



WILLIAM T. WALSH
CLERK

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY
OFFICE OF THE CLERK
Martin Luther King Jr. Federal Bldg & U.S. Courthouse
50 Walnut Street, Room 4015
Newark, New Jersey 07101

CAMDEN OFFICE

Mitchell H. Cohen U.S. Courthouse
One John F. Gerry Plaza
Fourth & Cooper Streets, Room 1050
Camden, New Jersey 08101

TRENTON OFFICE

Clarkson S. Fisher U.S. Courthouse
402 East State Street, Room 2020
Trenton, NJ 08608

April 1, 2015

REPLY TO: TRENTON

Dear CJA Panel Member:

The enclosed information is governed by the Criminal Justice Act (CJA), Title 18, U.S.C. 3006A, and should assist you in the completion of your CJA 20/30 claim for compensation. Should you have additional CJA guideline questions the Defender Services Division in Washington has developed a web site that contains a useful Online Reference Tool and Volume VII of the Guide to Judiciary Policies and Procedures. You may access them and additional information and forms on our website at <http://www.njd.uscourts.gov>, under the CJA tab.

Please be advised that your acceptance of an appointment and representation of a defendant in a case is considered by the Court to be an obligation on your part to represent a defendant at every stage of the proceedings, from initial appearance before the Magistrate or the District Judge through appeal, including appropriate ancillary matters. It is also your responsibility to comply with applicable procedures and guidelines with respect to the following information, which you should carefully review. (Attachment "A").

All CJA vouchers should be forwarded to Anna M. Irwin, the CJA Administrator, U.S. District Court, Clarkson S. Fisher U.S. Courthouse, 402 East State Street, Room 2020, Trenton, New Jersey 08608.

1. CJA 20 FORM - The following information will expedite the processing of your request for payment in Non-Capital representations. CJA 30 FORM is utilized for Capital Case representations.

The original CJA 20/30 form that has the Judge's original signature on it should be used when requesting final payment. For interim billing payments, copies of the executed CJA 20/30 form with the Judge's signature can be used for each interim bill. The original should be submitted with the final voucher.

You must bill under the current docket number (if appointed by a Magistrate Judge, but if the case proceeds before a District Court Judge, you must bill under the District Judge's docket number).

You must bill in tenths of an hour (i.e., .1, .2, .3, not .25).

You must show a breakdown of your time by category in your billing records (i.e., In Court Appearance for an Arraignment in Category-Arraignment/Plea-Block 15a.; Travel Time to and from the same Arraignment/Plea should show in Category-Out of Court Travel-Block 16d). (Billing worksheets are available on our website).

Pursuant to the Guidelines for Administering CJA, Volume 7, Chapter 2 § 230.13, vouchers should be submitted no later than 45 days after the final disposition of the case.

2. ATTORNEY SERVICES / LIMITATIONS :

A) Hourly Rate - CJA 20 - Non-Capital cases (in and out of court time)

Effective Date	Hourly Rate
January 1, 2008	\$100
March 11, 2009	\$110
January 1, 2010	\$125
September 1, 2013	\$110
March 1, 2014	\$126
January 1, 2015	\$127

B) Hourly Rate - CJA 30 - Capital cases (in and out of court time)

Effective Date	Hourly Rate
January 1, 2008	\$170
March 11, 2009	\$175
January 1, 2010	\$178
September 1, 2013	\$163
March 1, 2014	\$180
January 1, 2015	\$181

Please utilize the Split Rate Worksheets, if applicable, which are posted on our website. (Attachment “B”).

- C) Waivable Maximum Compensation - Case compensation maximums are established for Non-Capital representations, and apply to attorneys fees only (expenses excluded). (Attachment “C”). Claims for services of Court appointed and Court authorized counsel in excess of the maximum amounts must be accompanied by a detailed memorandum, supporting and justifying that the representation given was in an extended or complex case and that excess payment is warranted to provide fair compensation. See CJA Forms 26 and 26A posted on our website, for additional assistance.
- D) Partners/Associates/Other Counsel - Pursuant to 230.53.10(b), appointed counsel may, without separate appointment or prior authorization, claim compensation for services furnished by a partner or associate or, with prior authorization by the Court, counsel who is not a partner or associate, as long as the total case compensation falls within the case compensation maximum for a representation, separately identifying the provider of each service. If it's anticipated that the case will exceed the case compensation maximum, advance authorization is required. (See Attachment “E”).

While it is acceptable to utilize a partner/associate pursuant to the Guidelines, it is your obligation when accepting a CJA representation that you understand and agree that a vast majority of the billable attorney services are to be performed by the appointed panel attorney. Furthermore, in reference to in-court appearances, it is required that you receive permission from the presiding Judge before having a partner/associate from your firm appear in court on your behalf.

3. REIMBURSABLE OUT-OF-POCKET EXPENSES

A) Travel Expenses -

Travel by privately owned automobiles should be claimed at the mileage rates listed below, plus parking fees, tolls, etc., (receipts required).

Billing sheets (attorney's invoice) must include specific information for travel expenses; i.e., 6/1/10
-Travel from Trenton, NJ to Newark, NJ -Round trip - 90 miles at .51 = \$45.90; tolls - \$6.50; parking - \$9.00 - for Arraignment.

Effective Date	Rate
March 19, 2008	\$0.505
August 1, 2008	\$0.585
February 1, 2009	\$0.550
January 1, 2010	\$0.500
January 1, 2011	\$0.510
April 17, 2012	\$0.555
January 1, 2013	\$0.565
January 1, 2014	\$0.560
January 1, 2015	\$0.575

B) Travel outside the District (Attorneys and/or Experts, Investigators, etc.)

If travel outside the District is deemed necessary, authorization must be obtained from the presiding judicial officer. If air travel is necessary, arrangements must be made and Government rates obtained through National Travel Service. You must complete and submit a Travel Authorization Form, which you can obtain from our website, to the CJA Administrator. You will be notified when travel has been authorized and may then proceed to make your travel arrangements by following the instructions in the Travel Authorization Form.

C) Supporting Documentation

All travel expenses and miscellaneous expenses which exceed \$50. must be supported by documentation (receipts, cancelled checks, etc.).

4. INVESTIGATIVE, EXPERT AND OTHER SERVICES/BENCHMARK LIMITATIONS:

INVESTIGATORS: HOURLY RATE: \$85. P/HR.

PARALEGALS: HOURLY RATE: \$60. P/HR.

A) CJA Form 21: Non-Capital Representations :

- (1) Prior Authorization: Prior Court authorization is required if it is anticipated that the total cost of the service will exceed \$800. Circuit approval is required if the total payment to the service provider exceeds \$2,400.
- (2) Investigators/Paralegals - As noted above, hourly benchmark limitations have been established for investigators and paralegals. Prior authorization must be obtained to exceed these benchmark rates. Claims for payment in excess of these established rates without prior authorization will be reduced by the Clerk's office prior to submission to the presiding judge. (See Attachment "E"). Prior authorization requests for investigators and paralegal services must include the hourly rate used to calculate the amount of authorization requested. If higher hourly rates are charged at the time of billing without prior authorization from the Judge, the amount claimed will be reduced to the maximum hourly rate.

As of November 1, 2004, criminal case file documents can now be accessed electronically via the PACER (Public Access to Court Electronic Records) system. Please be aware that it has been determined that public access should not be provided for "Ex Parte requests for authorization of investigative, expert or other services pursuant to the Criminal Justice Act". To comply with this limitation to public access, please submit all requests for prior authorization (ex parte or otherwise) by utilizing the CJA 21 form, with supporting documentation attached if determined to be necessary. Please do not submit separate requests without the CJA 21 form. If the requested authorization is approved, the CJA 21 form (with attachments if provided) will be returned to counsel, to be resubmitted to the Court for payment after the services have been fully rendered.

- (3) Interpreter Services : It is your responsibility as a CJA Panel Attorney to negotiate the most reasonable rate based on the contract interpreter's qualifications. (Attachment "D" is a listing of the current rates by qualification along with an interpreter fact sheet for reference). If you need assistance in locating qualified interpreters, contact Irene Caramuta at (973) 645-4621.

B) CJA Form 31 : Capital Case Representations :

- (1) A maximum threshold of \$7,500. has been established for the total costs of fees and expenses for investigative, expert and other services. If it can be anticipated that such payments will exceed this maximum, advance approval should be obtained from the district or magistrate judge, with subsequent approval sought from the circuit court. A sample memorandum is posted on our website.

C) Psychiatrists, Psychologists, and Related Experts :

- (1) CJA funds are used to pay for psychiatric and related services upon a determination that the services are “necessary for an adequate defense.” The CJA Guidelines refer to these services as “defense services” where the defendant selects the expert and controls the disclosure of the expert’s report. There are also many circumstances in which payment for the services are from a source other than the CJA appropriation, usually paid by the Department of Justice (DOJ) funds. An example of which would be an exam to determine the mental competence of a defendant to stand trial. These are considered “non-defense” or “Court Ordered” examinations. Please consult the CJA Specialist for additional information or assistance.

5. CASE BUDGETING

For Non-Capital representations, Courts are encouraged to use case-budgeting techniques in representations that appear likely to become or have become extraordinary in terms of potential costs. These are considered to be representations expected to exceed 300 hours or total expenditures are expected to exceed \$30,000. for appointed counsel and services other than counsel for an individual CJA defendant. If it’s agreed between appointed counsel and the Court that a budget is appropriate, counsel should submit a proposed initial litigation budget for Court approval. For capital representations, Courts are encouraged to require submission of a case budget. For additional information, please consult § 230.26 of the guidelines, or **contact Renee Edelman, Case Budgeting Attorney at 267-232-0210, for assistance.**

6. TRANSCRIPTS

A) CJA Form 24 : Authorization and Voucher for Payment of Transcripts

- (1) Production of transcripts must be authorized by the presiding judge. Special Authorizations are required for delivery of transcripts other than ordinary delivery (14 days, Expedited, Daily, Realtime) and for certain trial transcripts (Opening Statements, Voir Dire, etc.)

It is the CJA Panel Attorney's responsibility to obtain required authorizations and to certify that the page rates and delivery schedules referenced on the CJA 24 voucher are accurate and in compliance with the guidelines. Generally, persons proceeding under the CJA may only receive the original or a copy of a transcript. Multiple copies are not permitted.

7. FEES NOT PAYABLE OUT OF CJA APPROPRIATIONS:

Witness fees, travel costs and expenses for service of subpoenas (Rule 17, Fed.R.Crim.P. and 28 U.S.C. § 1825);

General Office overhead; items of a personal nature purchased on behalf of person represented;

Filing fees or PACER fees (panel attorney should obtain a login and password as a CJA attorney from the PACER Service Center);

Travel, housing or subsistence of represented party not in custody (contact U.S. Marshal's Service for information). (18 U.S.C. § 4285).

8. PUBLIC DISCLOSURE OF CJA ATTORNEY PAYMENT INFORMATION :

The Criminal Justice Act (CJA), 18 U.S.C. § 3006A, was amended in 1998 to require that the amounts paid to Court-Appointed attorneys be made publicly available upon the Court's approval of the payments (see the Notice of Public Disclosure on our website).

9. MANDATORY ELECTRONIC FILING / EXEMPTION FROM ELECTRONIC PUBLIC ACCESS FEES - It is mandatory that CJA Panel attorneys become registered users of the Court's Electronic Filing system. Please see our website under the "CM/ECF" link for information and details. Attorneys appointed under the Criminal Justice Act (CJA) are exempt from payment of electronic public access (EPA) fees for work that is performed pursuant to such appointment in all Federal Courts. Please contact the PACER Service Center at (800) 676-6856 to establish your exempt account.

10. GUIDELINES AND ORDER FOR OBTAINING COMPUTER HARDWARE/SOFTWARE - Pursuant to Volume VII of the Guide to Judiciary Policies and Procedures, section 320.70.40, or Litigation Support Services, counsel may make an application to the Court for an Order authorizing the acquisition of computer hardware/software, or Litigation Support Services. Prior to making that application, counsel must consult with the Defender Services Division of the Administrative Office of the United States Courts (202) 502-3030.

11. FORMS - You will find the following forms, which you may be required to submit, on the USDC, NJ website at <http://www.njd.uscourts.gov>, under the CJA tab.

- A) Panel Attorney Information Sheet with tax reporting information. If at any time your information changes, please notify the CJA Administrator immediately, by letter, together with an updated Panel Attorney Information Sheet. For those attorneys affiliated with a firm, if during a representation you change firms, it is imperative that you contact the CJA Administrator immediately for instructions.
- B) Worksheets for reporting services and allowable expenses to be submitted with the CJA 20 voucher during or at the conclusion of the case. Counsel may substitute their in-house billing statements for the worksheets as long as the billing statements include mandatory categorization. Totals from the worksheets need to be carried over to the appropriate boxes on the CJA 20 voucher. (Note : Receipts must be provided for all travel expenses and for any other single expense item in excess of \$50.). The Split Rate Worksheet is also available on the website.
- C) Procedure and Order to obtain Interim Payments - When it is considered necessary and appropriate due to the complexity of the case, the expected length of the trial, and the anticipated hardship of counsel in undertaking representation full-time for such a period without compensation, the presiding trial judge may arrange for interim payments to counsel. Once permission of the District Court has been obtained, counsel should prepare an order outlining payment procedures and specifically addressing payment for actual expenses, travel and compensation. A sample Order for Interim Payment is provided on our website.

This order is submitted to the CJA Administrator for submission to the trial judge, who in turn submits it to the chief judge of the circuit or his/her designee for final approval.
- D) Travel Authorization Form -(See 3B of this letter).
- E) CJA Form 20 - Appointment of and Authority to Pay Court Appointed Counsel and instructions.
- F) CJA Form 21 - Authorization and Voucher for Expert and Other Services and instructions.
- G) CJA Form 30 - Appointment of and Authority to Pay Court Appointed Counsel in Death Penalty proceedings and instructions.
- H) CJA Form 31 - Authorization and Voucher for Expert and Other Services in Death Penalty proceedings and instructions.
- I) CJA Form 24 - Authorization and Voucher for Payment of Transcripts and instructions.

If an appeal is taken and you are appointed by the United States Court of Appeals, any motion to be relieved as the assigned counsel for the defendant should be filed with the Clerk of the United States Court of Appeals.

Very truly yours,

WILLIAM T. WALSH, CLERK

By: William J. Holland, Jr.
Director of Court Services
(609) 989-2328

Enclosures

ATTACHMENT "A"

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

PANEL ATTORNEY FACT SHEET:

Information Regarding the Completion of Vouchers Submitted
under the Criminal Justice Act -CJA Forms 20 and 30

This document complements and supplements the instructions to the vouchers to address lessons learned from an audit of CJA panel attorneys and interpreters. The judiciary is reviewing the applicable CJA forms and instructions for possible revisions.

CJA FORMS AND INSTRUCTIONS

(available at <http://www.uscourts.gov/forms/uscforms.cfm>)

- * CJA Form 20 (<http://www.uscourts.gov/forms/CJA/CJA20.pdf>) – Appointment and Authority to Pay Court-Appointed Counsel, and corresponding CJA Form 20 instructions (<http://www.uscourts.gov/forms/cja20.html>).
- * CJA Form 30 (<http://www.uscourts.gov/forms/CJA/CJA30.pdf>) – Death Penalty Proceedings: Appointment of and Authority to Pay Court-Appointed Counsel, and corresponding CJA Form 30 instructions (<http://www.uscourts.gov/forms/cja30.html>) .

To receive payment, CJA Form 20 or 30 must be completed properly. Please read the instructions to the forms carefully when submitting a voucher.

Attorneys must maintain contemporaneous time and attendance records for all work performed as well as expense records. Such records, which may be subject to audit, must be retained for three years after approval of the panel attorney's final voucher for a case. Any overpayments are subject to collection, including deduction of amounts due from future vouchers.

PANEL ATTORNEY PAYMENT VOUCHER GUIDANCE

- * Panel attorneys should review their vouchers to ensure that they do not contain errors, duplicate payment claims, or other improper charges. Attorneys should also review their billing practices to ensure that claims are appropriate.
- * 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 the CJA, he or she may not bill the entire travel time and expenses on each payment claim. (When claims are prorated among vouchers, the

supporting materials must cross reference the cases. See section 230.50 of the Guidelines for the Administration of the Criminal Justice Act and Related Statutes, Volume 7, Guide to Judiciary Policies and Procedures (<http://www.uscourts.gov/defenderservices/volume7.cfm>), and the instructions for items 3-6 of CJA Forms 20 and 30 regarding when the proration of time is required).

- * With respect to mileage expenses, the number of miles and the origination and destination of the travel must be submitted as part of the supporting documentation (see instruction 17 to CJA Form 20 and instruction 16 to CJA Form 30 for other information and documentation that is required for travel expenses).

REFERENCE MATERIALS

For additional information regarding payment for attorney fees and expenses, please see the Guidelines for the Administration of the Criminal Justice Act and Related Statutes (CJA Guidelines), Volume 7, Guide to Judiciary Policies and Procedures, which is available at <http://www.uscourts.gov/defenderservices/volume7.cfm>.

- * Chapter 2 – Appointment and Payment of Counsel
- * Chapter 6 – Representation in Federal Death Penalty Cases and in Federal Capital Habeas Corpus Proceedings

ATTACHMENT "B"

\$125.00 Per Hour Effective 1/01/2010				
CLAIM FOR SERVICES				
CATEGORIES				HOURS CLAIMED
15 In	a.	Arraignment and/or Plea		
	b.	Bail and Detention Hearings		
	c.	Motion Hearings		
	d.	Trial		
	e.	Sentencing Hearings		
	f.	Revocation Hearings		
	g.	Appeals Court		
	h.	Other (Specify on Additional Sheets)		
TOTAL IN \$				Hours
16 Out	a.	Interviews & Conferences		
	b.	Obtaining & Reviewing Records		
	c.	Legal Research & Brief Writing		
	d.	Travel Time		
	e.	Investigative & Other Work (Specify on Additional Sheets)		
TOTAL OUT \$				Hours

\$110.00 Per Hour Effective 9/1/2013				
CLAIM FOR SERVICES				
CATEGORIES				HOURS CLAIMED
15 In	a.	Arraignment and/or Plea		
	b.	Bail and Detention Hearings		
	c.	Motion Hearings		
	d.	Trial		
	e.	Sentencing Hearings		
	f.	Revocation Hearings		
	g.	Appeals Court		
	h.	Other (Specify on Additional Sheets)		
TOTAL IN \$				Hours
16 Out	a.	Interviews & Conferences		
	b.	Obtaining & Reviewing Records		
	c.	Legal Research & Brief Writing		
	d.	Travel Time		
	e.	Investigative & Other Work (Specify on Additional Sheets)		
TOTAL OUT \$				Hours

\$126.00 Per Hour Effective 3/1/2014				
CLAIM FOR SERVICES				
CATEGORIES				HOURS CLAIMED
15 In	a.	Arraignment and/or Plea		
	b.	Bail and Detention Hearings		
	c.	Motion Hearings		
	d.	Trial		
	e.	Sentencing Hearings		
	f.	Revocation Hearings		
	g.	Appeals Court		
	h.	Other (Specify on Additional Sheets)		
TOTAL IN \$				Hours
16 Out	a.	Interviews & Conferences		
	b.	Obtaining & Reviewing Records		
	c.	Legal Research & Brief Writing		
	d.	Travel Time		
	e.	Investigative & Other Work (Specify on Additional Sheets)		
TOTAL OUT \$				Hours

\$127.00 Per Hour Effective 1/1/2015				
CLAIM FOR SERVICES				
CATEGORIES				HOURS CLAIMED
15 In	a.	Arraignment and/or Plea		
	b.	Bail and Detention Hearings		
	c.	Motion Hearings		
	d.	Trial		
	e.	Sentencing Hearings		
	f.	Revocation Hearings		
	g.	Appeals Court		
	h.	Other (Specify on Additional Sheets)		
TOTAL IN \$				Hours
16 Out	a.	Interviews & Conferences		
	b.	Obtaining & Reviewing Records		
	c.	Legal Research & Brief Writing		
	d.	Travel Time		
	e.	Investigative & Other Work (Specify on Additional Sheets)		
TOTAL OUT \$				Hours

Date Submitted _____

Combined Total In Court	_____
Combined Total Out of Court	_____
Travel Expenses	_____
Other Expenses	_____
GRAND TOTAL CLAIMED	<div style="border: 1px solid black; width: 80px; height: 30px; margin: 0 auto;"></div>

Effective January 1, 2015

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

CJA SPLIT RATE WORKSHEET -- DEATH PENALTY CASES

\$178.00 Per Hour (Effective 1/01/2010)		
CATEGORIES		HOURS CLAIMED
a.	In-Court Hearings	
b.	Interviews & Conferences With Client	
c.	Witness Interviews	
d.	Consultation With Investigators & Experts	
e.	Obtaining & Reviewing the Court Record	
f.	Obtaining & Reviewing Documents & Evidence	
g.	Consulting With Expert Counsel	
h.	Legal Research & Writing	
i.	Travel	
j.	Other (Specify on Additional Sheets)	
Total \$		Hours

\$163.00 Per Hour (Effective 9/1/2013)		
CATEGORIES		HOURS CLAIMED
a.	In-Court Hearings	
b.	Interviews & Conferences With Client	
c.	Witness Interviews	
d.	Consultation With Investigators & Experts	
e.	Obtaining & Reviewing the Court Record	
f.	Obtaining & Reviewing Documents & Evidence	
g.	Consulting With Expert Counsel	
h.	Legal Research & Writing	
i.	Travel	
j.	Other (Specify on Additional Sheets)	
Total \$		Hours

\$180.00 Per Hour (Effective 3/1/2014)		
CATEGORIES		HOURS CLAIMED
a.	In-Court Hearings	
b.	Interviews & Conferences With Client	
c.	Witness Interviews	
d.	Consultation With Investigators & Experts	
e.	Obtaining & Reviewing the Court Record	
f.	Obtaining & Reviewing Documents & Evidence	
g.	Consulting With Expert Counsel	
h.	Legal Research & Writing	
i.	Travel	
j.	Other (Specify on Additional Sheets)	
Total \$		Hours

\$181.00 Per Hour (Effective 1/1/2015)		
CATEGORIES		HOURS CLAIMED
a.	In-Court Hearings	
b.	Interviews & Conferences With Client	
c.	Witness Interviews	
d.	Consultation With Investigators & Experts	
e.	Obtaining & Reviewing the Court Record	
f.	Obtaining & Reviewing Documents & Evidence	
g.	Consulting With Expert Counsel	
h.	Legal Research & Writing	
i.	Travel	
j.	Other (Specify on Additional Sheets)	
Total \$		Hours

Date Submitted _____

Combined Total In -Court (Category A)	_____
Combined Total Out-of-Court (Categories B-J)	_____
Travel Expenses	_____
Other Expenses	_____
GRAND TOTAL CLAIMED	<div style="border: 1px solid black; width: 100px; height: 40px;"></div>

ATTACHMENT "C"

CURRENT CRIMINAL JUSTICE ACT (CJA) RATES AND CASE COMPENSATION MAXIMUMS

Hourly Rates for CJA Panel Attorneys (for services on or after 1/1/2015)

If a case is...	The hourly rate maximum is...
Non-Capital	\$127
Capital	\$181
for service prior to 1/1/2015	see History of CJA Rates

Waivable Case Compensation Maximums for Non-Capital Cases

[Note that there are no statutory attorney case compensation maximums for capital cases. [CJA Guidelines, § 630.10.20](#)]

[Section \(d\)\(2\) of the Criminal Justice Act, 18 U.S.C. §3006A](#), provides that the attorney case compensation maximums increase simultaneously by the aggregate percentage increases in the maximum hourly non-capital rate, rounded to the nearest \$100.

If a case is a...	And services were completed...			
	On or after March 11, 2009, and before January 1, 2010, the case maximum is...	On or after January 1, 2010, and before March 1, 2014, the case maximum is ...	On or after March 1, 2014, and before 1/1/2015, the case maximum is...	On or after January 1, 2015, the case maximum is...
Felony (including pre-trial diversion of alleged felony)	\$8,600	\$9,700	\$9,800	\$9,900
Misdemeanor (including pre-trial diversion of alleged misdemeanor)	\$2,400	\$2,800	\$2,800	\$2,800
Proceeding under 18 U.S.C. § 4106A	\$1,800	\$2,100	\$2,100	\$2,100
Proceeding under 18 U.S.C. §§ 4107 or 4108 (for each verification proceeding)	\$2,400	\$2,800	\$2,800	\$2,800
Proceeding under 18 U.S.C. § 983	\$8,600	\$9,700	\$9,800	\$9,900
Post-conviction proceeding under 28 U.S.C. §§	\$8,600	\$9,700	\$9,800	\$9,900

2241, 2254 or 2255				
Proceeding under 28 U.S.C. § 1875	\$8,600	\$9,700	\$9,800	\$9,900
Appeal (from felony, misdemeanor, proceeding under 18 U.S.C. § 4106A, 18 U.S.C. § 983, post-conviction proceeding under 28 U.S.C. §§ 2241, 2254 or 2255, and 28 U.S.C. § 1875)	\$6,100	\$6,900	\$7,000	\$7,100
Other representation required or authorized by the CJA (including, but not limited to probation, supervised release hearing, material witness, grand jury witness)	\$1,800	\$2,100	\$2,100	\$2,100
Appeal of other representation	\$1,800	\$2,100	\$2,100	\$2,100

Waivable Compensation Maximums for Services other than Counsel (e.g., investigators and experts):

Non-Capital Cases:

[Note: with prior authorization, the maximum applies separately for each service provider; without prior authorization, the maximum applies to the aggregate compensation (excluding expenses) claimed by all services providers combined, not to each service provider individually.]

With prior court authorization	\$2,400	CJA Guidelines § 310.20.10
Without prior court authorization	\$800	CJA Guidelines § 310.20.20

Capital Case:

For capital representations commenced, and capital appeals perfected on or after April 24, 1996, there is a waivable limit of \$7,500. The \$7,500 limit applies to the total payments for investigative, expert, and other services in a case, not to each service individually.

For services provided in earlier capital cases, please contact the [Legal and Policy Branch Duty Day Attorney](#) at 202-502-3030.

Mileage Rates:

Reimbursement for representation-related travel by privately owned automobile should be claimed at the [rate currently prescribed for federal judiciary employees](#) who use a private automobile for conduct of official business, plus parking fees, ferry fares, and bridge, road, and tunnel tolls.

ATTACHMENT "D"

2015 FEES FOR CONTRACT COURT INTERPRETERS

Federal Certified and Professionally Qualified Interpreters Rates:	
Full Day	\$412
Half Day	\$223
Overtime	\$58 per hour or part thereof

Federal Language Skilled (Non-Certified) Interpreter Rates:	
Full Day	\$198
Half Day	\$109
Overtime	\$34 per hour or part thereof

<u>New Jersey State Rates in Effect July 1, 2014 - June 30, 2015</u>						
Classification of Interpreter	Preparation Time (Hourly)	Interpreting on Site			Interpreting By Telephone	
		Half-Day	Full Day	Premium Time (Hourly)	First 30 Minutes	Each Additional 15 Mins.
Approved: Master	\$34.68	\$199.86	\$343.20	\$57.12	\$46.92	\$23.97
Approved: Journeyman	\$26.52	\$157.11	\$274.03	\$45.90	\$41.31	\$20.91
Conditionally Approved	\$17.34	\$106.11	\$197.80	\$34.68	\$29.58	\$15.30

Effective as of 1/1/15

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

INTERPRETER FACT SHEET:

Information Regarding the Completion of Vouchers Submitted
under the Criminal Justice Act -CJA Forms 21 and 31

This document complements and supplements the instructions to the vouchers to address lessons learned from an audit of CJA panel attorneys and interpreters. The judiciary is reviewing the applicable CJA forms and instructions for possible revisions.

CJA FORMS AND INSTRUCTIONS

(available at <http://www.uscourts.gov/forms/uscforms.cfm>)

- * CJA Form 21 (<http://www.uscourts.gov/forms/CJA/CJA21.pdf>) – Authorization and Voucher for Expert and Other Services, and corresponding CJA Form 21 instructions (<http://www.uscourts.gov/forms/cja21.html>).
- * CJA Form 31 (<http://www.uscourts.gov/forms/CJA/CJA31.pdf>) – Death Penalty Proceedings: Ex Parte Request for Authorization and Voucher for Expert and Other Services, and corresponding CJA Form 31 instructions (<http://www.uscourts.gov/forms/cja31.html>).

To receive payment, CJA Form 21 or 31 must be completed properly. Please read the instructions to the forms carefully when submitting a voucher.

Interpreters must maintain contemporaneous time and attendance records for all work performed as well as expense records. Such records, which may be subject to audit, must be retained for three years after approval of the interpreter's final voucher for a case. Any overpayments are subject to collection, including deduction of amounts due from future vouchers.

INTERPRETER PAYMENT VOUCHER GUIDANCE

- * Interpreters should review their vouchers to ensure that they do not contain errors, duplicate payment claims, or other improper charges, and should also review their billing practices to ensure that claims are appropriate.
- * Interpreters should determine whether the court has adopted a fee structure for interpreting services provided under the CJA (including travel expenses, if any) and bill accordingly.

- * An interpreter billing on an hourly-rate basis may not submit duplicate bills for work performed on more than one CJA representation furnished by an appointed attorney (federal public or community defender, CJA panel attorney, other attorney or entity authorized to obtain services under the CJA or the Defender Services appropriation, or person proceeding pro se) during the same time period. For example, if an interpreter is traveling to provide services for more than one person under the CJA, the interpreter may not bill the entire travel time on each payment claim. (When claims are prorated among vouchers, the supporting materials must cross-reference the cases. See the instructions for items 3-6 of CJA Forms 21 and 31 regarding when the proration of time on each voucher is required.)
- * When an interpreter is paid under the CJA based on the rates set forth in the court interpreters services contract terms and conditions (half and full day), he or she may not bill appointed attorneys for services provided to them during the same time period (including the time period covered by a cancellation fee), except with respect to the proration of the claims. For example, if an interpreter furnishes services during the same half day for more than one person represented by an appointed attorney(s), the entire half day may not be billed on multiple vouchers. Proration of the claims is permissible, so if services were provided for two CJA defendants, the claim for a half day of compensation could be apportioned on two vouchers (one for each defendant, with a cross reference to the other case). Regardless of the billing method under the CJA (hourly or half and full day), contract court interpreters may not charge any other federal court unit or appointed attorney for any services rendered during the same half or full day for which the interpreter is being compensated under the court interpreters services contract.
- * For interpreting services provided to one or more defendants represented by an appointed attorney(s) and a federal court unit on the same date, interpreters must identify in the supporting materials any other claim submitted to appointed counsel or a federal court unit (name of attorney or federal court unit and defendant, and time of service) for that date.
- * Interpreters must fully itemize their services, including the time period (times of day) for the services (see instruction 16a to CJA Forms 21 and 31 for other information and documentation that must be submitted).
- * With respect to mileage expenses, the number of miles and the origination and destination of the travel must be submitted as part of the supporting documentation (see instruction 16b to CJA Forms 21 and 31 for other information and documentation that is required for travel expenses).

- * The attorney may not sign his or her certification, required by item 18 of CJA Forms 21 and 31, until (1) the interpreter has provided the services and has completed the information and certification required by items 16 and 17 of those forms, and (2) the attorney has reviewed the billing information.

REFERENCE MATERIALS

For additional information regarding authorization and payment for investigators, experts, and other services under the CJA, please see the Guidelines for the Administration of the Criminal Justice Act and Related Statutes (CJA Guidelines), Volume 7, Guide to Judiciary Policies and Procedures, which is available at <http://www.uscourts.gov/defenderservices/volume7.cfm>.

- * Chapter 3 – Authorization and Payment for Investigative, Expert or Other Services
- * Chapter 6 – Representation in Federal Death Penalty Cases and in Federal Capital Habeas Corpus Proceedings

ATTACHMENT "E"

CJA ATTORNEY PRE-AUTHORIZATION

(Please complete this form and submit to the Court for approval)

Date of Request: _____

CJA Panel Attorney Name: _____

Case Number/Case Caption: _____

☐ **Associate/Partner/
Other Counsel
Assistance -** Name: _____
Estimated Compensation Amount: _____

Reason for Associate/Partner/Other Counsel's Assistance:

☐ **Paralegal
Assistance -** Name: _____
Hourly Rate to Exceed \$60.00/hr. Benchmark: _____

Total Estimated Compensation Amount: _____

Reason to Exceed Hourly Benchmark:

☐ **Investigator -** Name: _____
Hourly Rate to Exceed \$85.00/hr. Benchmark: _____

Total Estimated Compensation Amount: _____

Reason to Exceed Hourly Benchmark:

CJA Panel Attorney Signature

Date Approved: _____

United States District Judge

Date Approved: _____

United States Magistrate Judge