

Fact Witness Vouchers

Generally speaking, fees and expenses of fact witnesses for defendants proceeding under the CJA are paid by the Department of Justice. Guide to Judiciary Policy, Vol. 7, Ch. 3, Section 320.40. Payment is made by the U.S. Marshals Service using [Form DOJ-3 \(Witness Payment Voucher\)](#).

Counsel should assist the witness in completing sections A, C, D, E, F, and G of the form. Counsel should contact the U.S. Marshals Service with any questions regarding current reimbursement rates and required documentation.

Counsel must verify the claim by signing section H and then submit it to the Clerk's Office for completion of Section B.

Section B must be signed by an approved designated deputy set out in Appendix 1 of the Internal Controls Manual. (Executed signature cards for those deputies designated for approving Fact Witness Vouchers are on file with the U.S. Marshals Service and are maintained in the Designation/Delegation documents in the vault.) Before signing Section B, attendance should be verified from the record if possible, e.g., the minutes or witness list. If attendance is not reflected in the record, i.e., counsel decided not to call the witness or attendance was for a matter not on the record, the attorney must submit an affidavit. Counsel must notify a witness if a hearing/trial is cancelled.

Checks for witnesses are issued by the U.S. Marshals Service and will be mailed to the witness. If a witness requires immediate payment, counsel must notify the U.S. Marshals Service.