

EASTERN DISTRICT OF TENNESSEE

CJA 20 VOUCHER GUIDELINES

These guidelines supplement the instructions set forth on the CJA 20 Form and are intended to provide counsel with an overview of the Eastern District of Tennessee voucher payment process and guidance on issues frequently encountered by counsel in the preparation of CJA 20 vouchers.

Voucher Payment Process

- The appointment of CJA counsel will be docketed in CM/ECF. Appointed counsel are expected to use the automated CJA voucher program and can download the CJA voucher form from the Court's website at:
http://tned.uscourts.gov/cja_az.php
- A voucher number will not appear on the voucher. The voucher number is generated when the voucher is certified for payment.
- If a CJA 20 voucher exceeds the statutory maximum or if the combined total of all vouchers for counsel for one defendant exceeds the statutory maximum, counsel must also submit a CJA 26 (Supplemental Information Statement for Compensation Claim in Excess of Statutory Case Maximum). The voucher and supporting documentation will be forwarded by the Court to the 6th Circuit Court of Appeals for approval.
- All CJA 20 vouchers are first reviewed by the assigned magistrate judge. A CJA 20 Recommendation event will be entered in CM/ECF upon completion of that review notifying the panel attorney that the voucher has been forwarded to the assigned district judge.
- Upon approval by the assigned district judge, the CJA 20 voucher will be processed electronically at the District Court level. A CJA 20 Authorization to Pay entry will be entered into CM/ECF providing notice to counsel of the approval for payment.
- Payment is remitted from the Administrative Office in Washington, D.C. (generally within 10 days of the voucher being processed at the District Court level.)

Voucher Submission

- CJA 20 vouchers must be submitted within 45 days after final disposition of the case. If the voucher has not been submitted within the 45 day deadline, counsel will receive a notice through CM/ECF.
- Worksheets **must** accompany the voucher. Using the link to the CJA automated voucher program, worksheets are created and generated through the Excel voucher program. Internal/manual billing documentation **should not** be submitted. Vouchers with incomplete or insufficient documentation will be returned to counsel for correction and resubmission.
- The dates of service (begin and end dates) must be listed on the voucher on Line 19 and time must be entered in tenths of an hour. The begin date for the voucher is the date the appointment order was entered.
- A panel attorney may not submit duplicate bills for time spent in common on more than one CJA representation. For example, if an attorney is traveling to provide services for more than one person under CJA, he/she may not bill the entire travel time and expenses on each payment claim.
- Expenses must be itemized. Original receipts, paid bills, or similar documentation showing proof of payment must be submitted for lodging and for any individual expense (*e.g.*, for transportation, a meal, parking, etc.) of \$50 or more. Documentation will generally be considered adequate to support the expenditure if it shows the dollar amount, date, name of vendor, place and business purpose of the expenditure. A credit card statement will not suffice unless it provides the required information.
- Vouchers will be audited and reviewed for compliance with CJA guidelines and reasonableness of claim.

Travel

- If an attorney claims travel time, there should generally be a corresponding mileage claim under expenses. If there is a mileage claim, there must also be a corresponding entry for travel time.

- Mileage claims must be itemized on the expense worksheet and include date of travel, origination and destination of travel and number of miles. Rates are limited to those approved for federal employees. The electronic voucher form automatically applies the approved mileage rates. Hourly rates and mileage rates can be found on the Court's web site.
- For overnight travel, reasonable expenses for lodging and meals will be reimbursed on an actual expense basis; *per diem* is not allowed. For additional information, refer to Paragraph 16 of the CJA 20 Instructions.

Procedures For Obtaining Government Discount Travel Rates

- For air travel, counsel must file a motion and submit a proposed travel authorization to the Court in advance of the travel.
- Once the judge grants the motion and signs the travel authorization, the clerk's office will forward the travel authorization to Federal Defender Services (FDS). FDS will make the flight reservation and charge the ticket to its credit card.
- Upon receipt of the credit card statement, FDS will forward the statement to the clerk's office. The clerk's office will verify the attorney's or expert's appearance from the minutes of the proceeding and forward the credit card statement to the presiding judge for approval.
- Upon approval by the judge, the clerk's office will authorize payment by the Administrative Office in Washington, D.C.

Reimbursable Expenses

- General office overhead for telephone expenses is not a reimbursable expense. Reimbursement may be claimed for the actual cost of case related long distance phone calls. The billing record, with the case related long distance expense highlighted, must be provided.
- Reimbursement for facsimile transmissions is limited to the actual cost of any long-distance charge associated with an outgoing document.

- Requests for photocopying expenses must include the number of pages and the rate per page. Costs will generally be limited to a maximum of \$.10 per page.
- Receipts must be attached for reimbursement of any commercial duplication expense.
- Associate time should be submitted on the CJA 20 voucher. Associate time spent in meetings, conferences and in court is generally not compensable.
- **Law clerk and paralegal time, including for those on counsel's staff, should be submitted on a CJA 21 voucher.** Law clerk and paralegal time spent in meetings, conferences and in court is not compensable.
- Transcript costs must be submitted on a CJA 24 voucher.
- Counsel will be reimbursed for *reasonable* and *necessary* research time. Counsel is expected to have a basic knowledge of federal criminal practice and procedure.
- CJA attorneys who use PACER in connection with their CJA appointments can obtain an exempt login and password at <https://www.pacer.gov/psco/cgi-bin/regform.pl>.

Non-Reimbursable Expenses

- General office overhead items such as secretarial service, rent and telephone service are not reimbursable.
- Time spent in voucher preparation or review is not compensable.
- Expert or investigative services are not a reimbursable expense of appointed counsel. Prior authorization must be obtained and payment is made directly to the investigator/expert on a CJA 21 form.
- Printing of briefs is not reimbursable.

- Personal items and services for the client such as clothing for court, haircuts, travel or lodging are not reimbursable under CJA.
- Work performed on related state court proceedings is not reimbursable.
- Fact witness fees, witness travel costs and expenses for service of subpoenas are not reimbursable under the CJA. These expenses are paid by the Department of Justice.
- Books, journals, publications and supplies for the law office are not reimbursable.
- Reimbursement for meals will not be allowed unless in overnight travel status.