

CJA VOUCHER REFERENCE SHEET

This reference sheet is intended to aid CJA panel attorneys with the preparation of payment vouchers (CJA 20, CJA 21, CJA 24) and authorizations for expenses and services (AUTH, AUTH 24). Information denoted with an asterisk (*) relates to cost containment initiatives adopted by this court pursuant to a directive from the First Circuit Judicial Council. All other information and requirements derive from the Guidelines for the Administration of the Criminal Justice Act and Related Statutes, set forth in Volume 7 of the Guide to Judiciary Policy: www.uscourts.gov/rules-policies/judiciary-policies/criminal-justice-act-cja-guidelines. The judiciary also provides a National CJA Voucher Reference Tool, which can be found at <https://cjaresources.fd.org/cjaort/index.html>.

Attorney Compensation

Attorney compensation and related expenses should be claimed on a CJA 20 voucher.

CJA Attorney Rates

If services were performed between...	The maximum hourly rate is...
1/1/2021 to present	\$155
1/1/2020 to 12/31/2020	\$152
2/15/2019 to 12/31/2019	\$148
3/23/2018 to 2/14/2019	\$140
05/05/2017 to 3/22/2018	\$132
01/01/2016 to 05/04/2017	\$129
01/01/2015 to 12/31/2015	\$127
03/01/2014 through 12/31/2014	\$126

CJA Case Maximum Amounts

If a voucher exceeds the applicable case maximum, a request to exceed must be attached.

If the case is a ...	the case maximum is...
Felony	\$12,100 (services completed on or after 1/1/2021) \$11,800 (services completed on or after 01/01/2020 through 12/31/2020) \$11,500 (services completed on or after 02/15/2019 through 12/31/2019)

If the case is a ...	the case maximum is...
	<p>\$10,900 (services completed on or after 03/23/2018 through 02/14/2019)</p> <p>\$10,300 (services completed on or after 05/05/2017 through 3/22/2018)</p> <p>\$10,000 (services completed on or after 01/01/2016 through 05/04/2017)</p>
Misdemeanor	<p>\$3,400 (services completed on or after 01/01/2020)</p> <p>\$3,300 (services completed on or after 02/15/2019 through 12/31/2019)</p> <p>\$3,100 (services completed on or after 03/23/2018 through 02/14/2019)</p> <p>\$2900 (services completed on or after 01/01/2016 through 3/22/2018)</p>
<p>Probation Violation/Supervised Release Violation;</p> <p>USSG Amendments;</p> <p>Grand Jury Witness/Target Representation;</p> <p>FRCrP 5 Removal;</p> <p>Civil/Criminal Contempt</p> <p>Trial Witness Representation</p>	<p>\$2,600 (services completed on or after 1/1/2021)</p> <p>\$2,500 (services completed on or after 02/15/2019 through 12/31/2020)</p> <p>\$2,300 (services completed on or after 03/23/2018 through 02/14/2019)</p> <p>\$2200 (services completed on or after 05/05/2017 through 03/22/2018)</p> <p>\$2100 (services completed on or after 01/01/2010 through 05/04/2017)</p>
<p>Non-Capital Habeas Proceedings (§§ 2241, 2254, 2255) ; or</p> <p>CAFRA/Civil Forfeiture Representation</p>	<p>\$12,100 (services completed on or after 1/1/2021)</p> <p>\$11,800 (services completed on or after 01/01/2020 through 12/31/2020)</p> <p>\$11,500 (services completed on or after 02/15/2019 through 12/31/2019)</p> <p>\$10,900 (services completed on or after 03/23/2018 through 02/14/2019)</p> <p>\$10,300 (services completed on or after 05/05/2017 through 3/22/2018)</p> <p>\$10,000 (services completed on or after 01/01/2016 through 05/04/2017)</p>

*Interim CJA 20 Vouchers

If at any point during the representation the total unpaid attorney compensation exceeds the statutory maximum for *felonies* (regardless of the representation type), CJA counsel must immediately file a CJA 20 voucher. Thereafter, counsel shall file a CJA 20 voucher when the accumulated (and not previously paid) attorney compensation exceeds \$5000.

These vouchers must be filed with:

- (a) a request for excess payment explaining why the case is “extended” or “complex,” why the excess payment is necessary for fair compensation and, if the claim includes compensation for associate/partner work, detailed info of work performed by such associate/partner;

AND

- (b) a [proposed budget](#) outlining the anticipated future attorney compensation for the remainder of the case as set forth in the court’s Adm-1 Order 12-02 (available on the court’s website at: www.nhd.uscourts.gov/orders). See also [Guide to Judiciary Policy, Vol. 7A, CJA Guidelines, Ch. 2, §§ 230.23.40\(b\) and 230.23.40\(c\); LCrR 44.1\(c\)](#).

Partner/Associate Assistance

If an appointed attorney intends to have a partner or associate assist in a case, the appointed attorney must contact a court CJA auditor to have the partner/associate added to the case in eVoucher. The partner/associate time is charged against the maximum compensation allowed in the case for the appointed attorney. [Guide to Judiciary Policy, Vol. 7A, CJA Guidelines, Ch. 2, § 230.53](#).

*Partner/Associate Assistant – Hourly Rates

If case filed...	The maximum presumptive hourly rate is...
09/05/2019 to present	\$118 if partner/associate is not on CJA Panel \$128 if partner/associate is on CJA Panel
09/01/2013 to 09/04/2019	\$80 if partner/associate is not on CJA Panel \$90 if partner/associate is on CJA Panel
Any time prior to 09/01/2013	No presumptive rate applies

*Compensation for Client Conference Time: When a Partner/Associate is assisting on a case, only one attorney may bill for any “client conference time.”

Co-Counsel: In exceptional cases, upon order of the court, co-counsel may be appointed to a case. If co-counsel is appointed, each attorney is eligible to receive the maximum compensation allowed under CJA. [Guide to Judiciary Policy, Vol. 7A, CJA Guidelines, Ch. 2, § 230.53](#).

Proration of Claims for Time Spent in Common Between Two or More CJA Representations

Attorneys spending time in common between two or more CJA cases may prorate the *time* between the cases (note, however, that *expenses* incurred in common should not be prorated). A [Time and Expenses in Common form](#) must be completed and attached to the vouchers filed in all affected cases. For more information on prorating claims for time in common, see [Guide to Judiciary Policy, Vol. 7A, CJA Guidelines, Ch. 2, § 230.50](#) and [Ch. 3, § 310.65](#).

Services Other Than Counsel

Compensation and related expenses for services other than counsel should be claimed on a CJA 21 voucher.

*Case Maximums and Prior Approval: If the total cost of services for a representation is expected to exceed \$900, prior authorization must be obtained by filing an AUTH (note that prior authorization must always be obtained for the services of a mitigation specialist, regardless of the anticipated cost).

If claims for services other than counsel exceed \$2,600, approval by the First Circuit Court of Appeals is required prior to payment. 18 U.S.C. § 3006A(e)(3).

*Paralegal – Hourly Rates

If case filed...	The maximum presumptive hourly rate is...
09/05/2019 to present	\$88
09/01/2013 to 09/04/2019	\$50
Any time prior to 09/01/2013	No presumptive rate applies

*Note: Paralegal work performed after 02/01/2013 must be billed on a CJA 21 and will be counted against the cumulative \$900 prior approval threshold for services other than counsel.

*Mitigation Specialist – Hourly Rates

If case filed...	The maximum presumptive hourly rate is...
08/2/2012 to present	\$100 and ex parte motion for services with total cost estimate must be filed before expenses are incurred and regardless of whether estimate is under \$900
Any time prior to 08/2/2012	No presumptive rate applies

Interim CJA 21 Vouchers for Service Providers: Payment for service providers generally will be made only when the representation concludes. However, counsel may request payment on behalf of a service provider before the conclusion of representation under two circumstances.

First, if the provider has completed all services, counsel may submit a final CJA 21 before completion of the representation if financial hardship would result by delaying payment until the representation concludes. Counsel must attach a request for payment prior to final disposition to the documents tab of the voucher. The request must explain why interim payment is necessary and appropriate in that case. The court has discretion to approve or disapprove this request.

Second, if the provider has not completed all services in the case, but financial hardship would result to the provider if payment is delayed until the conclusion of the representation, counsel may submit an interim CJA-21. Counsel must attach a request for interim payment prior to final disposition to the documents tab of the voucher. The request must explain why interim payment is necessary and appropriate in that case, and specify the cumulative amount of fees and expenses that have been paid to the service provider in the case to date. The court has discretion to approve or disapprove this request.

Interpreters: Interpreter fees billed under the CJA must be billed at the [AO established rate](#), or at the actual private rate charged for services, whichever is lower. Interpreters are not permitted to “double dip,” even when providing services to multiple CJA clients within the same half/full day. For example, if an interpreter provides services during the same half day for two CJA clients, the interpreter may not bill for a half day on one voucher and then for the same half day on another voucher. Instead, the interpreter must prorate the half day between the two vouchers.

Psychiatric and Related Expert Services: While most requests for services other than counsel made in CJA cases should be submitted only in eVoucher using an AUTH, evaluations by psychiatrists or psychologists may be an exception. Before requesting funds for a psychiatrist or psychologist, please review the [Guide to Judiciary Policy, Vol. 7A, CJA Guidelines, Ch. 3, § 320.20](#).

If, based on the guidelines, you determine that the Department of Justice ("DOJ") is solely responsible for the expert's fees, you do not file your request in eVoucher. Instead, file a motion in the ECF case docket (or in paper if sealed) requesting those services be approved, and then submit the expert's invoice directly to DOJ, along with a copy of the court's order, for payment.

If you determine the expert's fees should be paid from CJA funds, file a request via eVoucher in the form of an AUTH, as you do for other expert services.

If you determine that the evaluation has a "dual purpose" and is partially billable to DOJ and partially billable to CJA, file an AUTH in eVoucher for the total estimated fees for the services and stating the extent to which DOJ should be responsible for those fees. Your request should include references to the applicable sections of the Guide to Judiciary Policy regarding who is responsible for the fees. If the court approves partial payment using CJA funds, it will approve your AUTH in eVoucher for the total amount of the estimated fees, and issue an order in the ECF case docket addressing the extent to which some of those fees will be paid by DOJ. When the expert has completed his/her service, you should submit in eVoucher the invoice with a CJA-21 voucher for the total amount due, along with a copy of the order indicating DOJ's partial responsibility. The court will seek reimbursement for that part of the total fees for which DOJ is responsible.

Hiring Relatives for Compensable Services Prior to hiring a relative as a CJA service provider, the CJA attorney must file an ex parte NOTICE OF ENGAGING A RELATIVE FOR COMPENSABLE SERVICES. This notice should inform the judge of the relationship between the attorney and the service provider, and indicate the type of service that will be provided. See [Guide to Judiciary Policy, Vol. 7A, CJA Guidelines, Ch. 3, § 310.20.05](#).

Attorney and Service Provider Expenses

Receipts: A receipt (or affidavit in the absence of a receipt) is required to support a request for reimbursement of an expense when:

- 1) The expense is over \$50
 - 2) The expense is for outside copy costs
- OR
- 3) The expense is for premium delivery/mail services

Prior Court Approval: Prior court approval is required for an expense when it is expected to exceed \$500

***Copies:** In-house or out-sourced copying will be reimbursed at a rate of no more than 10 cents per page

Travel: Travel expenses (mileage, tolls, parking, common carrier fares, rental fees and, in some cases, meals and lodging) are reimbursable if essential to and incurred in connection with a CJA representation. Only actual expenses may be claimed, as CJA attorneys and service providers are not eligible for per diem reimbursement. Receipts are required for all travel expenses except mileage and tolls.

Prior approval is required for overnight travel and travel by common carrier (air, bus, or train). In such cases a request must be filed in eVoucher (TRAVEL) at least 10 days prior to the proposed travel date. Meals will only be reimbursed if the travel period is 24 hours or longer.

For more information regarding travel expenses, see [Guide to Judiciary Policy, Vol. 7A, CJA Guidelines, Ch. 2, § 230.63.40](#).

Clothing: Do not claim expenses for the purchase of clothing for your client for court appearances. Clothing should be provided by the U.S. Marshal's Service.

PACER Charges: Do not claim expenses for charges incurred from PACER. CJA attorneys are eligible for cost-free access for use with CJA cases only. Your account will allow you to toggle from standard, paid access to cost-free CJA access. For information on cost-free access, contact the PACER Service Center at (210) 301-6440.

Computer-Assisted Legal Research: If you claim expenses for computer-assisted legal research, you must also include 1) a brief statement setting forth the issue or issues that were the subject matter of the research, 2) an estimate of the number of hours of attorney time that would have been required to do the research manually, and 3) a copy of the bill and receipt for the use of the equipment or an explanation of the precise basis for 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).

Expenses in Common Between Two or More CJA Representations: Please note that, unlike time spent in common, expenses incurred between two or more CJA representations may not be prorated. Expenses in common must be billed entirely to one of the two or more vouchers. A [Time and Expenses in Common form](#) must also be completed and attached to the vouchers filed in all affected cases. For more information see [Guide to Judiciary Policy, Vol. 7A, CJA Guidelines, Ch. 2, § 230.50](#) and [Ch. 3, § 310.65](#).

For more information on expenses that are reimbursable, review the [Guide to Judiciary Policy, Vol. 7A, CJA Guidelines, Ch. 2, §§ 230.63, 230.66](#) and [Ch. 3, §320.80](#).

Maximum Transcript Rates

	Original	First Copy to Each Party	Each Additional Copy to the Same Party
Ordinary Transcript (30 day) A transcript to be delivered within thirty (30) calendar days after receipt of an order.	\$3.65	\$.90	\$.60
14-Day Transcript A transcript to be delivered within fourteen (14) calendar days after receipt of an order.	\$4.25	\$.90	\$.60
Expedited Transcript (7 day) A transcript to be delivered within seven (7) calendar days after receipt of an order.	\$4.85	\$.90	\$.60
Daily Transcript A transcript to be delivered following adjournment and prior to the normal opening hour of the court on the following morning whether or not it actually is a court day.	\$6.05	\$1.20	\$.90
Hourly Transcript A transcript of proceedings ordered under unusual circumstances to be delivered within two (2) hours.	\$7.25	\$1.20	\$.90
Realtime Transcript A draft unedited transcript produced by a certified realtime reporter as a byproduct of realtime to be delivered electronically during proceedings or immediately following adjournment.	One feed, \$3.05 per page; two-to-four feeds, \$2.10 per page; five or more feeds, \$1.50 per page.		

Other Useful Information

Continuing Representation on Appeal: Counsel should be aware of their continuing representation obligation pursuant to the [First Circuit Court of Appeals Local Rules 12.0\(b\) and 46.6](#).

Coordinating Discovery Attorneys: The Office of Defender Services' National Litigation Support Team (NLST) has retained three contractors to assist CJA attorneys with managing large volumes of

discovery in selected federal CJA cases. These contractors, known as Coordinating Discovery Attorneys (CDAs), work with counsel on cases in which there are a large number of defendants, voluminous discovery, or complicated electronic discovery issues. CJA counsel is not responsible to track or report the CDA's hours or seek reimbursement for the CDA as they are paid out of a separate account managed by the Office of Defender Services. For more information on how CJA counsel can request the assistance of a CDA, including the scope of potential services, the applicable selection criteria, and the process for requesting assistance, please [click here](#).

Defendant as Witness: If a defendant in an ongoing criminal case is going to appear as a witness in a case involving another defendant, compensation and expenses incurred for the witness representation should be included as part of the criminal case representation and included on that voucher. If the defendant has already been sentenced and a final CJA voucher has been submitted in the criminal case, contact the clerk's office to seek a new appointment for the witness representation.

Fact Witnesses: Expenses related to the testimony of a fact witness, either at trial or deposition, including fact witness fees, witness travel costs and related travel expenses, and expenses for service of subpoenas, are not paid out of the CJA appropriation. Instead, these expenses are paid by the Department of Justice through the United States Marshals Service (USMS) pursuant to Fed. R. Crim. P. 17 and 28 U.S.C. § 1825. For additional guidance on payment of witness travel fees, see [Guide to Judiciary Policy, Vol. 7A, CJA Guidelines, Ch. 3, § 320.40](#).

Grand Jury Target Appointments: Upon conversion of a grand jury target ("GJ target") matter to a criminal case, the defendant must submit an updated Request for Appointment of Counsel and Financial Declaration and the statutory case maximum will increase accordingly. Any monies paid for attorney's fees in relation to the GJ target matter, exclusive of expenses, count toward the case maximum of the subsequent criminal case. Attorneys who are not reappointed in a subsequent criminal matter must file a CJA 20 voucher for the GJ target matter within 45 days of the filing of the criminal case. Absent court order directing otherwise, GJ target appointment vouchers will be held until final disposition of the criminal case.

Use of Law Students: CJA counsel may not request compensation for law students who receive academic credit for the work performed on a CJA case. If a law student is not receiving academic credits and CJA counsel would like to seek compensation for the student's work, CJA counsel must file a request in advance (AUTH) seeking permission to receive such compensation. The compensation rate for any court approved student work on a CJA case may not exceed 50% of the applicable CJA rate for attorney compensation and all compensation should be claimed on a CJA 21 voucher.

Avoiding Common Voucher Errors

Below are a few tips to help ensure processing of your voucher is not delayed.

- Time spent on a phone call should be entered under the service type "Interviews and Conferences."
- Time spent writing and reviewing emails should be entered under the service type "Investigative or Other Work."
- Reconcile your travel time with the mileage you claim. For example, if you claim two hours of travel time on 1/1/2015, you should claim mileage for that same date unless you walked to your destination or claimed the mileage on a voucher for another client.

- Reconcile your in-court time with the “CJA Time” on the docket’s minute entry, and always round up to the nearest six-minute interval. For example, if your CJA Time is 25 minutes, round up to 30 minutes and claim 0.5 hours, not 0.4 hours.
- Do not claim expenses for the purchase of clothing for your client for court appearances. Clothing should be provided by the U.S. Marshal’s Service.
- Do not claim expenses for charges incurred from PACER. CJA attorneys are eligible for cost-free access for use with CJA cases (see above).
- If you claim expenses for computer-assisted legal research, you must also include 1) a brief statement setting forth the issue or issues that were the subject matter of the research, 2) an estimate of the number of hours of attorney time that would have been required to do the research manually, and 3) a copy of the bill and receipt for the use of the equipment or an explanation of the precise basis for 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).
- Do not claim time spent filing court documents, preparing a CJA 20 or CJA 21 voucher, or drafting a request to exceed the case maximum. These are “overhead expenses” that would generally not be billed directly to non-CJA clients. Note, however, that you may claim time spent preparing a request for services other than counsel or a proposed case budget.
- If you claim time incurred prior to your appointment date, attach a request for a *nunc pro tunc* appointment date.
- Review your voucher prior to submission for typos and clerical errors.
- Run eVoucher’s Audit Assist feature to identify potential voucher issues. For information on how to use Audit Assist, see the court’s [eVoucher Attorney Manual](#).

Court CJA Auditors:

Cases Assigned to Chief Judge McCafferty, Judge Laplante, & Judge DiClerico – Erin Callahan:
Erin_Callahan@nhd.uscourts.gov; 226-7781

Cases Assigned to Judges Barbadoro, McAuliffe & Johnstone – Matt Pennington:
Matt_Pennington@nhd.uscourts.gov; 225-1437