



United States District Court EASTERN DISTRICT *of* TENNESSEE

CRIMINAL JUSTICE ACT HELPFUL HINTS AND TIPS

Compensation:

The CJA Act establishes maximum hourly rates and waivable limits on total compensation for attorneys and service providers. These rates can be found at http://www.uscourts.gov/rules-policies/judiciary-policies/cja-guidelines/chapter-2-ss-230-compensation-and-expenses-a230_16

Waivable case maximums apply to compensation only, not expenses.

- The CJA eVoucher program defaults to the case cap. To submit a voucher above the cap, please contact Jenifer Ferrell.
- For all vouchers in excess of the case cap, a CJA26 form must be prepared, saved as a .pdf document and attached under the document tab to the CJA20 voucher.
- To waive the amount above the case cap, a note with the attorney's typed signature and date must be included in the "public/attorney note" field of the voucher.
- If there is a possibility that the case will exceed the district court caps, attorneys are encouraged to consult Dennis "Denny" Alerding, Sixth Circuit Case Budgeting Attorney, for cost saving suggestions. Doing so will enhance approval of the voucher.

Case Budgeting:

Judicial Conference Policy encourages budgeting when total expenditures for attorneys and investigative/expert services is expected to exceed \$40,000 for an individual CJA defendant. The attorney is encouraged to work with the Court to develop a case budget pursuant to *CJA Guidelines* § 230.26.20 and § 640. For assistance with case budgeting, please contact Dennis "Denny" Alerding, Sixth Circuit Case Budgeting Attorney, at 513-564-7358.

Non-compensable Hours:

You may not claim time spent:

- Filling out the voucher.
- Providing services of a personal nature, such as coordinating the care of defendant's family.
- Performing clerical related work, even if performed by the attorney. Time spent accessing and storing Notices of Electronic Filing (NEF's) is considered clerical work and is not compensable.

CJA eVoucher Claim Status

Begin Date: The begin date is the date of the appointment. Work performed prior to entry of the appointment order should be entered for the appointment date and a note added in the description.

End Date: The end date should match the last date of service time or the date judgment was entered.

Examples of Reimbursable Expenses	Examples of Non-Reimbursable Expenses
<ul style="list-style-type: none">• Computer assisted legal research	<ul style="list-style-type: none">• General office overhead, including rent and secretarial expenses
<ul style="list-style-type: none">• Telephone calls	<ul style="list-style-type: none">• Items of a personal nature, including clothing and haircuts for defendants
<ul style="list-style-type: none">• Copy charges (at a rate of 10 cents per page) (<i>See addtl info below</i>)	<ul style="list-style-type: none">• Printing briefs
<ul style="list-style-type: none">• Postage (<i>See addtl info below</i>)	<ul style="list-style-type: none">• Alcoholic beverages
<ul style="list-style-type: none">• Travel expenses including meals, mileage and actual parking costs	<ul style="list-style-type: none">• Parking fines or traffic violations
<ul style="list-style-type: none">• Paralegal expenses may be claimed through submission of a CJA21 voucher	<ul style="list-style-type: none">• Costs for paralegal services may not be claimed as an expense on a CJA20 voucher

Voucher Submission:

- All vouchers must be submitted through eVoucher.
- Time must be entered in tenths of an hour.
- Vouchers must be submitted within 45 days of final disposition of the case. Any voucher filed after that date must include an explanation for the late filing.

Frequent Voucher Corrections:

- In-court time is to be calculated from the time the hearing actually began until the time the hearing ended and should correlate to the time reflected in the minutes.
- Time spent waiting for court to begin or meeting with the defendant, witnesses, or AUSA prior to a hearing should be claimed as out-of-court time.
- Travel time entries should have a corresponding mileage claim entry. If mileage is not claimed, a notation should be made in the “public/attorney note” field or in the time entry description.
- Copy expenses should set out the number of copies, the rate per copy and the purpose of the copies, *e.g.*, “copies of discovery for the client.”
- Postage expenses should include a brief description of the purpose, *e.g.*, “mailing motion to client.”
- Claim status begin and end dates. (*See separate section above for more information*).

TRANSCRIPTS

If transcripts are needed, an AUTH 24 must be prepared and submitted for **each court reporter**. If the hearing to be transcribed was recorded, you should first contact the Division Manager for designation of a court reporter to transcribe the recording. The cost of transcripts will not be reimbursed on a CJA20 as an expense.

Subpoenas:

If a subpoena is needed, you must file an ex parte motion showing the defendant's inability to pay the witness's fees and the necessity of the witness's presence for an adequate defense. If the court orders a subpoena to be issued, the process costs and witness fees will be paid in the same manner as witnesses subpoenaed by the government and will be served by the US Marshals Office. Do not pay for service costs without Judge approval. For more information on fact witness vouchers, visit http://www.tned.uscourts.gov/docs/cja_fact_witness.pdf.