

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIRE

CJA VOUCHER PROCEDURAL ORDER

ADM-1
ORDER 23-21

ORDER

CJA 20 Interim Voucher Procedures

(1) In all cases in which counsel is appointed pursuant to 18 U.S.C. § 3006A, counsel may submit one (1) interim CJA 20 voucher at any point in the representation prior to reaching the case maximum without a request for payment prior to disposition.

(2) Absent leave of court, in all non-capital felony cases in which counsel is appointed pursuant to 18 U.S.C. § 3006A, counsel shall file a CJA 20 voucher when the total unpaid attorney compensation (the total of the amounts claimed under sections 15 and 16 on the CJA 20 form) exceeds the statutory maximum amount applicable to non-capital felony cases pursuant to 18 U.S.C. § 3006A(d)(2). The voucher must be accompanied by the following:

(a) a request that explains why the case is “extended” or “complex” (see CJA Guidelines § 230.23.40(b)) including a description of the case and the work that has been performed to date by all attorneys, including any partners or associates; and

(b) a proposed budget that outlines the anticipated future attorney compensation that will be incurred until the resolution of the case.

(3) After the statutory case maximum voucher is filed, counsel shall file a CJA 20 voucher each time the accumulated (and not previously paid) attorney compensation exceeds \$7,500. Unless it is the final voucher, the voucher shall be accompanied by a request and proposed budget as outlined in section (2) above. The request shall also contain the following:

(a) a summary of the amounts paid on previously submitted vouchers; and

(b) an explanation of whether the compensation sought exceeds previously submitted budget estimates and, if so, the reasons for exceeding the estimates.

Miscellaneous Procedures for Filing Vouchers

(4) In all cases in which an interpreter is used for court appearances, the limit on fees for services other than counsel without prior approval pursuant to 18 U.S.C. § 3006A(e)(2)(A) does not include interpretation services for counsel to communicate directly with the client, and fees incurred for such interpretation services are excluded from that limit so long as they are billed at or below the United States Courts current rate for certified, professionally qualified or language skilled interpretation.

(5) So long as such fees do not exceed a total of \$2,000 at or below the presumptive rate, the limit on fees for services other than counsel without prior approval pursuant to 18

U.S.C. § 3006A(e)(2)(A) does not include services by a paralegal employed by counsel's firm provided on behalf of counsel's client within the scope of counsel's representation, and fees incurred for such paralegal services are excluded from that limit.

(6) So long as such fees do not exceed a total of \$2,000 at or below the rate of \$110 per hour, the limit on fees for services other than counsel without prior approval pursuant to 18 U.S.C. § 3006A(e)(2)(A) does not include the services of a licensed investigator provided on behalf of counsel's client within the scope of counsel's representation, and fees incurred for such investigative services are excluded from that limit.

(7) The provisions of paragraphs (5) and (6) are subject to study and review by the court after two (2) years.

(8) If counsel's appointment is complete prior to the case disposition, counsel may submit a final voucher without a request for payment prior to final disposition. The court retains discretion to hold a voucher until the conclusion of the case.


(9) One interim voucher may be submitted for services other than counsel prior to the conclusion of the service provider's work without a request for payment prior to final disposition. Additional interim vouchers may be submitted upon motion to avoid undue hardship to the service provider.

(10) A final voucher for services other than counsel may be submitted at the conclusion of the work on a case without a request for payment prior to final disposition. The court retains discretion to hold a voucher until the conclusion of the case.

(11) This Order supersedes ADM-1, ORDER 15-4.

SO ORDERED,

10/30/2023
Date



Landya B. McCafferty
Chief Judge