

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
MCALLEN DIVISION**

**CRIMINAL JUSTICE ACT PLAN**

**2011**

CRIMINAL JUSTICE ACT PLAN  
MCALLEN DIVISION  
SOUTHERN DISTRICT OF TEXAS

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UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
MCALLEN DIVISION

CRIMINAL JUSTICE ACT PLAN

I. AUTHORITY

Pursuant to the Criminal Justice Act of 1964, as amended, (CJA), section 3006A of Title 18, United States Code, and the Guidelines for the Administration of the Criminal Justice Act, Volume VII, Guide to Judiciary Policies and Procedures (CJA Guidelines), the judges of the United States District Court for the Southern District of Texas, adopt this Plan for furnishing representation in the McAllen Division of the Southern District of Texas for any person financially unable to obtain adequate representation in accordance with the CJA.

II. STATEMENT OF POLICY

A. Objectives.

1. The objective of this Plan is to attain the ideal of equality before the law for all persons. Therefore, this Plan shall be administered so that those accused of crime, or otherwise eligible for services pursuant to the CJA, will not be deprived, because they are financially unable to pay for adequate representation, of any element of representation necessary to an adequate defense.
2. The further objective of this Plan is to particularize the requirement of the CJA, the Anti-Drug Abuse Act of 1988 (codified in part at section 3599 of Title 18, United States Code), and the CJA Guidelines in a way that meets the needs of this division.

B. Compliance.

1. The court, the clerk's office, the Federal Public Defender Organization, and private attorneys appointed under the CJA shall comply with the CJA Guidelines approved by the Judicial Conference of the United States and/or its Committee on Defender Services and with this Plan.
2. Each private attorney shall be provided by the clerk of court with a then-current copy of this Plan upon the attorney's first appointment under the CJA. The clerk shall maintain a current copy of the CJA Guidelines for the use of attorneys appointed under the CJA and shall make known to such attorneys its availability.

III. DEFINITIONS

- A. “Representation” includes counsel and investigative, expert, and other services.
- B. “Appointed attorney” includes private attorneys, the federal public defender and staff attorneys of the Federal Public Defender Organization.

IV. PROVISION OF REPRESENTATION

A. Circumstance.

- 1. Mandatory. Representation *shall* be provided for any financially eligible person who:
  - a. is charged with a felony or an offense for which a sentence to confinement is authorized;
  - b. is a juvenile alleged to have committed an act of juvenile delinquency as defined in section 5031 of Title 18, United States Code;
  - c. is charged with a violation of probation, or faces a change of a term or condition of probation (unless the modification sought is favorable to the probationer and the government has not objected to the proposed change);
  - d. is under arrest, when such representation is required by law;
  - e. is entitled to appointment of counsel in parole proceedings;
  - f. is charged with a violation of supervised release or faces modification, reduction, or enlargement of a condition, or extension or revocation of a term of supervised release;
  - g. is subject to a mental condition hearing under chapter 313 of Title 18, United States Code;
  - h. is in custody as a material witness;
  - i. is seeking to set aside or vacate a death sentence under sections 2254 or 2255 of Title 28, United States Code;
  - j. is entitled to appointment of counsel in verification of consent proceedings pursuant to a transfer of an offender to or from the United States for the execution of a penal sentence under section 4109 of Title 18, United States Code;

- k. is entitled to appointment of counsel under the Sixth Amendment to the Constitution; or
  - l. faces loss of liberty in a case and federal law requires the appointment of counsel.
2. Discretionary. Whenever a district judge or magistrate judge determines that the interests of justice so require, representation *may* be provided for any financial eligible person who:
- a. is charged with a Class B or C misdemeanor, or an infraction for which a sentence to confinement is authorized;
  - b. is seeking relief, other than to set aside or vacate a death sentence under sections 2241, 2254, or 2255 of Title 28, United States Code;
  - c. is charged with civil or criminal contempt who faces loss of liberty;
  - d. has been called as a witness before a grand jury, a court, the Congress, or a federal agency or commission which has the power to compel testimony, and there is reason to believe, either prior to or during testimony, that the witness could be subject to a criminal prosecution, a civil or criminal contempt proceeding, or face loss of liberty;
  - e. is proposed by the United States Attorney for processing under a pretrial diversion program;
  - f. is held for international extradition under chapter 209 of Title 18, United States Code.
  - g. Representation may also be furnished for financially eligible persons in ancillary matters appropriate to the proceedings pursuant to subsection (c) of the CJA.

B. When Counsel Shall be Provided.

Counsel shall be provided to eligible persons as soon as feasible after they are taken into custody, when they appear before a magistrate judge or judge, when they are formally charged or notified of charges if formal charges are sealed, or when a magistrate judge or judge otherwise considers appointment of counsel appropriate under the CJA, whichever occurs earliest.

C. Number and Qualifications of Counsel.

1. Number.

- a. Noncapital Cases. More than one attorney *may* be appointed in any case determined by the court to be sufficiently difficult or complex.
- b. Federal Capital Prosecutions. Pursuant to 18 U.S.C. § 3005, a person charged with a federal capital offense is *entitled* to the appointment of two attorneys, at least one of whom shall be learned in the law applicable to capital cases. Pursuant to 18U.S.C. § 3599(d), if necessary for adequate representation, more than two attorneys may be appointed to represent a defendant in such a case. The federal public defender should be consulted prior to any appointments.
- c. Capital Habeas Corpus Proceedings. Pursuant to 18 U.S.C. § 3599(a)(2), a financially eligible person seeking to vacate or set aside a death sentence in proceedings under 28 U.S.C. § 2254 or 2255 is *entitled* to appointment of one or more qualified attorneys. Due to the complex, demanding and protracted nature of death penalty proceedings, consideration may be given to appointing additional counsel.

2. Qualifications. Qualifications for appointed counsel shall be determined by the court.

- a. Noncapital cases. Attorneys appointed shall be sufficiently qualified, given the nature of the case, to provide representation consistent with the objective criteria adopted in paragraph VII and Appendix A.
- b. Capital cases: Appointment of Counsel Prior to Judgment. Pursuant to 18 U.S.C. § 3599(b), at least one of the attorneys appointed must have been admitted to practice in the court in which the case will be prosecuted for not less than five years, and must have had not less than three years experience in the actual trial of felony prosecutions in that court. Pursuant to 18 U.S.C. § 3005, at least one of the attorneys appointed must be knowledgeable in the law applicable to capital cases.

Pursuant to 18 U.S.C. § 3005, in appointing counsel in federal capital prosecutions, the court shall consider the recommendation of the federal public defender.

- c. Capital cases: Appointment of Counsel After Judgment. Pursuant to 18 U.S.C. § 3599(c), at least one of the attorneys appointed must have been admitted to practice in the court of appeals for not less than five years, and must have had not less than three years experience in the handling of appeals in felony cases in the court.
- d. Attorney Qualification Waiver. Pursuant to 18 U.S.C. § 3599(d), the court, for good cause, may appoint an attorney who may not qualify under 18 U.S.C. § 3599(b) or (c), but who has the background, knowledge, and experience necessary to represent the defendant properly in a capital case, giving due consideration to the seriousness of the possible penalty and the unique and complex nature of the litigation.

D. Eligibility for Representation.

- 1. Factfinding. The determination of eligibility for representation under the CJA is a judicial function to be performed by a judge or magistrate judge after making appropriate inquiries concerning the person's financial condition.
- 2. Change in Eligibility.
  - a. Subsequent Ability to Pay. If, at any time after appointment, counsel obtains information that a client is financially able to make payment, in whole or in part, for legal or other services in connection with his or her representation, and the source of the attorney's information is not protected as a privileged communication, counsel shall advise the court.
  - b. Subsequent Inability to Pay. If at any stage of the proceedings, including an appeal, the court finds that a person who previously did not have counsel appointed under the Act is financially unable to pay counsel whom he or she had retained, the court may appoint counsel as provided in the Act, including the previously retained counsel, and authorize such payment as therein provided, as the interests of justice may dictate.
- 3. Partial Eligibility: Partial Payment or Reimbursement. If at the time of appointment or at any time thereafter the court finds that the person is financially able to obtain counsel or to make partial payment for the representation, or that funds are available for payment from or on behalf of a person furnished representation, the court shall take appropriate action, which may include terminating the appointment of counsel, ordering partial

payment by the person furnished representation, or permitting appointed counsel to continue to represent the party with part or all of the cost of representation paid by the person furnished representation.

V. FEDERAL PUBLIC DEFENDER ORGANIZATION

A. Establishment.

1. The Federal Public Defender Organization for the Southern District of Texas, previously established in this district pursuant to the provisions of the CJA, is hereby recognized as the Federal Public Defender Organization for this district.
2. The Federal Public Defender Organization shall be capable of providing legal services in the McAllen Division.

B. Supervision of Defender Organization. The federal public defender shall be responsible for the supervision and management of the Federal Public Defender Organization. Accordingly, the federal public defender shall be appointed in all cases assigned to that organization for subsequent assignment to staff attorneys at the discretion of the federal public defender.

VI. PRIVATE ATTORNEYS

- A. Establishment of CJA Panel. The panel of private attorneys (CJA panel) shall consist of the members in good standing of the federal bar of the Southern District of Texas who maintain law offices within the geographical area of the McAllen Division.
- B. Organization. The Plan for the Composition, Administration, and Management of the Panel of Private Attorneys under the Criminal Justice Act is found at Appendix A of this CJA Plan.
- C. Ratio of Appointments. Where practical and cost effective, and particularly where the federal public defender is unavailable for appointment due to conflict or otherwise, private attorneys from the CJA Panel shall be appointed in a substantial proportion of the cases in which the accused is determined to be financially eligible for representation under the CJA.

VII. DUTIES OF APPOINTED COUNSEL

- A. Standards. The services to be rendered a person represented by appointed counsel shall be commensurate with those rendered if counsel were privately employed by the person.

A CJA Panel attorney may use the Federal Public Defender Organization as a resource to assist in addressing issues that may arise during the course of the representation, including but not limited to assistance with sentencing guideline questions. The Federal Public Defender Organization's ability to provide such assistance may be constrained by their duty to their clients. Periodic training in federal criminal practice will also be available to assist CJA Panel attorneys.

- B. Professional Conduct. Attorneys appointed pursuant to the CJA shall conform to the highest standards of professional conduct, including but not limited to the provisions of the Texas Disciplinary Rules of Professional Conduct and the rules established by this Court.

Violation of the Rules of Discipline of this Court or the Texas Disciplinary Rules of Professional Conduct or of any court of record shall be grounds for disqualification and/or disciplinary action. (The Rules of Discipline, attached to the Local Rules, are incorporated by reference.)

- C. No Receipt of Other Payment. Appointed counsel may not require, request, or accept any payment or promise of payment or any other valuable consideration for representation under the appointment, unless such payment is approved by order of the court.
- D. Continuing Representation. Once counsel is appointed under the CJA, counsel shall continue the representation until the matter, including appeals or review by certiorari (as governed by the circuit CJA plan provisions concerning representation on appeal), is closed; until substitute counsel has filed a notice of appearance or has been appointed by the court; until an order has been entered allowing or requiring the person represented to proceed pro se; or until the appointment is terminated by court order.

#### VIII. DUTIES OF LAW ENFORCEMENT AND RELATED AGENCIES

- A. Presentation of Accused for Appointment of Counsel. Federal law enforcement and prosecutorial agencies shall promptly advise pretrial services officers or probation officers when a person in custody is brought to court for an initial appearance. A pretrial services officer or probation officer shall promptly ask such person in custody whether he or she is financially able to secure representation, and shall assist the person in completing a financial affidavit to assist the court in making a determination of financial eligibility for appointment of counsel.
- B. Advice to Defendant before Pretrial Services Interview. Before a Pretrial Services Officer interviews a defendant, the Pretrial Services Officer shall notify the defendant that the defendant has the right to speak with a lawyer before answering any questions, and that a lawyer will be appointed to represent him if the defendant

cannot afford a lawyer. The notice shall be in writing. If the defendant does not speak the language of the notice, an interpreter shall be provided.

- C. Notice of Indictment or Criminal Information. Upon the return or unsealing of an indictment, the filing of a criminal information, or the filing of a petition to modify or revoke probation, the United States attorney or the probation officer, as appropriate, immediately shall mail or otherwise deliver a copy of the document to appointed counsel, or to the defendant if he is without counsel, at the address shown on defendant's bond papers or to the jail in which the defendant is incarcerated.

#### IX. MISCELLANEOUS

- A. Forms. Standard forms, pertaining to the CJA and approved by the Judicial Conference of the United States or its Committee on Defender Services and prescribed and distributed by the Director of the Administrative Office of the United States Courts, shall be used, where applicable, in all proceedings under this Plan.
- B. Claims. Claims for compensation of private attorneys providing representation under the CJA shall be submitted on the appropriate CJA form, to the office of the clerk of the court. That office shall review the claim form for mathematical and technical accuracy and for conformity with the CJA Guidelines, and, if correct, shall forward the claim form for the consideration of the appropriate judge. The court will exert its best effort to avoid delays in reviewing payment vouchers and in submitting them for further processing. In complex or extended cases, interim billing shall be required. (For details, see Appendix B.)
- C. Supersession. This Plan supersedes all prior Criminal Justice Act Plans of this division.

#### X. EFFECTIVE DATE.

This plan shall become effective when approved by the Judicial Council of the Fifth Circuit.

#### APPENDICES:

- A. Plan for the Composition, Administration, and Management of the Panel of Private Attorneys under the Criminal Justice Act
- B. Instructions and Forms for Submitting Pay and Expense Vouchers
- C. Pretrial Services Officer's Notice to Defendant

# APPENDIX A

## MCALLEN DIVISION PLAN THE COMPOSITION, ADMINISTRATION, AND MANAGEMENT OF THE PANEL OF PRIVATE ATTORNEYS UNDER THE CRIMINAL JUSTICE ACT

### I. COMPOSITION OF PANEL OF PRIVATE ATTORNEYS

#### A. CJA PANEL

1. Composition. The Court hereby establishes a panel of private attorneys, the CJA Panel, which shall consist of the members in good standing of the federal bar of the Southern District of Texas who maintain law offices within the geographical area of the McAllen Division. Members of the CJA Panel shall serve at the pleasure of the Court.
2. Eligibility. Attorneys who serve on the CJA Panel must be members in good standing of the federal bar of this district, and be licensed and in good standing with the State Bar of Texas.

#### B. CJA PANEL COMMITTEE

1. Membership A CJA Panel Committee shall consist of the district judges and magistrate judges of the McAllen Division. The Federal Public Defender and/or one or more attorneys from the McAllen Federal Public Defender office and one or more members of the CJA panel may be invited to be a member of, or provide input to, the Committee. The Committee shall select its own chairperson. The Committee need not have regular meetings, but shall convene when necessary to accomplish the purposes desired in this Plan. No formal records need be made at such meeting.
2. Duties.
  - a. The CJA Panel Committee shall meet as needed to review the operation of the CJA plan, which may include evaluating the adequacy of legal representation being provided, assessing the qualifications of attorneys appointed under the plan, and insuring the availability of appropriate support, training, and continuing legal education for CJA Panel attorneys. The Committee may but need not classify Panel members according to level of experience and area of expertise.
  - b. The Committee shall recommend to the Court any changes deemed necessary or appropriate regarding the appointment process and Panel management.

### C. CJA PANEL SUPPORT AND TRAINING

A CJA Panel attorney may use the Federal Public Defender Organization as a resource to assist in addressing issues that may arise during the course of a representation, including but not limited to assistance with sentencing guideline questions. Periodic training in federal criminal practice, including programs offered by the Federal Public Defender Organization, will also be available to assist CJA Panel attorneys, who are strongly encouraged to attend such programs at least once per year.

## II. THE APPOINTMENT PROCESS

### A. MAINTENANCE OF LIST AND DISTRIBUTION OF APPOINTMENTS

The Clerk shall maintain the current CJA Panel list and shall furnish a copy to each judge upon request. The Clerk shall also maintain a record of appointments of CJA Panel attorneys that reflects the dates and nature of each attorney's appointments under the plan.

### B. METHOD OF APPOINTMENT

Appointments from the list of private attorneys should be made on a rotational basis, subject to the Court's discretion to consider the nature and complexity of the case, an attorney's experience, and the ability of the person to be represented to communicate in English. This procedure will assist in producing a balanced distribution of appointments among the members of the CJA Panel and providing quality representation for each person entitled to appointment of counsel.

## III. COMPENSATION - FILING OF VOUCHERS

Claims for compensation should be submitted, through the court's eVoucher system, to the office of the Clerk of the Court. The Clerk of the Court shall review the claim for conformity with the Guidelines for the Administration of the Criminal Justice Act (volume VII, Guide to Judiciary Policies and Procedures) and, if correct, shall forward the claim form for the consideration and action of the presiding judge or magistrate. (See Appendix B).

## APPENDIX B

### GENERAL INFORMATION FOR VOUCHER SUBMISSION

#### A. GENERAL

All vouchers must be submitted through the court's eVoucher system.

All vouchers must itemize the dates services were rendered, a description of the legal services rendered in representation of the client, and the time expended in rendering the legal services.

Expenses must be itemized and documented.

In an extended or complex case, vouchers must be submitted monthly unless otherwise directed by the court.

#### B. ALLOWABLE EXPENSES - COURT APPOINTED COUNSEL (CJA 20 or 30)

Out of pocket expenses reasonable incurred may be claimed on the CJA 20 or 30 vouchers, and must be itemized and reasonably documented. Expenses for investigations or other services under subsection (e) of the Act are not out of pocket expenses. Thus, such expenses should not be claimed on the CJA 20 or 30 vouchers. A CJA 21 or 31 voucher, Authorization and Voucher for Expert or Other Services, should be filed by the attorney on behalf of the investigator or other expert. Out of pocket expenses may include:

##### 1. Travel Expenses

- (a) Travel by a privately owned automobile should be claimed at the rate prescribed for federal judiciary employees who use a private automobile for conducting official business, plus parking fees, ferry fees, and bridge, road and tunnel tolls. Other means of transportation should be claimed on an actual expense basis. (Local toll fees are not recoverable.)
- (b) Costs for traveling from an attorney's office/duty station and the courthouse will not be reimbursed.
- (c) Travel time shall not be charged as an expense except where travel is away from the duty station where the courthouse is located.
- (d) Counsel's expenses for meals and lodgings incurred in the representation of the defendant constitute reimbursable out of pocket expenses.

Updated to reflect modifications adopted at the Executive Session of Court, November 10, 2016.  
To reference current rates visit at [www.txs.uscourts.gov/page/payment-rates](http://www.txs.uscourts.gov/page/payment-rates)

- (e) In determining whether actual expenses incurred are "reasonable," counsel should be guided by the prevailing limitations placed upon travel and subsistence expenses of federal judiciary employees in accordance with existing government travel regulations.

2. Hourly Rates for Appointed Trial Attorneys

- (a) The current hourly rate for in Court appearances and out-of-Court labor, as approved by the Judicial Conference of the United States, is published at [www.txs.uscourts.gov/page/payment-rates](http://www.txs.uscourts.gov/page/payment-rates). Where the hourly rate changes in the midst of an appointment, appropriate adjustments will be recognized. Case compensation maximums that are established by statute or Court rule will be recognized in all cases unless a case becomes extended or complex. Ultimate approval in such cases is made by the Chief Judge of the Fifth Circuit or her/his designee.
- (b) All claims for compensation in excess of statutory case limitation requires both, the voucher and a detailed memorandum supporting and justifying counsel's claim. The memorandum should state that representation was provided in a complex or extended case and that the excess payment is necessary to provide fair compensation. Ultimate approval in such cases is made by the Chief Judge of the Fifth Circuit or her/his designee.
- (c) Fees and Expenses In Capital Cases. Compensation shall be paid to attorneys appointed under this subsection not to exceed the in-court and out-of-court time published rates. Fees and expenses paid for investigative, expert, and other reasonably necessary services that are authorized, in any case, shall not exceed the published rate unless payment in excess of that limit is certified by the court. Amounts in excess shall first be approved by chief judge of the circuit or circuit designee. The Fifth Circuit's Special Procedures for Reviewing Attorney Compensation Requests in Death Penalty Cases and the limits on fees and expenses are on court's website.

3. Compensation Limits for Investigative, Expert and "Other" Services (CJA 21 & 31)

- (a) With Prior Authorization [www.txs.uscourts.gov/page/payment-rates](http://www.txs.uscourts.gov/page/payment-rates)  
(per organization or individual, exclusive of reimbursement for expenses reasonably incurred, per individual authorization to perform said service.)
- (b) Without Prior Authorization [www.txs.uscourts.gov/page/payment-rates](http://www.txs.uscourts.gov/page/payment-rates)  
(Subsection (e)(2)(A) of the Act authorizes the obtaining of investigative, expert and other services without prior authorization but subject to

subsequent review, providing the cost of services obtained does not exceed the published rate plus expenses reasonably incurred.)

4. Photocopying

Actual costs not to exceed the published rate will be paid if a copy of the bill is submitted. For in-house copying, actual costs not to exceed the published rate will be paid. The costs of other forms reproduction will not be reimbursable.

5. Courier Service and Other Special Arrangements

For delivery of items that could be mailed or e-filed, expenses will be reimbursed only if normal mail service or e-filing is unavailable or inadvisable. In non-emergency cases, routine documents such as briefs and motions should be prepared early enough to permit use of the mail.

6. Law Students

Use of qualified law students to assist assigned counsel in trial preparation and in drafting briefs and arguments on appeal may be appropriate. Payment under the CJA in such instances may be made to assigned counsel only for compensable time spent by counsel plus allowable expenses. Allowable expenses for the attorney may include compensation paid to law students for legal research, but does not include reimbursement for expenses otherwise incurred by a law student. Submit an electronic CJA-21 or CJA-31 and treat as a paralegal expense (see B5 and B8).

7. Legal Research

- (a) Hours claimed for legal research and writing must identify the issue or issues that were the subject matter of the research;
- (b) In extended or complex cases, the hours claimed for legal research and writing must identify the issue or issues that were the subject matter of the research and the docket number of the relevant pleadings; and
- (c) A copy of bill for the use of equipment for computer assisted legal research must be attached to the compensation voucher.

8. Other Expenses

Other expenses include items such as telephone calls, express delivery, copying (except printing), postage and photographs. "Other" expenses in excess of the

published rate must be substantiated by proof of payment, i.e., receipts, canceled checks, and invoices.

## IN COURT HOURLY INSTRUCTIONS

The “in-court” designation was devised to standardize the itemization and documentation of hourly totals and “in-court” services performed by court appointed counsel in the defense of a client under the Criminal Justice Act. Each submission shall include the following:

- a) the date the service was performed
- b) a brief description of the service performed
- c) the time spent performing the service

The time spent performing the service shall be reported in tenths of hours\*. In addition, the time reported should be entered under the appropriate in-court service category, i.e., arraignment and/or plea, motions and requests, bail hearings, etc.

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*	6 Minutes	=	.1	Hour	36 Minutes	=	.6	Hour
	12 Minutes	=	.2	Hour	42 Minutes	=	.7	Hour
	18 Minutes	=	.3	Hour	48 Minutes	=	.8	Hour
	24 Minutes	=	.4	Hour	54 Minutes	=	.9	Hour
	30 Minutes	=	.5	Hour	60 Minutes	=	1.0	Hour

## OUT-OF-COURT HOURLY INSTRUCTIONS

The “out-of-court” designation was devised to standardize the itemization and documentation of hourly totals and “out-of-court” services performed by court appointed counsel in the defense of a client under the Criminal Justice Act. Each submission shall include the following:

- a) the date the service was performed
- b) a brief description of the service performed; and
- c) the time spent performing the service

The time spent performing the service shall be reported in tenths of hours\*. In addition, the time reported should be entered under the appropriate “out-of-court” service category, i.e., Interviews and conferences, obtaining and review records, legal research and brief writing, etc.

Note: Travel time should not be charged as an expense except where travel is away from the duty station where the courthouse is located.

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*	6 Minutes	=	.1	Hour	36 Minutes	=	.6	Hour
	12 Minutes	=	.2	Hour	42 Minutes	=	.7	Hour
	18 Minutes	=	.3	Hour	48 Minutes	=	.8	Hour
	24 Minutes	=	.4	Hour	54 Minutes	=	.9	Hour
	30 Minutes	=	.5	Hour	60 Minutes	=	1.0	Hour

## **OTHER EXPENSE INSTRUCTIONS**

The “other” expense designation was devised to standardize the itemization and reimbursable expense incurred by court appointed counsel in the defense of a client under the Criminal Justice Act. Each submission should include the following:

- a) the date incurred,
- b) a brief explanation of the expense; and
- c) the amount of expense incurred.

Expense items such as mileage and copying should reflect the total miles and pages, respectively, multiplied by the applicable rate. The expenses incurred should then be entered under the appropriate “other” expense category, i.e., mileage, parking, meals, etc. Upload all supporting documentation, i.e., receipts, canceled checks and invoices for all expenses in excess of the published rate to the electronic voucher.

## APPENDIX C

For Form PS 1, Pretrial Services Notice to Defendant, refer to [www.txs.uscourts.gov/page/cja-information](http://www.txs.uscourts.gov/page/cja-information)

For CJA Form 23, Financial Affidavit refer to  
<http://www.uscourts.gov/FormsAndFees/Forms/CourtFormsByCategory.aspx>