIED BY A CJA 26 Supplemental Information Statement, THE PAPERS WILL BE RETURNED TO YOU UNPROCESSED.** Once approved by the district judge, the voucher will be submitted to the Second Circuit for certification and approval of the excess payment. When the voucher is returned to the district, it is certified for payment. This process takes approximately 5-12 weeks. If the total claim for compensation is less than the statutory maximum and if the voucher has been properly completed with work sheets and receipts attached, the auditing, approval and payment process generally takes 2-3 weeks from the date of receipt in the Clerk's Office. Checks are issued by the Administrative Office in Washington, D.C., generally within 24 hours of certification.

6. **COMPLETING WORKSHEETS:** As of July 15, 2008, each voucher must have the District court's typewritten, fillable worksheets attached for any claims made for in-court or out-of-court compensation as well as for any expenses claimed, regardless of the nature of the expense. **FAILURE TO INCLUDE OUR WORKSHEETS WILL RESULT IN THE VOUCHER BEING RETURNED, UNPROCESSED. HANDWRITTEN WORKSHEETS WILL NO LONGER BE ACCEPTED.**

a. Each worksheet must include **the docket number and the name of the defendant represented.**

b. **THE FILLABLE WORKSHEETS PROVIDED BY THE COURT ON OUR WEBSITE MUST BE USED FOR YOUR SUPPORTING DOCUMENTATION.** Total hours for each service category must be transferred to the appropriate column on the front of the CJA 20 form. **Do not state "See Attached."**

7. **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.

8. Blocks 1-14 will be completed by the Clerk's Office, at the time your voucher is generated from the automated CJA system.

9. The remaining blocks should be completed as follows:

Item 15.	<p>IN-COURT SERVICES: Enter the total number of hours claimed (<i>in hours and tenths of an hour ONLY</i>) 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 (\$90, \$92, \$94, \$100, \$110 per hour). Enter the total amount claimed in the appropriate box on the form.</p> <p>Time for actual hearings should be reported under the specific hearing category and should be limited to the actual time in the courtroom. If there is time spent waiting in the courtroom for a proceeding to begin, note this on your worksheets (e.g., Bond hearing, 1.5 hours [wait time .6 hours]; sentencing 3 hours [wait time 1.5 hours for defendant to be produced], etc.) These explanations are very important and will help make the auditing process go more smoothly and quickly. These wait times should be recorded in the other category.</p> <p>Status conferences with the judge and any time spent talking to your client in the USMS lockup should be reported in the "other" category, with the appropriate explanations.</p> <p>Do not include any travel time for in-court proceedings. All travel time must be reported in Block 16d.</p> <p>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).</p>
Item 16.	<p>OUT-OF-COURT SERVICES: Complete according to the instructions above for in-court time, using the applicable out-of-court hourly rate of compensation (\$90, \$92, \$94, \$100, \$110 per hour).</p> <p>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).</p>

**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. However, 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.

DO NOT CLAIM EXPENSES FOR PARALEGAL SUPPORT OR LAW STUDENT INTERNS ON THIS FORM. THESE EXPENSES MUST BE CLAIMED ON A CJA 21 FORM!

Reimbursable expenses may include, in some circumstances, the cost of computer assisted legal research (CALR) when conducted by counsel. See paragraphs 2.27 and 3.15 of the *CJA Guidelines* for an explanation.

Providing an adequate defense case may require utilization of computer hardware or software not typically available in a law office. Before seeking court approval for computer hardware or software with a cost exceeding \$500, or for the utilization of computer systems or automation litigation support personnel or experts with an expected combined cost exceeding \$10,000, appointed counsel must consult the Office of Defender Services for guidance. See paragraph 3.16 of the *CJA Guidelines* for an explanation.

The following are not reimbursable expenses, and should not be claimed:

- a. General office overhead, such as rent, telephone services, and secretarial services.
- b. Expenses for items of a personal nature for the client (e.g., clothes, haircuts).
- c. The cost of printing briefs. However, the cost of photocopying or similar copying service is reimbursable.
- d. 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.
- e. Filing fees. These fees are waived for persons proceeding under the CJA.
- f. 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.
- g. Compensation taxes. Taxes paid on attorney compensation, whether based on income, sales or gross receipts are not reimbursable expenses.
- h. Title examinations. Title examinations done pursuant to a bond agreement are considered personal to the defendant and are not reimbursable to the attorney

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	A
	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/Crack Cocaine	Granted	GR
	Denied	DE

Item 22.	<p>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.</p>
Items 23-28a.	<p>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.</p> <p>TOTAL AMOUNT APPROVED/CERTIFIED for payment equals the amount approved in the major categories, less any amounts withheld for an interim payment.</p> <p>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.</p> <p>The JUDGE CODE will be provided by the court staff.</p>

Items 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.

10. 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 \$500. Failure to obtain prior authorization will result in the disallowance of any amount claimed for compensation in excess of \$500, 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." All motions to incur expenses are sealed and must be submitted to the Clerk's Office with a disk containing the file in PDF format and a sealing envelope reflecting the case number/name and description of the document. See paragraph 3.03 of the *CJA Guidelines* for an explanation.

11. Any questions about allowable claims, completing the vouchers or the payment process should be directed to Lori Inferrera, Division Manager, New Haven Clerk's Office at (203) 773-2415 or Bonnie D'Onofrio, Deputy Clerk-Hartford Clerk's Office at (860) 240-3205.