United States District Court
Southern District of Texas
ENTERED

MAY 12 2006

Michael N. Milby, Clerk
By Deputy Clerk M. Gossett

General Order No. 2006-7

UNITED STATES DISTRICT COURT
FOR THE
SOUTHERN DISTRICT OF TEXAS

CRIMINAL JUSTICE ACT PLAN

2005

THE JUDICIAL COUNCIL OF THE FIFTH CIRCUIT

REVIEWING PANEL --- CRIMINAL JUSTICE ACT PLAN

The foregoing and attached Order, entered December 15, 2005 amending the Criminal Justice Act Plan for the Southern District of Texas, having been reviewed by the Reviewing Panel of this Circuit, is approved.

Entered for the Reviewing Panel at New Orleans, Louisiana, this 7th day of April, 2006.

Gregory A. Nussel
Secretary to the Judicial Council
of the Fifth Circuit

The following judges comprised and acted as the Reviewing Panel:

(a) The Judicial Council of the Fifth Circuit:

Edith H. Jones
Jerry E. Smith
E. Grady Jolly
Patrick E. Higginbotham
Jacques L. Wiener, Jr.
Rhesa H. Barksdale
Fortunato P. Benavides
Carl E. Stewart
Edward C. Prado
Priscilla R. Owen
Sarah S. Vance
James J. Brady
Tucker L. Melançon
Michael P. Mills
David C. Bramlette
Sidney A. Fitzwater
Hayden W. Head, Jr.
Thad Heartfield
Fred Biery

(b) United States District Judge:

Hayden W. Head, Jr.
Chief United States District Judge
Southern District of Texas

TABLE OF CONTENTS

I. Authority

II. Statement of Policy

A. Objectives
B. Compliance

III. Definitions

A. Representation
B. Appointed Attorney

IV. Provision of Representation

A. Circumstance
1. Mandatory
2. Discretionary

B. When Counsel Shall be Provided

C. Number and Qualifications of Counsel
1. Number
2. Qualifications

D. Eligibility for Representation
1. Factfinding
2. Change in Eligibility
3. Partial Eligibility

V. Federal Public Defender Organization

A. Establishment
B. Supervision of Defender Organization
C. Management of CJA Panel

VI. Private Attorneys

A. Establishment of CJA Panel
B. Organization
C. Ratio of Appointments

VII. Duties of Appointed Counsel

A. Standards
B. Professional Conduct
C. No Receipt of Other Payment
D. Continuing Representation

VIII. Duties of Law Enforcement and Related Agencies

A. Presentation of Accused for Appointment of Counsel
B. Pretrial Services Interview
C. Notice of Indictment or Criminal Information

IX. Miscellaneous

A. Forms
B. Claims
C. Supersession
D. Guidelines Assist

X. Effective Date

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. Form Application for Admission to CJA Panel

D. Pretrial Services Officer's Notice to Defendant and Financial Affidavit

UNITED STATES DISTRICT COURT
FOR THE
SOUTHERN DISTRICT OF TEXAS

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 federal court 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 848(q) of Title 21, United States Code), and the CJA Guidelines in a way that meets the needs of this district.

B. Compliance.

1. The court, its clerk, 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 or designation as a member of the Panel of Private Attorneys under the Criminal Justice Act (CJA Panel). The clerk shall maintain a current copy of the CJA Guidelines for the use of members of the CJA Panel 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 financial eligible person who:

a. is charged with a felony or with a Class A misdemeanor;

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 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 petty offense (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 to be extremely difficult.

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 21 U.S.C. § 848(q)(4), 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 21 U.S.C. § 848(q)(4), 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 should be given to appointing at least two counsel.

2. Qualifications.

a. Noncapital cases. Qualifications for counsel shall be determined by the CJA Panel consistent with the objective criteria adopted in paragraph VII and Appendices A and C.

b. Capital cases: Appointment of Counsel Prior to Judgment. Pursuant to 21 U.S.C. § 848(q)(5), 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 21 U.S.C. § 848(q)(6), 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 21 U.S.C. § 848(q)(7), the court, for good cause, may appoint an attorney who may not qualify under 21 U.S.C. § 848(q)(5) or (q)(6), 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 throughout the district.

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.

C. Management of CJA Panel. Magistrate judges shall be responsible for the systematic distribution of cases to members of the CJA Panel, subject to the provisions of the Plan for the Composition, Administration, and Management of the Panel of private attorneys under the Criminal Justice Act.

VI. PRIVATE ATTORNEYS

A. Establishment of CJA Panel. The established panel of private attorneys (CJA panel) is hereby recognized.

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 Appointments. Where practical and cost effective, 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. "Substantial" shall usually be defined as approximately 25% of the appointments.

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.

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.

C. Violation of the Rules of Discipline of this Court shall be grounds for disqualification and/or disciplinary action. (The Rules of Discipline, attached to the Local Rules, are incorporated by reference.)

D. 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.

E. 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; 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, probation officers, and pretrial services officers in this district, and those acting on their behalf, shall promptly ask any person who is in custody, or who otherwise may be entitled to counsel under the CJA, whether he or she is financially able to secure representation, and shall, in such cases in which the person indicates that he or she is not able, notify the federal public defender who shall discuss with the person the right to representation and right to appointed counsel, and arrange to have the person promptly presented before a magistrate judge for determination of financial eligibility and appointment of counsel.

B. Advice of 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 protracted litigation, interim payments may be authorized. (For details, see Appendix B.)

C. Supersession. This Plan supersedes all prior Criminal Justice Act Plans of this court.

D. A CJA Panel Attorney may use the Federal Defender Training Group to assist with sentencing guideline questions, as well as general issues facing him/her.

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. Form Application for Admission to CJA Panel Disqualification from CJA Panel

D. Pretrial Services Officer's Notice to Defendant

ENTERED FOR THE COURT ON 12/15/05 (month), (day), (year).

CHIEF JUDGE, UNITED STATES DISTRICT COURT

APPROVED BY THE JUDICIAL COUNCIL OF THE FIFTH CIRCUIT on (month), (day), (year).

CHIEF JUDGE, UNITED STATES COURT OF APPEALS

APPENDIX A

HOUSTON-GALVESTON 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. Approval. The Court hereby establishes a panel of private attorneys, the CJA Panel, who are eligible and willing to be appointed to provide representation under the Criminal Justice Act. The Court shall approve attorneys for membership on the panel after receiving recommendations from the Panel Selection Committee, established pursuant to paragraph B of this Plan. Members of the CJA Panel shall serve at the pleasure of the Court.

2. Size. The CJA Panel shall consist of approximately 100 attorneys. The Court shall review annually and if necessary adjust the size of the Panel. The Panel shall be large enough to provide a sufficient number of experienced attorneys to handle the Criminal Justice Act caseload, yet small enough so that Panel members will have the opportunity to receive an adequate number of appointments to maintain their proficiency in federal criminal defense work, and thereby provide a high quality of representation.

3. Eligibility. Attorneys who serve on the CJA Panel must be members in good standing of the federal bar of this district, and have demonstrated experience in, and knowledge of, the Federal Rules of Criminal Procedure, the Federal Rules of Evidence and the United States Sentencing Guidelines..

4. Terms. Attorneys admitted as members of the Panel shall normally serve for a term of three years. Thereafter, attorneys must resubmit a new application. Members of the CJA Panel shall serve at the pleasure of the Court.

5. Reappointment. A member of the CJA Panel shall be eligible for reappointment to the panel for successive terms following expiration of his or her term, unless otherwise restricted by the Court.

6. Application. Application forms for membership on the CJA Panel shall be made available, upon request, by the Clerk of the Court. Completed applications shall be submitted to the Clerk of the Court who will transmit the applications to the chairperson of the Panel Selection Committee.

B. PANEL SELECTION COMMITTEE

1. Membership An appropriate Panel Selection Committee shall be established for each division or combination of Divisions by the Court. The Committee shall consist of one district judge, one or more magistrate judges, one or more attorneys who are members of the CJA Panel, and the Federal Public Defender. The Committee shall select its own chairperson.

2. Duties.

a. The Panel Selection Committee shall meet quarterly or as needed to consider applications for the vacancies created by the terms expiring each year. The Committee shall review the qualifications of applicants and recommend, for approval by the Court, those applicants best qualified to fill the vacancies.

The Committee shall recruit a broad based representative panel of competent attorneys with criminal trial experience. The primary objective of the Committee shall be to recruit the most qualified attorneys, but the Committee shall actively recruit women and minority members and shall provide a substantial number of attorneys fluent in languages other than English. The Committee may classify Panel members according to level of experience and area of expertise.

At its scheduled meeting, the Committee shall also review the operation and administration of the Panel over the preceding period, and recommend to the Court any changes deemed necessary or appropriate by the Committee regarding the appointment process and Panel management.

b. If, at any time during the course of a year, the number of vacancies due to resignation, removal, or death significantly decreases the size of the Panel, the Committee shall solicit applications for the vacancies, convene a special meeting to review the qualifications of the applicants, and select prospective members for recommendation to the Court for approval. Members approved by the Court to fill mid-term vacancies shall serve until the expiration of the

term that was vacated, and shall be immediately eligible for reappointment.

C. CJA TRAINING PANEL

The Panel Selection Committee shall establish a CJA Training Panel, consisting of attorneys who have the experience required for membership on the CJA Panel. Training Panel members may be assigned, by the Court, to assist members of the CJA Panel in a "second chair" capacity. Training Panel members are not eligible to receive appointments independently, and shall not be eligible to receive compensation for their services in assisting CJA Panel members. Prior service on the CJA Training Panel is not a requirement for membership on the CJA Panel, nor will service on the Training Panel guarantee admission of an attorney to the CJA Panel.

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 and the Federal Public Defender upon request. The Clerk shall also maintain a public record of appointments of private counsel, and, [when appropriate], statistical data reflecting the proration of appointments between the Federal Public Defender and private attorneys, according to the formula heretofore described.

B. METHOD OF APPOINTMENT

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

III. COMPENSATION - FILING OF VOUCHERS

Claims for compensation shall be submitted, on the appropriate CJA form, to the office of the Clerk of the Court. The Clerk of the Court shall review the claim form for mathematical and technical accuracy, and 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 submitted must have worksheets or attorneys worksheet with explanations of time and services rendered.

Frequently, payment of a voucher is delayed for failure to itemize or supply sufficient documentation of expenses. In addition, delay is caused when pertinent court orders are not submitted with the vouchers. Vouchers for attorneys under the Act must include a description of the services - a breakdown of how the hours were spent, and the dates the services were performed. Travel expenses reporting shall include date, destination and purpose of travel.

B. ALLOWABLE EXPENSES - COURT APPOINTED COUNSEL (CJA FORM 20)

Out of pocket expenses reasonable incurred may be claimed on the CJA 20 voucher, 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 voucher. A CJA 21 voucher Authorization and Voucher for Expert or Other Services should be filed by 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) All local travel will be accomplished by the most economical means possible and claimed as an actual expense. Travel time shall not be charged as an expense except where travel is away from the duty station where the courthouse is located.

(c) Counsel's expenses for meals and lodgings incurred in the representation of the defendant constitute reimbursable out of pocket expenses.

(d) 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 is $125.00 for in Court appearances and out-of-Court labor. Where the hourly rate changes in the midst of an appointment, appropriate adjustments will be recognized. Case compensation maximums are also established by statute and will be recognized in all cases unless a case becomes extended or is declared complex.

(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.

(c) Fees and Expenses In Capital Cases.—Compensation shall be paid to attorneys appointed under this subsection at a rate of not more than $178.00, per hour for in-court and out-of-court time. Fees and expenses paid for investigative, expert, and other reasonably necessary services that are authorized, shall not exceed $7,500 in any case, 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 the court's website.

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

(a) With Prior Authorization $2,400
(per organization or individual, exclusive of reimbursement for expenses reasonably incurred, per individual authorization to perform said service.)

(b) Without Prior Authorization $ 800
(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 $800 plus expenses reasonably incurred.

4. Photocopying

Actual costs not to exceed $.25 per page will be paid if a copy of the bill is submitted. For in-house copying, actual costs not to exceed $.15 per page 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, expenses will be reimbursed only if normal mail service 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. Use form CJA-21 or CJA-31 and treat as a paralegal expense to request reimbursement.

7. Computer Assisted Legal Research

The cost of use, by appointed counsel, of computer assisted legal research equipment, may be allowed as a reimbursable out-of-pocket expense, provided that the total amount approved for computer assisted legal research does not exceed the total amount of attorney compensation that reasonably would have been approved if counsel had performed the research manually. Whenever appointed counsel incurs charges for computer assisted legal research, counsel should attach to the compensation voucher the following:

(a) a brief statement on the issue or issues that were the subject matter of the research;

(b) an estimate of the number of hours of attorney time that would have been required to do the research manually; and

(c) a copy of the bill and receipt for the use of equipment or an explanation of the precise basis of the charge (e.g., indicating the extent to which it was derived by proration of monthly charges, or by charges identifiable to the specific research).

8. Other Expenses

Other expenses include items such as telephone calls, telegrams, copying (except printing), postage and photographs. “Other” expenses in excess of $50.00 must be substantiated by proof of payment, i.e., receipts, canceled checks, and invoices.

FORM
APPOINTMENT OF AND AUTHORITY TO PAY COURT APPOINTED COUNSEL

✎CJA 20 APPOINTMENT OF AND AUTHORITY TO PAY COURT-APPOINTED COUNSEL (Rev. 12/03)

1. CIR./DIST./ DIV. CODE	2. PERSON REPRESENTED	VOUCHER NUMBER

3. MAG. DKT./DEF. NUMBER	4. DIST. DKT./DEF. NUMBER	5. APPEALS DKT./DEF. NUMBER	6. OTHER DKT. NUMBER

7. IN CASE/MATTER OF *(Case Name)*	8. PAYMENT CATEGORY	9. TYPE PERSON REPRESENTED	10. REPRESENTATION TYPE *(See Instructions)*
	☐ Felony ☐ Petty Offense ☐ Misdemeanor ☐ Other ☐ Appeal _____	☐ Adult Defendant ☐ Appellant ☐ Juvenile Defendant ☐ Appellee ☐ Other _____	

11. OFFENSE(S) CHARGED (Cite U.S. Code, Title & Section) *If more than one offense, list (up to five) major offenses charged, according to severity of offense.*

12. ATTORNEY'S NAME *(First Name, M.I., Last Name, including any suffix),* AND MAILING ADDRESS

Telephone Number : _____

13. COURT ORDER

☐ O Appointing Counsel ☐ C Co-Counsel
☐ F Subs For Federal Defender ☐ R Subs For Retained Attorney
☐ P Subs For Panel Attorney ☐ Y Standby Counsel

Prior Attorney's Appointment Dates: _____

☐ Because the above-named person represented has testified under oath or has otherwise satisfied this Court that he or she (1) is financially unable to employ counsel and (2) does not wish to waive counsel, and because the interests of justice so require, the attorney whose name appears in Item 12 is appointed to represent this person in this case, OR

☐ Other *(See Instructions)*

Signature of Presiding Judge or By Order of the Court

Date of Order Nunc Pro Tunc Date

Repayment or partial repayment ordered from the person represented for this service at time appointment. ☐ YES ☐ NO

14. NAME AND MAILING ADDRESS OF LAW FIRM *(Only provide per instructions)*

CLAIM FOR SERVICES AND EXPENSES / FOR COURT USE ONLY

	CATEGORIES *(Attach itemization of services with dates)*	HOURS CLAIMED	TOTAL AMOUNT CLAIMED	MATH/TECH. ADJUSTED HOURS	MATH/TECH. ADJUSTED AMOUNT	ADDITIONAL REVIEW
15.	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)*					
	(RATE PER HOUR = $) TOTALS:					
16.	a. Interviews and Conferences					
	b. Obtaining and reviewing records					
	c. Legal research and brief writing					
	d. Travel time					
	e. Investigative and other work *(Specify on additional sheets)*					
	(RATE PER HOUR = $) TOTALS:					
17.	Travel Expenses *(lodging, parking, meals, mileage, etc.)*					
18.	Other Expenses *(other than expert, transcripts, etc.)*					
	GRAND TOTALS (CLAIMED AND ADJUSTED):					

19. CERTIFICATION OF ATTORNEY/PAYEE FOR THE PERIOD OF SERVICE

FROM: _____ **TO:** _____

20. APPOINTMENT TERMINATION DATE IF OTHER THAN CASE COMPLETION

21. CASE DISPOSITION

22. CLAIM STATUS ☐ Final Payment ☐ Interim Payment Number _____ ☐ Supplemental Payment

Have you previously applied to the court for compensation and/or reimbursement for this ☐ YES ☐ NO If yes, were you paid? ☐ YES ☐ NO

Other than from the Court, have you, or to your knowledge has anyone else, received payment *(compensation or anything of value)* from any other source in connection with this representation? ☐ YES ☐ NO If yes, give details on additional sheets.

I swear or affirm the truth or correctness of the above statements.

Signature of Attorney _____ Date _____

APPROVED FOR PAYMENT — COURT USE ONLY

23. IN COURT COMP.	24. OUT OF COURT COMP.	25. TRAVEL EXPENSES	26. OTHER EXPENSES	27. TOTAL AMT. APPR./CERT.

28. SIGNATURE OF THE PRESIDING JUDGE	DATE	28a. JUDGE CODE

29. IN COURT COMP.	30. OUT OF COURT COMP.	31. TRAVEL EXPENSES	32. OTHER EXPENSES	33. TOTAL AMT. APPROVED

34. SIGNATURE OF CHIEF JUDGE, COURT OF APPEALS (OR DELEGATE) *Payment approved in excess of the statutory threshold amount.*	DATE	34a. JUDGE CODE

✎CJA 21 AUTHORIZATION AND VOUCHER FOR EXPERT AND OTHER SERVICES (Rev. 1/06)

1. CIR./DIST./ DIV. CODE	2. PERSON REPRESENTED	VOUCHER NUMBER

3. MAG. DKT./DEF. NUMBER	4. DIST. DKT./DEF. NUMBER	5. APPEALS DKT./DEF. NUMBER	6. OTHER DKT. NUMBER

7. IN CASE/MATTER OF *(Case Name)*	8. PAYMENT CATEGORY	9. TYPE PERSON REPRESENTED	10. REPRESENTATION TYPE *(See Instructions)*
	☐ Felony ☐ Petty Offense ☐ Misdemeanor ☐ Other ☐ Appeal	☐ Adult Defendant ☐ Appellan ☐ Juvenile Defendant ☐ Appellee ☐ Othe	

11. OFFENSE(S) CHARGED (Cite U.S. Code, Title & Section) *If more than one offense, list (up to five) major offenses charged, according to severity of offense.*

REQUEST AND AUTHORIZATION FOR EXPERT SERVICES

12. ATTORNEY'S STATEMENT

As the attorney for the person represented, who is named above, I hereby affirm that the services requested are necessary for adequate representation. I hereby request:

☐ Authorization to obtain the service. Estimated Compensation and Expenses: $ _____ OR

☐ Approval of services already obtained to be paid for by the United States pursuant to the Criminal Justice Act. *(Note: Prior authorization should be obtained for services in excess of $500,* excluding expenses)

Signature of Attorney _____ Date _____

☐ Panel Attorney ☐ Retained Attorney ☐ Pro-Se ☐ Legal Organization

ATTORNEY'S NAME (*First Name, M.I., Last Name, including any suffix),* AND MAILING ADDRESS

Telephone Number: _____

13. DESCRIPTION OF AND JUSTIFICATION FOR SERVICES *(See Instructions)*

14. TYPE OF SERVICE PROVIDER

01	☐	Investigator	15	☐	Other Medical
02	☐	Interpreter/Translator	16	☐	Voice/Audio Analyst
03	☐	Psychologist	17	☐	Hair/Fiber Expert
04	☐	Psychiatrist	18	☐	Computer (Hardware/ Software/Systems)
05	☐	Polygraph			
06	☐	Documents Examiner	19	☐	Paralegal Services
07	☐	Fingerprint Analyst	20	☐	Legal Analyst/Consultant
08	☐	Accountant	21	☐	Jury Consultant
09	☐	CALR (Westlaw/Lexis, etc.)	22	☐	Mitigation Specialist
10	☐	Chemist/Toxicologist	23	☐	Duplication Services *(See Instructions)*
11	☐	Ballistics			
13	☐	Weapons/Firearms/Explosive Expert	24	☐	Other *(Specify)*
14	☐	Pathologist/Medical Examiner			

15. COURT ORDER

Financial eligibility of the person represented having been established to the Court's satisfaction, the authorization requested in Item 12 is hereby granted.

_____

Signature of Presiding Judge or By Order of the Court

_____ _____

Date of Order Nunc Pro Tunc Date

Repayment or partial repayment ordered from the person represented for this service at time of authorization.

☐ YES ☐ NO

CLAIM FOR SERVICES AND EXPENSES / FOR COURT USE ONLY

16. SERVICES AND EXPENSES *(Attach itemization of services with dates)*	AMOUNT CLAIMED	MATH/TECHNICAL ADJUSTED AMOUNT	ADDITIONAL REVIEW
a. Compensation			
b. Travel Expenses *(lodging, parking, meals, mileage, etc.)*			
c. Other Expenses			
GRAND TOTALS (CLAIMED AND ADJUSTED):			

17. PAYEE'S NAME AND MAILING ADDRESS

TIN: _____

Telephone Number: _____

CLAIMANT'S CERTIFICATION FOR PERIOD OF SERVICE FROM _____ TO _____

CLAIM STATUS ☐ Final Payment ☐ Interim Payment Number _____ ☐ Supplemental Payment

I hereby certify that the above claim is for services rendered and is correct, and that I have not sought or received payment *(compensation or anything of value)* from any other source for these services.

Signature of Claimant/Payee _____ Date _____

18. CERTIFICATION OF ATTORNEY I hereby certify that the services were rendered for this case.

Signature of Attorney _____ Date _____

APPROVED FOR PAYMENT — COURT USE ONLY

19. TOTAL COMPENSATION	20. TRAVEL EXPENSES	21. OTHER EXPENSES	22. TOTAL AMOUNT APPROVED/CERTIFIED

2 ☐ Either the cost *(excluding expenses)* of these services does not exceed $500, or prior authorization was obtained.

☐ Prior authorization was not obtained, but in the interest of justice the Court finds that timely procurement of these necessary services could not await prior authorization, even though the cost *(excluding expenses)* exceeds $500.

_____ _____ _____

Signature of Presiding Judge Date Judge Code

24. TOTAL COMPENSATION	25. TRAVEL EXPENSES	26. OTHER EXPENSES	27. TOTAL AMOUNT APPROVED

28. PAYMENT APPROVED IN EXCESS OF THE STATUTORY THRESHOLD UNDER 18 U.S.C. § 3006A(e)(3)

_____ _____ _____

Signature of Chief Judge, Court of Appeals (or Delegate) Date Judge Code

✎CJA 24 AUTHORIZATION AND VOUCHER FOR PAYMENT OF TRANSCRIPT (Rev. 12/03)

1. CIR./DIST./ DIV. CODE	2. PERSON REPRESENTED	VOUCHER NUMBER

3. MAG. DKT./DEF. NUMBER	4. DIST. DKT./DEF. NUMBER	5. APPEALS DKT./DEF. NUMBER	6. OTHER DKT. NUMBER

7. IN CASE/MATTER OF *(Case Name)*	8. PAYMENT CATEGORY	9. TYPE PERSON REPRESENTED	10. REPRESENTATION TYPE *(See Instructions)*
	☐ Felony ☐ Petty Offense ☐ Misdemeanor ☐ Other ☐ Appeal _____	☐ Adult Defendant ☐ Appellant ☐ Juvenile Defendant ☐ Appellee ☐ Othe _____	

11. OFFENSE(S) CHARGED (Cite U.S. Code, Title & Section) *If more than one offense, list (up to five) major offenses charged, according to severity of offense.*

REQUEST AND AUTHORIZATION FOR TRANSCRIPT

12. PROCEEDING IN WHICH TRANSCRIPT IS TO BE USED *(Describe briefly)*

13. PROCEEDING TO BE TRANSCRIBED *(Describe specifically). NOTE: The trial transcripts are not to include prosecution opening statement, defense opening statement, prosecution argument, defense argument, prosecution rebuttal, voir dire or jury instructions, unless specifically authorized by the Court (see Item 14).*

14. SPECIAL AUTHORIZATIONS	JUDGE'S INITIALS
A. Apportioned _____ % of transcript with *(Give case name and defendant)*	
B. ☐ Expedited ☐ Daily ☐ Hourly Transcript ☐ Realtime Unedited Transcript	
C. ☐ Prosecution Opening Statement ☐ Prosecution Argument ☐ Prosecution Rebuttal ☐ Defense Opening Statement ☐ Defense Argument ☐ Voir Dire ☐ Jury Instructions	
D. In this multi-defendant case, commercial duplication of transcripts will impede the delivery of accelerated transcript services to persons proceeding under the Criminal Justice Act.	

15. ATTORNEY'S STATEMENT

As the attorney for the person represented who is managed above, I hereby affirm that the transcript requested is necessary for adequate representation. I, therefore, request authorization to obtain the transcript services at the expense of the United States pursuant to the Criminal Justice Act.

Signature of Attorney _____ Date _____

Printed Name _____

Telephone Number: _____

☐ Panel Attorney ☐ Retained Attorney ☐ Pro-Se ☐ Legal Organization

16. COURT ORDER

Financial eligibility of the person represented having been established to the Court's satisfaction the authorization requested in Item 15 is hereby granted.

Signature of Presiding Judge or By Order of the Court _____

Date of Order _____ Nunc Pro Tunc Date _____

CLAIM FOR SERVICES

17. COURT REPORTER/TRANSCRIBER STATUS

☐ Official ☐ Contract ☐ Transcriber ☐ Other

18. PAYEE'S NAME AND MAILING ADDRESS

Telephone Number: _____

19. SOCIAL SECURITY NUMBER OR EMPLOYER ID NUMBER OF PAYEE

20. TRANSCRIPT	INCLUDE PAGE NUMBERS	NO. OF PAGES	RATE PER PAGE	SUB-TOTAL	LESS AMOUNT APPORTIONED	TOTAL
Original						
Copy						
Expense *(Itemize)*						
					TOTAL AMOUNT CLAIMED:	

21. CLAIMANT'S CERTIFICATION OF SERVICE PROVIDED

I hereby certify that the above claim is for services rendered and is correct, and that I have not sought or received payment *(compensation or anything of value)* from any other source for these services.

Signature of Claimant/Payee _____ Date _____

ATTORNEY CERTIFICATION

22. CERTIFICATION OF ATTORNEY OR CLERK I hereby certify that the services were rendered and that the transcript was received.

Signature of Attorney or Clerk _____ Date _____

APPROVED FOR PAYMENT — COURT USE ONLY

23. APPROVED FOR PAYMENT	24. AMOUNT APPROVED
Signature of Judge or Clerk of Court _____ Date _____	

✎CJA 30 DEATH PENALTY PROCEEDINGS: APPOINTMENT OF AND AUTHORITY TO PAY COURT-APPOINTED COUNSEL (Rev.12/03)

1. CIR./DIST./ DIV. CODE	2. PERSON REPRESENTED	VOUCHER NUMBER

3. MAG. DKT./DEF. NUMBER	4. DIST. DKT./DEF. NUMBER	5. APPEALS DKT./DEF. NUMBER	6. OTHER DKT. NUMBER

7. IN CASE/MATTER OF *(Case Name)*	8. TYPE PERSON REPRESENTED	9. REPRESENTATION TYPE
	☐ Adult Defendant ☐ Appellant ☐ Other ☐ Habeas Petitioner ☐ Appellee _____	☐ D1 28 U.S.C. § 2254 Habeas (Capital) ☐ D3 28 U.S.C. § 2255 (Capital) ☐ D2 Federal Capital Prosecution ☐ D4 Other (Specify) _____

10. OFFENSE(S) CHARGED (Cite U.S. Code, Title & Section) *If more than one offense, list (up to five) major offenses charged, according to severity of offense.*

11. ATTORNEY'S NAME *(First Name, M.I., Last Name, including any suffix)*, AND MAILING ADDRESS

Telephone Number: _____

12. COURT ORDER:

☐ O Appointing Counsel ☐ C Co-Counsel
☐ F Subs For Federal Defender ☐ R Subs For Retained Attorney
☐ P Subs For Panel ☐ Y Standby Counsel

Prior Attorney's Name: _____ **Appointment Date:** _____

(A) Because the above-named person represented has testified under oath or has otherwise satisfied this Court that he or she (1) is financially unable to employ counsel and (2) does not wish to waive counsel, and because the interests of justice so require, the attorney whose name appears in Item 11, who has been determined to possess the specific qualifications by law, is appointed to represent the person in this case.

(B) The attorney named in Item 11 is appointed to serve as: ☐ LEAD COUNSEL ☐ CO-COUNSEL

Name of Co-Counsel or Lead Counsel: _____ **Appointment Date:** _____

(C) If you represented the defendant or petitioner in any prior proceeding related to this matter, attach to your initial claim a listing of those proceedings and describe your role in each (e.g., lead in counsel or co-counsel).

☐ (D) Due to the expected length of this case, and the anticipated hardship on counsel in undertaking representation full-time, for such a period without compensation, interim payments of compensation and expenses are approved pursuant to the attached order.

_____
Signature of Presiding Judge or By Order of the Court

_____ _____
Date of Order Nunc Pro Tunc Date

(E) Repayment or partial repayment ordered from the person represented for this service at time of appointment.
☐ YES ☐ NO

13. NAME AND MAILING ADDRESS OF LAW FIRM *(Only provide per instructions)*

CLAIM FOR SERVICES AND EXPENSES

14. STAGE OF PROCEEDING Check the box which corresponds to the stage of the proceeding during which the work claimed at Item 15 was performed even if the work is intended to be used in connection with a later stage of the proceeding. CHECK NO MORE THAN ONE BOX. Submit a separate voucher for each stage of the proceeding.

CAPITAL PROSECUTION			HABEAS CORPUS			OTHER PROCEEDING		
a. ☐ Pre-Trial	e. ☐ Appeal		g ☐ Habeas Petition	k ☐ Petition for the U.S. Supreme Writ of Certiorari		l. ☐ Stay of Execution	o ☐ Other _____	
b ☐ Trial	f. ☐ Petition for the U.S. Supreme Court Writ of Certiorari		h ☐ Evidentiary Hearing			m. ☐ Appeal of Denial of Stay		
c. ☐ Sentencing			i. ☐ Dispositive Motions			n. ☐ Petition for Writ of Certiorari to the U.S. Supreme Court Regarding Denial of Stay		
d ☐ Other Post Trial			j. ☐ Appeal					

HOURS AND COMPENSATION CLAIMED			FOR COURT USE ONLY		
15. CATEGORIES *(Attach itemization of services with dates)*	HOURS CLAIMED	TOTAL AMOUNT CLAIMED	MATH/TECH. ADJUSTED HOURS	MATH/TECH. ADJUSTED AMOUNT	ADDITIONAL REVIEW
a. In-Court Hearings (RATE PER HOUR = $)				IN COURT TOTAL *Category a*	IN COURT TOTAL *Category a*
b. Interviews and Conferences with Client					
c. Witness Interviews					
d. Consultation with Investigators & Experts					
e. Obtaining & Reviewing the Court Record					
f. Obtaining & Reviewing Documents and Evidence				OUT OF COURT TOTAL *Categories b-j*	OUT OF COURT TOTAL *Categories b-j*
g. Consulting with Expert Counsel					
h. Legal Research and Writing					
i. Travel					
j. Other *(Specify on additional sheets)*					
TOTALS: Categories b thru j (RATE PER HOUR =)					
CLAIM FOR TRAVEL AND EXPENSES ***(Attach itemization of expenses with dates)***					
16. Travel Expenses *(lodging, parking, meals, mileage, etc.)*					
17. Other Expenses *(other than expert, transcripts, etc.)*					
GRAND TOTALS (CLAIMED AND ADJUSTED):					

18. CERTIFICATION OF ATTORNEY/PAYEE FOR THE PERIOD OF SERVICE	19. APPOINTMENT TERMINATION DATE IF OTHER THAN CASE COMPLETION	20. CASE DISPOSITION
_____ **TO:** _____		

21. CLAIM STATUS ☐ Final Payment ☐ Interim Payment Number _____ ☐ Supplemental Payment

Have you previously applied to the court for compensation and/or reimbursement for this ☐ YES ☐ NO If yes, were you paid? ☐ YES ☐ NO

Other than from the Court, have you, or to your knowledge has anyone else, received payment *(compensation or anything of value)* from any other source in connection with this representation? ☐ YES ☐ NO If yes, give details on additional sheets.

I swear or affirm the truth or correctness of the above statements.

Signature of Attorney _____ Date _____

APPROVED FOR PAYMENT — COURT USE ONLY

22. IN COURT COMP.	23. OUT OF COURT COMP.	24. TRAVEL EXPENSES	25. OTHER EXPENSES	26. TOTAL AMT. APPROVED

27. SIGNATURE OF THE PRESIDING JUDGE	DATE	27a. JUDGE CODE

✎CJA 31 DEATH PENALTY PROCEEDINGS: EX PARTE REQUEST FOR AUTHORIZATION AND VOUCHER FOR EXPERT AND OTHER SERVICES (Rev. 9/05)

1. CIR./DIST./ DIV. CODE	2. PERSON REPRESENTED	VOUCHER NUMBER

3. MAG. DKT./DEF. NUMBER	4. DIST. DKT./DEF. NUMBER	5. APPEALS DKT./DEF. NUMBER	6. OTHER DKT. NUMBER

7. IN CASE/MATTER OF *(Case Name)*

8. TYPE PERSON REPRESENTED
☐ Adult Defendant ☐ Appellant ☐ Other
☐ Habeas Petitioner ☐ Appellee _____

9. REPRESENTATION TYPE
☐ D1 28 U.S.C. § 2254 Habeas (Capital) ☐ D3 28 U.S.C. § 2255 (Capital)
☐ D2 Federal Capital Prosecution ☐ D4 Other (Specify) _____

10. OFFENSE(S) CHARGED (Cite U.S. Code, Title & Section) *If more than one offense, list (up to five) major offenses charged, according to severity of offense.*

REQUEST AND AUTHORIZATION FOR EXPERT SERVICES

11. ATTORNEY'S STATEMENT

As the attorney for the person represented, who is named above, I hereby affirm that the services requested are necessary for adequate representation. I hereby request:

☐ Authorization to obtain the service. Estimated Compensation and Expenses: $ _____ OR

☐ Approval of services already obtained to be paid for by the United States pursuant to the Criminal Justice Act. *(See Instructions)*

Signature of _____ Date _____

☐ Panel Attorney ☐ Retained Attorney ☐ Pro-Se ☐ Legal Organization

ATTORNEY'S NAME (*First Name, M.I., Last Name, including any suffix),* AND MAILING ADDRESS

Telephone Number: _____

12. DESCRIPTION OF AND JUSTIFICATION FOR SERVICES *(See Instructions)*

13. TYPE OF SERVICE PROVIDER

01	☐ Investigator	15	☐ Other Medical
02	☐ Interpreter/Translator	16	☐ Voice/Audio Analyst
03	☐ Psychologist	17	☐ Hair/Fiber Expert
04	☐ Psychiatrist	18	☐ Computer (Hardware/ Software/Systems)
05	☐ Polygraph		
06	☐ Documents Examiner	19	☐ Paralegal Services
07	☐ Fingerprint Analyst	20	☐ Legal Analyst/Consultant
08	☐ Accountant	21	☐ Jury Consultant
09	☐ CALR (Westlaw/Lexis, etc.)	22	☐ Mitigation Specialist
10	☐ Chemist/Toxicologist	23	☐ Duplication Services *(See Instructions)*
11	☐ Ballistics		
13	☐ Weapons/Firearms/Explosive Expert	24	☐ Other *(Specify)* _____
14	☐ Pathologist/Medical Examiner		

14. COURT ORDER Financial eligibility of the person represented having been established to the Court's satisfaction, the authorization requested in Item 11 is hereby granted.

_____
Signature of Presiding Judge or By Order of the Court

_____ _____
Date of Order Nunc Pro Tunc Date

Repayment or partial repayment ordered from the person represented for this service at time of authorization.
☐ YES ☐ NO

15. STAGE OF PROCEEDING Check the box which corresponds to the stage of the proceeding during which the work claimed at Item 16 was performed even if the work is intended to be used in connection with a later stage of the proceeding. CHECK NO MORE THAN ONE BOX. Submit a separate voucher for each stage of the proceeding.

CAPITAL PROSECUTION		HABEAS CORPUS		OTHER PROCEEDING	
a. ☐ Pre-Trial	e. ☐ Appeal	g. ☐ Habeas Petition	k. ☐ Petition for the U.S. Supreme Court Writ of Certiorari	l. ☐ Stay of Execution	o. ☐ Other _____
b. ☐ Trial	f. ☐ Petition for the U.S. Supreme Court Writ of Certiorari	h. ☐ Evidentiary Hearing		m. ☐ Appeal of Denial of Stay	
c. ☐ Sentencing		i. ☐ Dispositive Motions		n. ☐ Petition for Writ of Certiorari to the U.S. Supreme Court Regarding Denial of Stay	
d. ☐ Other Post Trial		j. ☐ Appeal			

CLAIM FOR SERVICES AND EXPENSES / FOR COURT USE ONLY

16. SERVICES AND EXPENSES *(Attach itemization of services with dates)*	AMOUNT CLAIMED	MATH/TECHNICAL ADJUSTED AMOUNT	ADDITIONAL REVIEW
a. Compensation			
b. Travel Expenses *(lodging, parking, meals, mileage, etc.)*			
c. Other Expenses			
GRAND TOTALS (CLAIMED AND ADJUSTED):			

17. PAYEE'S NAME *(First Name, M.I., Last Name, including any suffix),* AND MAILING ADDRESS

TIN: _____

Telephone _____

CLAIMANT'S CERTIFICATION FOR PERIOD OF SERVICE FROM _____ TO _____

CLAIM STATUS ☐ Final Payment ☐ Interim Payment Number _____ ☐ Supplemental Payment

I hereby certify that the above claim is for services rendered and is correct, and that I have not sought or received payment *(compensation or anything of value)* from any other source for these services.

Signature of Claimant/Payee _____ Date _____

18. CERTIFICATION OF ATTORNEY I hereby certify that the services were rendered for this case.

Signature of Attorney _____ Date _____

APPROVED FOR PAYMENT — COURT USE ONLY

19. TOTAL COMPENSATION	20. TRAVEL EXPENSES	21. OTHER EXPENSES	22. TOTAL AMOUNT APPROVED/CERTIFIED

23. ☐ Either the cost *(excluding expenses)* of these services does not exceed $500, or prior authorization was obtained; OR

☐ In the interest of justice the Court finds that timely procurement of these necessary services could not await prior authorization, even though the cost *(excluding expenses)* exceeds $500.

_____ _____ _____
Signature of Presiding Judge Date Judge Code

24. TOTAL COMPENSATION	25. TRAVEL EXPENSES	26. OTHER EXPENSES	27. TOTAL AMOUNT APPROVED

28. FOR REPRESENTATIONS COMMENCED AND APPELLATE PROCEEDINGS IN WHICH AN APPEAL IS PERFECTED ON OR AFTER APRIL 24, 1996,

A. Total compensation and expense payments approved to date (include amounts withheld for interim payments) for investigative, expert and other services for this representation is $ _____

B. Payment approved (compensation and expenses) in excess of the statutory threshold for investigative, expert and other services under 21 U.S.C. § 848(q)(10)(B).

_____ _____ _____
Signature of Chief Judge, Court of Appeals (or Delegate) Date Judge Code

IN COURT HOURLY WORKSHEET AND INSTRUCTIONS

The "in-court" worksheet 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:

1) The case number and the CJA 20 Voucher Number pertaining to the claim.

2) For each "in-court" service rendered, provide 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 should be reported in tenths of hours*. In addition, the time reported shall be listed under the appropriate in-court service category, i.e., arraignment and/or plea, motions and requests, bail hearings, etc.

After the hours claimed have been documented, total the hours column pertaining to each service category. Should more than one page be required, a page total should be provided on each page. Each page should be numbered, Page 1 of 2, Page 2 of 2, etc.

A grand total of all page totals should be provided on the final page. The grand total hours for each service category should then be transferred to Item 17 of the CJA 20 Voucher Form. The "in-court" compensation should then be calculated by multiplying the total number of hours spent in court by the hourly rate. Enter this figure in Item 17A.

Attach the "in-court" hourly worksheet(s) to the CJA 20.

---

*	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

FORM--IN COURT HOURLY WORKSHEET

Page _____ of _____

Case Number: _____

Voucher Number : _____

In Court Hourly Worksheet

Date	Brief Explanation of Services	Arraignment and/or pleas	Bail and Detention Hearings	Motions Hearings	Trial	Sentence Hearings	Revocation Hearings	Appeals Court	Other
Page Total									
Grand Total									

OUT-OF-COURT HOURLY WORKSHEET AND INSTRUCTIONS

The "out-of-court" worksheet was devised to standardize the itemization and documentation of hourly totals and "out-of-court" services performed by court appointed counsel. The following information shall be provided on the worksheet:

1) The case number and CJA 20 Voucher Number pertaining to the case.

2) For each "out-of-court" service rendered provide 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 shall be listed 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 to and from court (or the place where service is rendered) may not be claimed if the round-trip time is less than one hour.

Once all "out-of-court" services have been documented, total the hours column pertaining to each service category. Should more than one page be required, a page total should be provided on each page. Each page should be numbered, Page 1 of 2, Page 2 of 2, etc.

A grand total of all page totals should be provided on the final page. The grand total hours for each service category should then be transferred to Item 18 of the CJA 20 Voucher Form. The "out-of-court" compensation should be calculated by multiplying the applicable rate per hour by the total hours. Enter this figure in Item 18A.

Once all necessary information has been completed and transferred to the CJA 20 Form, , attach the "out-of-court" worksheet(s) to the CJA 20.

FORM--OUT OF COURT HOURLY WORKSHEET

Page _____ of _____

Case Number: _____

Voucher Number : _____

Out of Court Hourly Worksheet

Date	Brief Explanation of Services	Interviews and conferences	Obtaining and reviewing records	Legal research and brief writing	Travel time	Investigative and other work
Page Total						
Grand Total						

OTHER EXPENSE WORKSHEET AND INSTRUCTIONS

The "other" expense worksheet was devised to standardize the itemization of other reimbursable expenses incurred by court appointed counsel under the Criminal Justice Act. Each attorney shall provide the following information on the worksheet:

1. The district court case number or magistrate case number pertaining to the claim.

2. For each item incurred, provide 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 listed under the appropriate "other" expense category, i.e., mileage, parking, meals, etc. Once all necessary information has been completed and transferred to the CJA 20 Form, attach supporting documentation, i.e., receipts, canceled checks and invoices for all expenses in excess of $50.00.

FORM--OTHER EXPENSE WORKSHEET

Page _____ of _____

Case Number: _____

Voucher Number : _____

Out of Court Hourly Worksheet

Date	Brief Explanation of Services	Interviews and conferences	Obtaining and reviewing records	Legal research and brief writing	Travel time	Investigative and other work
Page Total						
Grand Total						

APPENDIX C

APPLICATION FOR ADMISSION TO HOUSTON-GALVESTON CJA PANEL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON-GALVESTON DIVISIONS

Type All Entries

I. GENERAL INFORMATION

A. Name:_____

B. Name of Firm, Partnership, or Professional Corporation:

_____

C. Office Street Address

_____

_____

D. Mailing Address (*if different from above street address*)

_____

_____

E. Office Telephone Number (*include area code*)_____

F. Cellular Number (*include area code*)_____ G.

E-Mail Address_____

H. Date of Birth _____/_____/_____ Social Security No:_____-____-_____

I. Professional Organizations, Awards, Honors, etc.

_____

_____

_____

_____

J. Fluency (office capacity) in the following languages:

_____

_____

_____

_____

II. BAR ADMISSION AND CERTIFICATIONS

A. State Bar Membership Number:_____

B. Date Admitted to State Bar of Texas:_____

C. Date first Admitted to Practice in the United States District Court for the Southern District of Texas:

_____

D. Date first Admitted to Practice in the United States Court of Appeals for the Fifth Circuit: (*if not admitted, please so state*).

_____

E. Please List All Other Courts In Which You Are Admitted to Practice and Give Dates of Admission:

_____

F. Field of Special Interest (appeals, habeas corpus, trial, felony and capital cases):

_____

G. Date and Field of Certification by Texas Board of Legal Specialization:

_____

_____

III. TRIAL EXPERIENCE

A. Nature of Legal Experience

_____

_____

B. Number of Criminal Jury Trials [estimate]:

State _____ Federal _____

C. Number of Criminal Trials to the Court [estimate]:

State _____ Federal _____

D. Number of Hearings or Other Contested Matters [estimate]:

_____

IV. APPELLATE EXPERIENCE

Number of Criminal Appeals Handled:

	Briefs Submitted	*Oral Arguments*
State	_____	_____
Federal	_____	_____

V. PEER AND COURT REVIEW

A. List the names of two lawyers, not your partners, associates, or relatives, with whom or against whom you have tried a case in the last three years who may be contacted and who can attest to your competence in criminal law:

_____ _____

Name *Firm or Employer*

_____ _____

Number & Street-Room No. or Bldg. Name-Suite *City* *Zip*

_____

Office Phone Number (include area code)

Name	*Firm or Employer*
Number & Street-Room No. or Bldg. Name-Suite	*City* *Zip*
	Office Phone Number (include area code)

B. List the names of two judges before whom you have appeared in a contested matter in the last three years.

Name of Judge	*Name of Court*
City *County*	*Court Telephone Number (include area code)*
Name of Judge	*Name of Court*
City *County*	*Court Telephone Number (include area code)*

VI. CONTINUING LEGAL EDUCATION

List CLE in which you have participated as: (a) attendee or (b) teacher/lecturer in the last three years. (*Give course title, sponsor, and date*.)

Attendee:

Teacher/Lecturer:

VII. GRIEVANCE MATTERS: (*Check Appropriate Response*)

A. State whether you have been disbarred, suspended, reprimanded, or otherwise disciplined by any segment of the bar, including, but not limited to, any local, district or state grievance authority of an organized bar. If yes, give full details by attachment to this application.

❏ Yes ❏ No

B. Do you now have any charges pending against you, either in court or grievance committee, that could result in the filing of a malpractice suit, a grievance committee proceeding, or a suit for disciplinary action? If yes, give full details by attachment to this application.

❏ Yes ❏ No

C. State whether you have been adjudicated guilty of a serious crime as defined below and whether the adjudication resulted from a plea of guilty or nolo contendere or from a verdict after trial. If yes, give full details by attachment to this application.

For purposes of this application, the term serious crime" shall include any felony. It shall also include any lesser crime, a necessary element of which, as determined by the statutory or common law definition of such crime, involved improper conduct of an attorney, interference with the administration of justice, false swearing, misrepresentation, fraud, willful failure to file income tax returns, deceit, bribery, extortion, misappropriation, theft, or an attempt or a conspiracy or solicitation of another to commit a serious crime.

❏ Yes ❏ No

VIII. PETITION AND AUTHORIZATION

I hereby apply to the Panel Selection Committee for admission to the Criminal Justice Act Panel of the Houston Division of the United States District Court for the Southern District of Texas for a term of three years and if selected for the panel, agree to accept appointments under the Criminal Justice Act.

In making and filing this application, I authorize the Panel Selection Committee to make inquiry of lawyers and judges named herein as to my competence in criminal law. I acknowledge that information received by the Panel Selection Committee will be held in confidence and I waive any right to review statements made to that Committee.

_____	_____
Date	Typed Name of Applicant
	_____
	Signature of Applicant

Additional Pages May Be Attached As Needed.

✎PS 1
(Rev. 6/94)

APPENDIX D

P R E T R I A L S E R V I C E S

NOTICE TO DEFENDANT

I, _____,
Print Name (First, Middle, Last)
am being asked questions about myself by a pretrial services officer. I will not be questioned about the charges, and I should avoid talking about them at this time. I understand that I am under no obligation to provide any information and do not have to answer any questions.

Any answers to these questions will be used by the court to decide whether I will be released or kept in jail pending any further proceedings. The information will be made available to the court, to my attorney, and to the prosecuting attorney.

Any information I provide should be truthful. Providing false information is a separate crime and could be used to deny my release before trial or increase my sentence if I am convicted.

If I am found guilty, either after trial or after pleading guilty, the information I provide here will be made available to a U.S. probation officer for the purpose of preparing a presentence report and may affect my sentence in this or another case.

I know I have the right to speak with a lawyer before answering any questions. If I cannot afford a lawyer, one will be appointed to represent me. Asking for a lawyer will not hurt my chance for pretrial release, but may delay the decision on whether or not I will be released until counsel is obtained.

I have read this form, or had it read to me, and I understand what it means.

I do _____ I do not _____ want a lawyer during this interview.

DATE: _____

_____
DEFENDANT'S SIGNATURE

_____
PRETRIAL SERVICES OFFICER

NOTES: _____

_____

_____

✎PS 1 (Spanish)
(Rev. 6/94)

S E R V I C I O S P R E V I O S A L J U I C I O

NOTIFICACIÓN A LOS ACUSADOS

Mi nombre es _____ .
Entiendo que un oficial de Servicios Previos al Juicio va a preguntarme de mis datos generales. No se me preguntará sobre los cargos, y debo evitar hablar sobre ellos en estos momentos. Tambien entiendo que no estoy obligado a dar información y que no tengo que contestar ninguna pregunta.

Cualquier respuesta a estas preguntas será utilizada por el tribunal para decidir si yo seré puesto en libertad o detenido mientras se tramita el juicio. Esta información estará disponible en el tribunal para mi abogado y el fiscal.

Cualquier información que yo proporcione deberá ser verídica. Dar información falsa es un delito independiente, y ello se podría utilizar para negarme la libertad provisional bajo fianza or para aumentar mi condena si se me encuentra culpable.

Si me encuentran culpable, ya sea después de juicio o después de haberme declarado culpable, la información que yo de estará disponible a un Oficial de Libertad Condicional (probación) de los Estados Unidos, con el proposito de preparar un informe de presentencia que podría afectar mi sentencia en este o en otra causa.

Entiendo que tengo el derecho de hablar con un abogado antes de contestar cualquier pregunta. Si no puedo pagar un abogado, uno será nombrado para que me represente. El requerir de un abogado no perjudicará mi posibilidad de lograr salir en libertad previa al juicio, pero sí puede demorar la decisión sobre si voy a quedar libre o no mientras se consigue un abogado.

He leido este formulario, o se me ha leido, y entiendo su contenido.

¿Desea tener un abogado durante la entrevista? Sí ____ No ____

Fecha: _____

_____
FIRMA DEL ACUSADO

_____
OFICIAL DE SERVICIOS PREVIOS AL JUICIO

Anotaciones: _____

_____

_____

✎CJA 23

Rev. 5/98

FINANCIAL AFFIDAVIT

IN SUPPORT OF REQUEST FOR ATTORNEY, EXPERT OR OTHER COURT SERVICES WITHOUT PAYMENT OF FEE

IN UNITED STATES ☐ MAGISTRATE ☐ DISTRICT ☐ APPEALS COURT or ☐ OTHER PANEL (Specify below)

IN THE CASE OF

_____ V.S. _____

FOR

AT

LOCATION NUMBER

PERSON REPRESENTED (Show your full name)

CHARGE/OFFENSE (describe if applicable & check box →) ☐ Felony ☐ Misdemeanor

1 ☐ Defendant—Adult
2 ☐ Defendant - Juvenile
3 ☐ Appellant
4 ☐ Probation Violator
5 ☐ Parole Violator
6 ☐ Habeas Petitioner
7 ☐ 2255 Petitioner
8 ☐ Material Witness
9 ☐ Other

DOCKET NUMBERS
Magistrate
District Court
Court of Appeals

ANSWERS TO QUESTIONS REGARDING ABILITY TO PAY

ASSETS

EMPLOYMENT

Are you now employed? ☐ Yes ☐ No ☐ Am Self-Employed

Name and address of employer: _____

IF YES, how much do you earn per month? $ _____

IF NO, give month and year of last employment
How much did you earn per month? $ _____

If married is your Spouse employed? ☐ Yes ☐ No

IF YES, how much does your Spouse earn per month? $ _____

If a minor under age 21, what is your Parents or Guardian's approximate monthly income? $ _____

OTHER INCOME

Have you received within the past 12 months any income from a business, profession or other form of self-employment, or in the form the form of rent payments, interest, dividends, retirement or annuity payments, or other sources? ☐ Yes ☐ No

IF YES, GIVE THE AMOUNT RECEIVED & IDENTIFY THE SOURCES

RECEIVED	SOURCES
$	

CASH

Have you any cash on hand or money in savings or checking accounts? ☐ Yes ☐ No **IF YES**, state total amount $ _____

PROPERTY

Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)? ☐ Yes ☐ No

IF YES, GIVE THE VALUE AND DESCRIBE IT

VALUE	DESCRIPTION
$	

OBLIGATIONS & DEBTS

DEPENDENTS

MARITAL STATUS
____ SINGLE
____ MARRIED
____ WIDOWED
____ SEPARATED OR DIVORCED

Total No. of Dependents _____

List persons you actually support and your relationship to them

DEBTS & MONTHLY BILLS
(LIST ALL CREDITORS, INCLUDING BANKS, LOAN COMPANIES, CHARGE ACCOUNTS, ETC.)

APARTMENT OR HOME:	Creditors	Total Debt	Monthly Paymt.
		$	$
		$	$
		$	$
		$	$

I certify under penalty of perjury that the foregoing is true and correct. Executed on (date) _____

SIGNATURE OF DEFENDANT (OR PERSON REPRESENTED) _____