

H.R. 5551, a bill “To amend title 11, District of Columbia Official Code, to implement the increase provided under the District of Columbia Appropriations Act, 2008, in the amount of funds made available for the compensation of attorneys representing indigent defendants in the District of Columbia courts, and for other purposes.”

Section-By-Section

Section 1.

Currently, attorneys who participate in the District’s Criminal Justice Act (CJA) and Counsel for Child Abuse and Neglect (CCAN) programs are compensated at an hourly rate of \$65 for representing the indigent. This rate was established in FY 2002 and financed through an unobligated balance in the Defender Services account. Attorneys representing the indigent defendants in similar matters at the U.S. District Court are paid \$100 an hour. In an attempt to eliminate the disparity in the hourly rate of compensation between U.S. attorneys and D.C. attorneys, Congress recently appropriated increased funding for Defender Services in D.C. Courts as part of the FY 2008 Consolidated Appropriations bill. However, in order for the rate increase to go in effect, Congress must amend Title 11 of D.C. code, which pertains to the organization and jurisdiction of the D.C. Courts to reflect the change in compensation.

This section increases the hourly pay rate from \$65.00 to \$80.00 for D.C. CJA attorneys representing indigent defendants. The section also increases the caps on the total compensation paid to D.C. attorneys per case type to be equal to the total compensation paid to U.S. attorneys.

Section 2.

This section orders that the rate increase for D.C. CJA attorneys be applied only to cases and proceedings initiated on or after the date of the enactment of this Act.