



ADMINISTRATIVE OFFICE OF THE
UNITED STATES COURTS

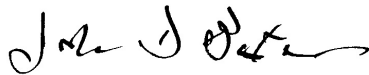
HONORABLE JOHN D. BATES
Director

WASHINGTON, D.C. 20544

February 26, 2014

MEMORANDUM

To: Judges, United States Courts of Appeals
Judges, United States District Courts
United States Magistrate Judges
Circuit Executives
Federal Public/Community Defenders
District Court Executives
Clerks, United States Courts of Appeals
Clerks, United States District Courts
Senior Staff Attorneys
Chief Circuit Mediators
Circuit CJA Case-Budgeting/CJA Supervising Attorneys

From: Judge John D. Bates 

RE: IMPLEMENTATION OF HOURLY RATE AND CASE MAXIMUM INCREASES FOR CJA
PANEL ATTORNEYS **(IMPORTANT INFORMATION)**

As indicated in my [memorandum dated February 12, 2014](#), the judiciary's Defender Services account received sufficient fiscal year 2014 funding to set Criminal Justice Act (CJA) panel attorney rates at \$126 for non-capital and \$180 for capital work performed on or after March 1, 2014. Where the appointment of counsel occurred before this effective date, the new compensation rates apply to that portion of services provided on or after March 1, 2014.

In addition, the change in the non-capital hourly rate results in an increase to some of the attorney case compensation maximum amounts. Subparagraph (d)(2) of the CJA, 18 U.S.C. § 3006A, provides that the panel attorney case compensation maximums for non-capital representations rise "simultaneously" with aggregate percentage increases in the hourly rate rounded to the nearest \$100.

Panel attorney case compensation maximum amounts of \$9,700 and \$6,900 have increased \$100 to \$9,800 and \$7,000, respectively, and the case maximum amounts of \$2,800 and \$2,100 remain the same. The charts, [Hourly Rates for CJA Panel Attorneys](#) and [Waivable Case Compensation Maximums for Non-Capital Cases](#) (scroll down from the Hourly Rates chart), indicate the new and previous hourly rates and case compensation maximums. (The

hourly rate and case compensation maximum charts are in the process of being revised in the publicly accessible Guidelines for Administering the CJA and Related Statutes ([CJA Guidelines, Guide to Judiciary Policy, Vol. 7, Part A](#)).

The new case compensation maximums apply to a voucher submitted by appointed counsel if that person furnished any CJA-compensable work on or after March 1, 2014. The former case compensation maximums apply to a voucher submitted by appointed counsel if that person's CJA-compensable work on the representation was completed before March 1, 2014. Attached are instructions for ensuring that the proper case compensation maximum is utilized.

Questions concerning the CJA hourly rates or case compensation maximums may be directed to the Defender Services Office, Legal and Policy Division duty attorney, on (202) 502-3030, or via email at ods_lpb@ao.uscourts.gov.

Attachment

cc: CJA Panel Attorney District Representatives

Instructions to Determine the Applicable Case Compensation Maximums for Panel Attorneys Under the Criminal Justice Act

Courts must determine whether compensation claims submitted on a CJA Form 20 (Appointment and Authority to Pay Court Appointed Counsel) are governed by the new case maximums effective March 1, 2014, for non-capital panel attorney representations, or by the former maximums. The key rules are:

The new case compensation maximums apply to appointed counsel for a representation if that attorney furnished any CJA-compensable work on or after March 1, 2014.

The former case compensation maximums apply to appointed counsel for a representation if that attorney's work was completed before March 1, 2014.

The CJA payment system signals the case compensation maximum based on the date the voucher is submitted rather than the dates of service, and therefore courts must manually review the vouchers submitted by appointed counsel in non-capital representations ([CJA 20: Appointment and Authority to Pay Court Appointed Counsel](#)) to determine which case compensation maximum governs. The person responsible for reviewing, processing, or approving claims should look at Item 19 ("Certification of Attorney/Payee for the Period of Service") of the CJA Form 20 to determine whether the panel attorney furnished any CJA-compensable work on or after March 1, 2014. If so, the new case compensation maximums apply to the attorney's voucher on the representation (see [chart](#) for amounts of new and previous case compensation maximums). ***(PLEASE NOTE: If the voucher is entered into the CJA payment system after March 1, 2014, the warning message indicating that circuit approval is required will not activate at the former case-maximum levels, even when they apply. The warning messages are only generated based on the new case compensation maximums.)***