

**INSTRUCTIONS FOR COMPLETING CJA FORM 20
“APPOINTMENT OF AND AUTHORITY TO PAY COURT APPOINTED COUNSEL”**

PLEASE READ THESE INSTRUCTIONS CAREFULLY BEFORE COMPLETING THE FORM; ACCURACY AND THOROUGHNESS WILL AID IN THE PROMPT PAYMENT OF THE CLAIM. IF ADDITIONAL SPACE IS NEEDED TO COMPLETE ANY ITEM ON THE FORM, ATTACH CONTINUATION SHEETS.

ALL PAYMENTS MADE PURSUANT TO THIS CLAIM ARE SUBJECT TO POST-AUDIT. ANY OVERPAYMENTS ARE SUBJECT TO COLLECTION, INCLUDING DEDUCTION OF AMOUNTS DUE FROM FUTURE VOUCHERS.

THE VOUCHER AND ATTACHED WORKSHEETS MUST BE TYPED.

VOUCHERS ARE PUBLIC DOCUMENTS

Vouchers, once approved, are subject to public inspection. Counsel may request redaction of portions of the voucher pursuant to 18 USC 3006A(d)(4)(D) in consideration of protecting the client’s interests, attorney-client privilege, individual personal safety or any other interest that justice may require. (See attached memo from Chief Circuit Judge).

DEADLINE FOR SUBMITTAL

CJA Vouchers are due **45 days** from the date of the mandate, unless filing for Certiorari. The date on which Certiorari is filed with the Supreme Court, the voucher is due.

REIMBURSEMENT FOR ATTORNEY TIME

All attorney time should be reported in tenths (0.X) of an hour. Time reported differently, e.g., in quarter hour increments, may result in rounding time downward.

CLAIM FOR MORE THAN THE CASE COMPENSATION MAXIMUM

In any case in which the total compensation claimed is in excess of the statutory case compensation maximum, counsel must submit with the voucher a detailed memorandum supporting and justifying the excess payment as necessary to provide fair compensation. This memorandum must be signed and should provide a narrative statement as to why the case is complex or unusually extended.

ITEM 15: CLAIM FOR IN-COURT SERVICES

On line (g) enter the actual time spent, in tenths of an hour, up to the maximum allowable of one hour. Multiply this time by the applicable hourly rate. Enter this figure in the “**Totals**” box under the column titled “**Total Amount Claimed.**”

NOTE: All time for this, as well as Item 16 (below), should be itemized on the worksheets provided with the voucher. Reasonable facsimiles generated by other means, e.g., spreadsheet or word processing software, are acceptable.

ITEM 16: CLAIM FOR OUT OF COURT SERVICES

Complete this section, using the applicable out of court hourly rate of compensation, in the same fashion as for Item 15 (above). Reasonable and necessary travel time during normal business hours is compensable at the out of court hourly rate.

ITEM 17: TRAVEL EXPENSES, AND 18. OTHER EXPENSES

All reimbursable out-of-pocket expenses incident to this appellate representation should be itemized on worksheets with totals entered on the voucher, as above for Items 15 and 16. Travel by privately owned vehicle should be claimed at the rate currently applicable for federal employees (current rates attached on page 4). Travel by means other than privately owned vehicle, e.g., taxi, car rental or airfare, should be claimed on an actual expense basis. Reasonable expenses for lodging and meals will be reimbursed on an actual expense basis up to the prevailing limits prescribed for federal employees (current rates attached on page 4).

Reimbursable expenses may include, in certain circumstances, payments to law students or law clerks for research assistance, or for the cost of computer assisted legal research. Expenses for legal research assistance are governed by paragraphs 2.31 and 3.15 of the **Guide to Judiciary Policies and Procedures**.

NOTE: All expenses claimed, other than mileage, should be accompanied with appropriate documentation, such as, receipts or invoices.

GRAND TOTALS:

Enter the total of items 15, 16, 17 and 18 in the “**Grand Totals**” box under the column titled “**Total Amount Claimed**”.

ITEM 19: CERTIFICATION OF ATTORNEY/PAYEE

This certification must be made by the attorney appointed by the court. Enter the dates covered by the voucher. Indicate whether this is the final payment for representation, or an interim payment (if interim payment, enter the number of the payment). Complete the rest of this section, being sure to sign and date the voucher.

ITEM 23-34: PAYMENT CERTIFICATION AND APPROVAL (to be completed by the Court)

Every claim for compensation for services rendered and/or reimbursement for expenses incurred will be reviewed for both reasonableness and compliance with the CJA and the CJA Guidelines by the court in which, or on whose behalf, the services were rendered. If the total amount approved for compensation (both in and out of court), not including any expenses, is less than or equal to the statutory case limitation, the claim will be forwarded by the reviewing judicial officer to the clerk of court for processing for payment.

If counsel is claiming compensation in excess of the statutory case limitation the voucher will also be reviewed by the Chief Judge of the court of appeals, or his designee. The Chief Judge of the court of appeals (or the active circuit judge to whom the chief judge has delegated excess compensation approval authority) may either authorize the excess compensation originally approved by the reviewing judicial officer or modify the amount to be paid. The voucher will then be forwarded to the clerk of court for processing payment.

WRIT OF CERTIORARI:

Time and expenses in connection with the filing of a petition for writ of certiorari should be included on the CJA Form 20 submitted to the Court of Appeals.

CURRENT RATES

HOURLY RATES:

DEATH PENALTY RATE

APRIL 1, 2001

IN COURT: \$75.00

OUT OF COURT: \$55.00

Prior to FEB. 1, 2005 = \$125.00 per hour

FEB. 1, 2005 = \$160.00 per hour

MAY 1, 2002

IN AND OUT OF COURT: \$90.00

JAN. 1, 2006 = \$163.00 per hour

MAY 20, 2007 = \$166.00 per hour

JAN. 1, 2006

IN AND OUT OF COURT: \$92.00

MAY 20, 2007

IN AND OUT OF COURT: \$94.00

MAXIMUM ALLOWED WITHOUT A MEMORANDUM IN SUPPORT OF EXCESS FEES IS:
\$5,000.00

Associates and law clerk's work must be claimed at a lower hourly rate than the specified CJA amount. We do not specify a certain hourly rate, that is claimed at your discretion.

TRAVEL PER DIEM RATE:

Current rate as of October 1, 2006 is \$140.00 which includes your hotel and meals. Please attach receipts to your voucher.

MILEAGE:

JAN. 1, 2004 = \$37.5 cents per mile

FEB. 4, 2005 = \$40.5 cents per mile

SEPT. 1, 2005 = \$48.5 cents per mile

JAN. 1, 2006 = \$44.5 cents per mile

FEB. 1, 2007 = \$48.5 cents per mile

PLEASE USE THE RATE THAT APPLIES AT THE TIME OF YOUR TRAVEL.