

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
OFFICE OF THE CLERK
800 Market Street, Suite 130
Knoxville, Tennessee 37902
(865) 545-4228

DEBRA C. POPLIN
Clerk of the Court

www.tned.uscourts.gov

JOHN L. MEDEARIS
Chief Deputy Clerk

**Information Regarding the Completion of Vouchers Submitted
Under the Criminal Justice Act - CJA Form 21 (Expert Services)**

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

- **CJA Form 21** (<http://www.uscourts.gov/forms/CJA/CJA21.pdf>) – Authorization and Voucher for Expert and Other Services, and corresponding **CJA Form 21 Instructions** (<http://www.uscourts.gov/forms/cja21.html>)

REFERENCE MATERIALS

For additional information regarding authorization and payment for investigators, experts, and other services under the CJA, 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 3 – Authorization and Payment for Investigative, Expert or Other Services

To receive payment, CJA Form 21 must be completed properly. Please read the instructions for the forms carefully when preparing and submitting a voucher. Additional local guidelines are set out below.

Please refer all inquiries regarding your CJA vouchers to the CJA Clerk or Staff Attorney:

Janet M. Jackson
CJA Clerk
(865) 545-4234 ext. 2236

Jenifer Ferrell
CJA Clerk
(865) 545-4234 ext. 2307

General Guidance

- For expert services not exceeding \$800.00, prior authorization is not required.
- For expert services exceeding \$800 and up to \$2400, counsel must complete boxes 1 through 14 of the CJA21 form and submit the form to the CJA Clerks, Janet M. Jackson or Jenifer Ferrell.
- If justification for the services cannot be fully described in box 13, counsel may attach an affidavit more fully setting out the request.
- Upon approval of the request for expert services in excess of \$800 and up to \$2400, the approved CJA21 form will be returned to counsel of record.
- For expert services exceeding \$2400, the CJA21 should be completed as set out above. Counsel must also prepare and submit an Appendix C for authorization by the Sixth Circuit.

- Interim CJA21 vouchers should not be submitted without prior approval, in writing, from the assigned judicial officer.
- If the expert has not previously received payment on a CJA21 voucher in U.S. District Court, a W9 form must be completed and submitted with the voucher. Name, address, phone number and EIN or SSN must be included in box 17.
- Counsel must ensure that the expert's claims do not exceed approved rates for mileage and other expenses and verify the accuracy of the expert's statement before signing/certifying the voucher and submitting it to the Court.

Voucher Submission

- An itemized statement of services performed must accompany the CJA21 form.
- Travel claims must clearly reflect the start and end locations of the travel along with the purpose of the travel.
- Vouchers ready for payment may be submitted directly to the CJA Clerk by mail or hand-delivery.
- Vouchers will be audited and reviewed for compliance with CJA guidelines and local procedures prior to being forwarded to the assigned magistrate judge for review and approval.

INTERPRETER PAYMENT VOUCHER GUIDANCE

- Interpreters 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 interpreter's final voucher for a case. **Any overpayments are subject to collection, including deduction of amounts due from future vouchers.**
- Interpreters should review their vouchers to ensure that they do not contain errors, duplicate payment claims, or other improper charges, and should also review their billing practices to ensure that claims are appropriate.
- Interpreters should review their vouchers to ensure that they comply with the fee structure established by the court for interpreting services provided under the CJA (including travel expenses, if any). Information is posted on the court's website (www.tned.uscourts.gov) under Court Information > Fees and rates > Fees for Contract Court Interpreters. (http://www.tned.uscourts.gov/interpreter_rates.php)
- An interpreter billing on an hourly-rate basis may not submit duplicate bills for work performed on more than one CJA representation furnished by an appointed attorney (federal public or community defender, CJA panel attorney, other attorney or entity authorized to obtain services under the CJA or the Defender Services appropriation, or person proceeding *pro se*) during the same time period. For example, if an interpreter is traveling to provide services for more than one person under the CJA, the interpreter may not bill the entire travel time on each payment claim. (When claims are prorated among vouchers, the supporting materials must cross-reference the cases. See the instructions for items 3-6 of CJA Form 21 regarding when the proration of time on each voucher is required.)
- When an interpreter is paid under the CJA based on the rates set forth in the court interpreters services contract terms and conditions (half and full day), he or she may not bill appointed attorneys for services provided to them during the same time period (including the time period

covered by a cancellation fee), except with respect to the proration of the claims. For example, if an interpreter furnishes services during the same half day for more than one person represented by an appointed attorney(s), the entire half day may not be billed on multiple vouchers. Proration of the claims is permissible, so if services were provided for two CJA defendants, the claim for a half day of compensation could be apportioned on two vouchers (one for each defendant, with a cross reference to the other case). **Regardless of the billing method under the CJA (hourly or half and full day), contract court interpreters may not charge any other federal court unit or appointed attorney for any services rendered during the same half or full day for which the interpreter is being compensated under the court interpreters services contract.**

- For interpreting services provided to one or more defendants represented by an appointed attorney(s) and a federal court unit on the same date, interpreters must identify in the supporting materials any other claim submitted to appointed counsel or a federal court unit (name of attorney or federal court unit and defendant, and time of service) for that date.
- Interpreters must fully itemize their services, including the time period (times of day) for the services (see instruction 16a to CJA Form 21 for other information and documentation that must be submitted).
- 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 16b to CJA Form 21 for other information and documentation that is required for travel expenses).
- The attorney may not sign his or her certification, required by item 18 of CJA Form 21, until (1) the interpreter has provided the services and has completed the information and certification required by items 16 and 17 of those forms, and (2) the attorney has reviewed the billing information.