NINTH CIRCUIT
CJA COMPENSABILITY HANDBOOK



JUDICIAL COUNCIL OF THE NINTH CIRCUIT

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I. INTRODUCTION

The Criminal Justice Act (CJA) provides eligible individuals with the assistance of defense counsel and other reasonably necessary services at every stage of a federal criminal proceeding. Private attorneys appointed under the CJA are expected to provide high-quality representation and to be skilled in the numerous aspects of a federal criminal defense practice. In exchange for this critical service, CJA-appointed attorneys are entitled to payment for all reasonable and necessary time expended in connection with the representation.

In its 2017 report, the Ad Hoc Committee to Review the Criminal Justice Act (Cardone Committee) recognized that, in some districts and circuits, classes of otherwise compensable work are excluded from payment, resulting in substantial voucher reductions. To address this issue, the Cardone Committee recommended that comprehensive guidance be provided as to what constitutes a compensable CJA service. Although Volume 7 of the Guide to Judiciary Policy (CJA Guidelines), the Ninth Circuit's CJA Policies and Procedures, and district-specific policies are useful resources, numerous gray areas have given rise to inconsistent conclusions regarding the compensability of certain tasks.

This Ninth Circuit CJA Compensability Handbook was created to provide additional guidance and detailed examples on what is presumptively compensable within the Ninth Circuit throughout the many stages of CJA representation. It is offered to assist both panel attorneys and approving authorities in understanding and applying the CJA and the CJA Guidelines and to provide a framework for analyzing challenging compensability questions within the broad outlines set forth by the CJA statute and the Judicial Conference of the United States in the CJA Guidelines.

While this handbook covers many common situations, unusual circumstances arise, and counsel are advised to articulate the representational purpose when including such expenses or activities on their vouchers. Above all, counsel are encouraged to remain in regular contact with CJA staff and to notify them when difficult situations arise and **before** significant expenditures of time or out-of-pocket expenses are incurred.

Because not every task undertaken in furtherance of a client's representation or other interests is compensable under the CJA, counsel should strive to provide sufficient information in their billing to demonstrate both reasonableness and compensability. To that end, CJA counsel are encouraged to review the Ninth Circuit CJA Unit's billing tip sheets at www.ca9.uscourts.gov/cja. The National CJA Voucher Reference Tool is another useful resource.

In addition, before working on any matter that is ancillary to a criminal representation (e.g., a corollary state court prosecution or civil proceeding), counsel should seek advance authorization from the presiding judge or delegee to ensure such work may be compensated under CJA Guideline § 210.20.30 (Ancillary Matters).

II. ADMINISTRATIVE WORK AND HOURS BILLED PER DAY

Under CJA Guidelines § 230.66.10 and § 320.80.10, the authorized hourly rate for panel attorneys and service providers is intended to include compensation for general office expenses, including clerical assistance. Consequently, not all administrative tasks that must be carried out are separately compensable. However, unusual or extraordinary expenses of these types may rise to the level of "other services necessary for an adequate defense" under 18 U.S.C. § 3006A(e), especially if the circumstances from which the need arises would normally result in an additional charge to a fee-paying client. CJA Guideline § 320.70.30.

In assessing if administrative work is separately compensable, counsel should consider whether the task is purely clerical or rote. If so, then the administrative task likely is not separately compensable unless it was extraordinary in terms of volume, difficulty, time, or other factors which substantially exceeded that of ordinary administrative overhead.

Work requiring legal knowledge, professional judgment, or decisions on representational strategy (including tasks undertaken by non-attorney service providers) is presumptively compensable. Examples of compensable administrative tasks include organizing case materials (which ordinarily requires thinking through the elements of the offense or other relevant factors) and preparing documents for a hearing or trial.

Examples of administrative tasks that are generally non-compensable, whether undertaken by an attorney or service provider, include: (1) viewing, accessing, downloading, opening, renaming, saving, printing, or forwarding electronic files (including notices of electronic filing in CM/ECF) versus reviewing a document's substantive content (which is compensable); (2) entering calls, meetings, due dates, or court appearances in a calendar; (3) rote or routine scheduling-related communications, including with the court; (4) leaving non-substantive voicemail messages; (5) filing or lodging electronic documents in CM/ECF, unless the filing is particularly voluminous or atypical such that filing takes an unusual or extraordinary amount of time; (6) creating payment vouchers in eVoucher and entering or justifying billed time and expenses; (7) emailing courtesy copies or proposed orders; (8) copying, scanning, or printing; (9) office filing; and (10) preparing documents for mailing.

Whenever appropriate and without compromising work quality, services should be performed by the least expensive, competent service provider capable of performing the compensable task. However, counsel must be careful not to delegate non-compensable administrative tasks to service providers such as contract paralegals, who may not be reimbursed from the CJA for time spent on such tasks.

Both counsel and providers must bill in tenth-hour increments. This means rounding off the amount of time spent working to the nearest tenth of an hour (6 minutes).

MINUTES	TENTHS
1 – 6	0.1
7 – 12	0.2
13 – 18	0.3
19 – 24	0.4
25 – 30	0.5
31 – 36	0.6
37 – 42	0.7
43 – 48	0.8
49 – 54	0.9
55 – 60	1.0

Discrete tasks should be billed separately except that those tasks taking less than 0.1 hours each should be aggregated into one block of time to ensure that billable time **does not exceed actual hours worked**. For example, if you spend 3 minutes on a client call in the morning and then have another 3-minute client call in the afternoon, you may not bill more than 0.1 hours total. Other common tasks that should be aggregated in a single day include reading ECF documents and sending or reviewing emails. Billing to the correct voucher category also is necessary and will reduce delays in voucher processing. The Ninth Circuit CJA Unit's CJA-20 Billing Tips provides guidance on the types of tasks billable to each category.

Unless in trial or finalizing an appellate brief or habeas petition, 10 or more hours billed in a single day by an attorney or service provider across all cases is unusual, and the necessity for such time should be explained in the voucher (e.g., trial preparation, impending deadline, etc.). Otherwise, the voucher may be returned for additional information. Attorneys should have access in eVoucher to an Attorney Time report (under the Reports tab) that can assist in comparing billed time across cases.

II. ADMINISTRATIVE WORK AND HOURS BILLED PER DAY	COMPENSABLE?
Filing or lodging electronic documents in CM/ECF Electronic filing by itself, which typically takes only a minute or two, is a non-compensable administrative task. In contrast, finalizing a document in preparation for filing (e.g., conducting final proofread or creating exhibits) is compensable. *****If documents are particularly voluminous or atypical such that counsel or a service provider must expend an unusual or extraordinary amount of time to file in CM/ECF, such efforts may rise to the level of "other services necessary for an adequate defense" under 18 U.S.C. § 3006A(e), as provided in CJA Guideline § 320.70.30. Counsel's billing entry should provide sufficient detail to alert reviewers that the filing was not routine or rote.	NO*****
Reviewing docket filings Reviewing substantive content of a docket filing is compensable if relevant to the client's representation. However, time spent accessing, downloading, opening, renaming, saving, printing, or forwarding the document is not compensable. To assist voucher review, identify the ECF number in the "Doc. #" field in eVoucher when entering services. Reviewing multiple filings in a day should be aggregated into one eVoucher entry to reflect actual time spent. **NOTE:** Counsel should not claim time to review their own filings and are expected to exercise professional judgment in billing time for reviewing docket filings that require no substantive response, especially in multi-defendant cases where notices or filed documents may be irrelevant to counsel's specific client.	YES
Reviewing notices of electronic filing (NEF) Reviewing the emailed notice of a docket filing is generally not compensable unless it is a text-only entry being reviewed for substance (e.g., an order with no separate linked document).	NO
Calendaring due dates, hearings, etc. Adding hearing dates or due dates to a calendar.	NO
Calculating due dates or filing deadlines Determining due date, limitations period, or other deadline based on court rule or statute.	YES
Photocopying, printing, and scanning While time spent reviewing, selecting, culling, or preparing documents to be copied, printed, or scanned is compensable representational work, time spent at a copy machine, waiting for printouts, or traveling to and waiting at a copy shop are non-compensable administrative tasks. See Section XI for more guidance.	NO

II. ADMINISTRATIVE WORK AND HOURS BILLED PER DAY	COMPENSABLE?
Counsel should make informed judgments about what needs to be printed and be mindful that proficiency with digital files is beneficial to both counsel's practice and client representation. See Section VI for guidance on managing discovery.	
Preparing mailings Preparing envelopes, affixing postage, looking up addresses, arranging for mail pick up or drop off, or traveling to and waiting at a post office.	NO
Transferring a case to successor counsel Including travel time if counsel's file cannot be sent electronically or delivered at a time both attorneys will be in the courthouse. Reasonable time spent briefing successor counsel on case history and issues is substantive and therefore compensable.	YES
More than 10 hours of billable time in one day *****Because billing more than 10 hours in a day across all CJA representations may appear excessive if not in trial, counsel should provide an explanation in the voucher entry to facilitate reasonableness review.	YES*****

III. INITIAL CASE MANAGEMENT

Counsel's initial case management responsibilities typically include, among other things, assessing charges against a client, checking for conflicts, calculating sentencing exposure, meeting with the client, obtaining discovery, and preparing for a detention hearing. Numerous administrative tasks are also often necessary at the outset of a case; however, as noted above, not all such tasks are separately compensable (regardless of who undertakes the task).

Examples of compensable administrative tasks include organizing case materials (which ordinarily requires thinking through the elements of the offense or other relevant factors) and preparing documents for a detention hearing. Examples of non-compensable administrative tasks at the start of a representation include conducting routine conflict checks, creating a standard physical or electronic case file, calendaring due dates, and making physical space in an office to manage case materials.

III. INITIAL CASE MANAGEMENT	COMPENSABLE?
Preliminary case assessment Reviewing charges, taking case notes, and reviewing electronic discovery to set up infrastructure for discovery organization.	YES

III. INITIAL CASE MANAGEMENT	COMPENSABLE?
Preparing and labeling paper case folders or binders and general office filing Printing documents or creating labels to set up a paper case folder or binder and filing paper documents are non-compensable administrative tasks. *****For unusual or extraordinary projects requiring paper folders or binders (e.g., voluminous witness files or trial exhibits), counsel should consider seeking prior authorization, especially if printing and/or binder costs are likely to exceed $500, or provide a detailed billing explanation. See Section XII for guidance on reimbursable expenses.	NO*****
Making physical space at office for case files Arranging files or office furniture to make space for voluminous discovery binders or boxes of records.	NO
Conducting initial routine conflict check An initial routine conflict check prior to accepting a CJA appointment is a non-compensable administrative task. *****After appointment, if additional investigation or research is required to confirm that no conflict exists or to address potential conflicts, that time may be compensable. The services of an ethics attorney consultant will likely not be authorized absent a showing of reasonable necessity to the defendant's representation as opposed to counsel's interest in staying on the case.	NO*****
Communicating with prior counsel For example, checking with prior counsel to avoid duplicate motion work or discovery organization or to obtain copies of trial exhibits or sealed filings for use on appeal.	YES
Performing work prior to formal appointment Counsel should obtain a *nunc pro tunc* appointment at the initial appearance or through their CJA administrator to enable entry in eVoucher of billable time incurred prior to entry of the appointment order.	YES

IV. REQUESTING RESOURCES AND MANAGING COSTS

Obtaining adequate resources for a case is a critical component of effective representation. Because the procurement and management of service providers are compensable tasks, counsel may bill time for researching, interviewing, and negotiating with experts. This includes time reasonably spent consulting with panel attorney colleagues, a defender office, or CJA staff to identify potential providers, drafting the

justification for resources, and completing any district-required forms via the AUTH procedure in eVoucher. However, time spent learning how to request funding (e.g., reviewing a billing guide or communicating with CJA staff regarding logistics) is not separately compensable.

As set forth in CJA Guideline § 310.20.30, counsel may obtain expert, investigative, and other services without prior authorization for up to $900 for the entire representation (not per provider) unless a standing authorization for common service provider types (up to the per-provider statutory maximum without circuit approval) is afforded by local policy. Such services will still be reviewed for reasonableness.

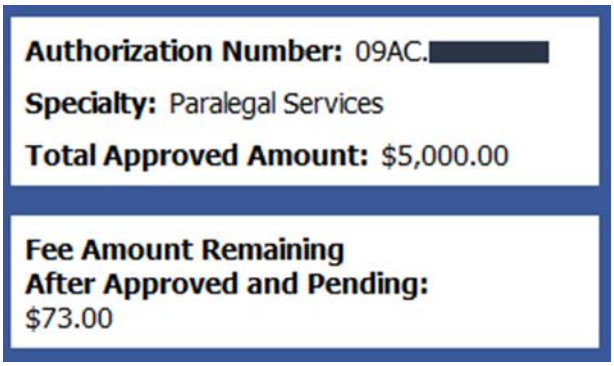
For service provider fees in excess of the applicable statutory maximums set forth in CJA Guidelines § 310.20.10 and § 660.20.20, prior authorization of the chief circuit judge or delegee is required. In the rare instance where preauthorization is not feasible, counsel must include with the authorization request or payment voucher an explanation of why procurement of necessary services could not have awaited prior authorization.

Time spent reviewing a provider's invoice or CJA-21/31 payment voucher to certify that the services were rendered is compensable, but the administrative tasks of creating, submitting, or checking the status of a voucher are not.

Preparing and submitting an attorney's own CJA-20/30 payment voucher is non-compensable administrative work. Where attorney fees in a non-capital case exceed the statutory maximum under CJA Guideline § 230.23.20, time spent justifying excess fees already expended (e.g., completing a required justification form) also is not compensable because it is an administrative task and not representational work. However, in those courts where counsel must seek *prior* authorization before exceeding the statutory maximum, reasonable time spent estimating counsel's anticipated fees (in essence budgeting) and preparing any required forms in support of the excess request are compensable tasks because counsel must think through the case and plan the representation. Similarly, because preparation of a case budget requires planning, projecting, and strategizing, reasonable time spent preparing a budget and conferring with a Circuit CJA Budgeting Attorney or local CJA supervisory attorney on substantive budget issues also is compensable.

To manage costs, counsel should routinely run a Defendant Detail Budget Report (DDBR) in eVoucher to ensure the defense team stays within authorized funding levels and assess whether additional funding is needed **prior** to exceeding authorized limits. Note: the DDBR can only show what has been submitted for payment in eVoucher. Attorneys and service providers also may look to the "Fee Amount Remaining" section on the left-

hand side of a voucher for current available funding levels, including fees entered but not yet submitted for payment:



IV. REQUESTING RESOURCES AND MANAGING COSTS	COMPENSABLE?
Researching, negotiating, and interviewing service providers Counsel should reach out to CJA panel attorney colleagues, the federal defender, CJA Resource Counsel, Circuit Case Budgeting Attorney, or CJA Supervising Attorney if having difficulty locating a service provider. Time spent consulting with such individuals to identify potential providers is compensable, although consulting about hourly rates or the procedural mechanics of how to obtain funding is not.	YES
Creating AUTH for service provider, including *nunc pro tunc* or supplemental requests, and completing necessary supporting documentation (e.g., letter, memo, or court-provided form) Supporting justification should contain sufficient information for the court to assess reasonable necessity for the requested services. Reasonable time expended by a provider to estimate scope of work or needed hours may be compensated on the provider's voucher if the AUTH is approved.	YES
Preparing a case budget or litigation plan in collaboration with a Circuit Case Budgeting Attorney, CJA Resource Counsel, or CJA Supervising Attorney Including preliminary review of discovery/legal issues and case discussion to forecast needed resources and costs. Does not include emails or calls inquiring about budget status or for procedural help.	YES
Requesting PRIOR authorization to exceed statutory maximum attorney fees Although traditionally this was considered a non-compensable administrative task, the Ninth Circuit Judicial Council has concluded that reasonable time spent preparing a request for future attorney fees is a compensable task because it requires litigation planning.	YES

IV. REQUESTING RESOURCES AND MANAGING COSTS	COMPENSABLE?
Justifying attorney fees in excess of statutory maximum AFTER incurred Completing the necessary form(s) to justify attorney fees after representational work has been substantially completed is a non-compensable administrative task because it involves little to no litigation planning and thus is not representational work.	NO
Requesting authorization to perform work ancillary to the representation Assessing whether contemplated work is ancillary to the representation and seeking authorization to perform such work under CJA Guideline § 210.20.30 is compensable.	YES
Discussing pending payment vouchers or CJA policies and procedures with a Circuit Case Budgeting Attorney, CJA Resource Counsel, CJA Supervising Attorney, or other CJA administrative staff CJA administrators are a useful resource for answering compensability and funding-related procedural questions, but such consultation time is not compensable.	NO
Reviewing CJA billing, policy, or compensability resources	NO
Entering attorney services and expenses into a CJA-20/30 Not compensable whether undertaken by counsel or support staff.	NO
Creating a CJA-21/31 for payment to service provider Although a non-compensable task, prompt creation of a payment voucher will assist with timely payment to service providers, particularly in those courts where providers may enter their own billable time.	NO
Creating a CJA-24 for payment to a court reporter **While creating the CJA-24 is not compensable,** creating **the AUTH-24** and reviewing a **CJA-24** are both compensable tasks**.**	NO
Entering service provider services and expenses into a CJA-21/31 Not compensable whether undertaken by counsel or the provider (where permitted).	NO
Reviewing provider services as billed on CJA-21/31 Counsel must certify that services and expenses billed on a CJA-21/31 were rendered and that sufficient funds are available before submitting the voucher to the court. This task is compensable, but counsel should not bill for the administrative task of creating or submitting the CJA-21/31.	YES

V. CASE-RELATED COMMUNICATIONS

Communicating with a client and others in furtherance of the client's representation is compensable. This includes time spent building trust with a client's family or others close

to the client to investigate, gather mitigation information, communicate a plea offer, and explain the proceedings, as such relationships are often necessary for effective representation and resolution of the case. In situations where extensive communication is necessary, such efforts should be explained sufficiently in the voucher to help approving authorities determine reasonableness.

Routine or rote communications that are purely administrative in nature and require minimal effort (e.g., less than six minutes) are considered administrative overhead and are not separately compensable. Examples include checking the availability of the court or an individual for the purpose of scheduling a meeting, interview, or hearing. However, scheduling efforts requiring an unusual or extraordinary amount of coordination, especially between multiple parties or a detention facility, are compensable. For the latter, such tasks should be delegated to a lower-cost service provider if available and explained in the voucher with sufficient detail to alert reviewers that the scheduling work was not routine or rote. In addition, communications where a scheduling-related discussion is incidental to some other case-specific topic or issue are compensable. For these types of "mixed" calls or emails, counsel's billing entry should describe the non-administrative aspect of the communication.

Associates and service providers should exercise professional judgment in billing for reviewing communications and materials that do not pertain to their specific role or responsibility on the case. While defense team members need to stay informed of developments in a case, reviewing daily emails between other team members could be construed as not reasonably necessary.

As explained in Section II, a call or email that takes less than six minutes (0.1 hours) may be claimed at 0.1 hours if no other service for a particular representation is claimed for that day. Multiple communications (or other tasks) performed in a single day of less than 0.1 hours each must be aggregated to ensure that billable time does not exceed actual hours worked. For example, multiple short emails and/or phone calls made or received on the same day must be combined in a manner that accurately reflects the actual, compensable time expended and billed accordingly.

V. CASE-RELATED COMMUNICATIONS	COMPENSABLE?
Reviewing documents filed in CM/ECF Reviewing substantive content of a docket filing is compensable if relevant to the client's representation. However, time spent accessing, downloading, opening, renaming, saving, printing, or forwarding the document is not compensable. To assist voucher review, identify the	YES

V. CASE-RELATED COMMUNICATIONS	COMPENSABLE?
ECF number in the "Doc. #" field in eVoucher when entering services. Reviewing multiple filings in a day should be aggregated into one eVoucher entry to reflect actual time spent. NOTE: Counsel should not claim time to review their own filings and are expected to exercise professional judgment in billing time for reviewing docket filings that require no substantive response, especially in multi-defendant cases where notices or filed documents may be irrelevant to counsel's specific client.	
Communicating with client's family Reasonable communications with a client's family or others close to the client are critical to building trust and a good working relationship with a client and are thus compensable.	YES
Scheduling meetings, client visits, interpreters, hearings, or interviews Routine or rote communications requiring minimal effort (e.g., solely checking availability of an individual or the court, relaying a schedule change, etc.) are part of administrative overhead and should not be charged unless incidental to some other case-related topic or requiring unusual or extraordinary effort.	NO
Defense team review of all email communications or case filings by associates, paralegals, investigators, and other experts Associates and service providers should exercise professional judgment in billing for review of communications or materials that do not pertain to their roles and assigned responsibilities. Such efforts could be construed as not reasonably necessary to the representation by reviewing authorities.	DEPENDS
Defense team meetings Regular team meetings can be a valuable way to share information, and in-person meetings are at times necessary. However, counsel should assess in advance of each meeting whether every team member needs to attend every meeting and whether video or audio conferencing may be used to reduce travel time and costs.	YES
Obtaining clearance for service provider to access client in detention facility This is compensable whether undertaken by counsel or the service provider.	YES
Speaking with the press Reasonable time communicating with the press may be compensable if such contact furthers the client's representation. Billing entries should explain the purpose. Contact your CJA administrator for additional guidance.	YES

VI. DISCOVERY MANAGEMENT AND INVESTIGATION

Discovery in federal cases has increased in complexity, and counsel must recognize when it's appropriate to solicit assistance from a litigation support expert such as a paralegal, discovery vendor, or the National Litigation Support Team (NLST). The NLST is funded by the Defender Services Office to support CJA panel attorneys. It provides technology, resources, education, and training to help CJA attorneys efficiently search, review, and analyze e-discovery and digital evidence. Keep up on the latest e-discovery tips by following NLST's blog at nlsblog.org.

Under Rule 16.1 of the Federal Rules of Criminal Procedure, no later than 14 days after arraignment, counsel must meet and confer with the government regarding a timetable and procedure for pretrial disclosures. Counsel may rely on the ESI Protocol to develop procedures for disclosure. After the discovery conference, one or both parties may ask the court to determine or modify the time, place, manner, or other aspects of disclosure to facilitate preparation for trial. Having this information early in the case will help counsel determine what litigation support is needed. In addition, having organized discovery will make it easier to create a comprehensive investigative plan.

While counsel must review all relevant disclosures and documents, discretion must be exercised in determining the depth of review required to provide effective representation to the client. If discovery is voluminous, counsel should obtain assistance in organizing and isolating relevant documents to facilitate efficient review by attorneys, investigators, or experts. Time spent by counsel or a service provider assessing, reviewing, coding, or analyzing discovery is compensable whereas the mechanical act of downloading or copying is not.

Counsel must also exercise discretion when printing discovery materials for the purpose of initial review and should make an informed selection of materials instead of printing everything. Given the significant increase in e-discovery, counsel are expected to utilize digital review tools, which studies have shown are more effective than linear document review (see, e.g., Anne Kershaw, Iterative Legal Analysis & Sampling vs. Linear Document Review–A Comparative Case Study). See Section II and Section XII for further guidance on reimbursement of printing time and costs.

Adequately articulating and explaining discovery-related billable time can be challenging, especially where page counts are difficult to ascertain (e.g., conducting a keyword search in a database). For this reason, billers should provide sufficient detail in their entries, including the type and explaining the difficulty or complexity of the materials,

to enable voucher reviewers to understand the context of the work and its relevance to the case, without revealing privileged information. Below are examples of good billing descriptions for discovery-related tasks. Consult the Ninth Circuit CJA Unit's Discovery Billing Tip Sheet for more guidance and examples.

- Coded and indexed approx. [insert page count] of [insert file type] in Excel spreadsheet.
- Searched discovery with dtSearch, received approximately [insert #] hits and reviewed [actual # of documents] from these search results.
- Reviewed and summarized 30 min of recorded witness interviews and 6 hrs of pole cam video (some on fast forward).
- Reviewed approx. 200 pages of reports, warrants, and telephone records in Casepoint.
- Skimmed approx. [insert page count and/or Bates number range] of financial records to identify signatures of payee.

VI. DISCOVERY MANAGEMENT AND INVESTIGATION	COMPENSABLE?
Transferring, downloading, or manipulating discovery productions This includes performing quality control; renaming, unitizing, combining, or converting files; checking or running OCR; and consolidating/copying discs onto a single hard drive. Counsel are expected to enlist lower-cost service providers such as paralegals or litigation support specialists to organize voluminous discovery.	YES
Waiting for files to download, copy, transfer, OCR, or convert Counsel and providers are expected to perform other work during pure wait time. See Section II regarding administrative tasks.	NO
Negotiating fees to host discovery on cloud storage site Counsel must consult with the National Litigation Support Team, CJA Resource Counsel, CJA Supervising Attorney, or Circuit Case Budgeting Attorney to ensure cloud storage fees are reasonable based on discovery volume. Because this is akin to budgeting and part of negotiating with a service provider, such time is compensable.	YES

VI. DISCOVERY MANAGEMENT AND INVESTIGATION	COMPENSABLE?
Coding or indexing discovery or evidence and organizing into folders or binders Including organizing materials in a database or cloud storage site and selecting materials for issue- or witness-specific paper files or binders. If counsel opts to perform these tasks instead of enlisting a paralegal or litigation support specialist, the work should be undertaken contemporaneously with substantive discovery review.	YES
Reviewing discovery To assistant voucher review, enter the number of pages in the "Pages" field in eVoucher when entering services or indicate in the billing entry the Bates range and type of materials. Audio and video review should indicate the length and complexity of the recordings. See Discovery Billing Tip Sheet for additional guidance.	YES
Sorting and gathering materials for use by counsel, client, or service providers For voluminous discovery, counsel should consider working with the local CJA administrator, a discovery vendor, or the detention facility to provide in-custody clients with discovery in an electronically reviewable format. See *Guidance for the Provision of ESI to Detainees*. In addition, discovery can be made available to service providers via a secure cloud-hosted site such as Box.com.	YES
Printing or copying discovery for use by counsel, client, or service providers After sorting and gathering materials to be duplicated (which is compensable work), time spent physically printing or copying is non-compensable administrative work as explained in Section II. However, reasonable copy costs may be reimbursed as an expense as discussed in Section XII.	NO
Selecting and marking exhibits in advance of a hearing or trial	YES
Reviewing co-defendant's or cellmate's plea agreement If not obvious, explain the relevance of the work (e.g., reviewed co-D's plea agreement to assess possibility of renegotiating terms or obtaining better offer; reviewed cellmate plea agreement to assuage client concerns regarding own agreement).	YES
Preparing subpoenas for witnesses and records Including filling out subpoena forms or preparing attachments. Expenses related to production of documents (e.g., copy charges) may be reimbursable. Counsel should seek prior authorization if such expenses are likely to exceed $500.	YES

VI. DISCOVERY MANAGEMENT AND INVESTIGATION	COMPENSABLE?
Serving subpoenas for fact witnesses and records Service of subpoenas is facilitated and paid by the Department of Justice through the U.S. Marshals Service as provided in FRCP 17 and the U.S. Marshals Service Public Defender Handbook. ***While not separately compensable, service of process may be undertaken by a member of the defense team if incidental to some other task (such as a witness interview or other representational purpose). See CJA Guideline § 230.66.50. Additionally, if the USMS is unavailable due to time or other representational constraints (e.g., the witness will likely avoid law enforcement), the circumstances should be documented and, whenever feasible, prior approval obtained before incurring expenses for service of process.	NO*
Paying for fact witness to travel and testify in court or at deposition The defense team should not front expenses such as travel costs or deposition transcripts related to the testimony of a fact witness. These costs are paid by the U.S. Marshals Service (DOJ) under 18 U.S.C. § 1825(b) and FCRP 15. See CJA Guideline § 320.40. The Eastern District of Washington also has a helpful guide on its website. If DOJ refuses to pay, inform your CJA administrator and the court directly.	NO

VII.LEGAL RESEARCH AND WRITING

CJA panel attorneys must thoroughly investigate and research all potentially viable legal defenses and are expected to do so efficiently by maintaining proficiency in federal practice and by using contemporary legal research techniques. Counsel are encouraged to build brief banks or utilize resources on FD.org or their local defender office for sample motions. Counsel are also expected to have a working knowledge of federal criminal law as well as local and federal rules of procedure and to keep current with the law.

For novel or complex areas of law specific to a client's representation, counsel will likely spend more time than usual on research and writing and should explain the necessity for this work in their vouchers to assist reasonableness review. Such research may go beyond reading caselaw to gain expertise in a new or unique area, such as securitization of assets, bankruptcy, intellectual property, human trafficking, international banking, or gang culture.

While a reasonable amount of time spent reading materials to become conversant with a case-related topic may be reimbursable in connection with effective representation in a

specific CJA matter, time spent on general caselaw reading, skill building, professional development, and CLE or other training events is generally not compensable. One exception is a "bring-your-case" type of training event sponsored by the Defender Services Office's Training Division or other recognized provider. Counsel should consult with CJA staff prior to billing for time or apportioned travel expenses in connection with such training.

VII. CASE RESEARCH AND WRITING	COMPENSABLE?
Conducting legal research and preparing a document for court filing To assist voucher review, describe the issue or purpose of the research and identify the ECF document number in the "Doc. #" field in eVoucher when entering services (or indicate that no document was filed).	YES
Editing a template or preexisting pleading for a similar case at hand CJA panel attorneys should use preexisting resources (e.g., briefs and pleadings prepared in similar cases) to the extent feasible. The time spent editing and adapting a template or preexisting pleading is compensable.	YES
Refreshing knowledge of federal criminal law or rules of procedure Counsel are expected to possess a working knowledge of federal criminal law and rules of procedure. Time spent reviewing newly issued caselaw not relevant to a specific representation or becoming familiar with or reviewing resources such as the Federal Rules of Criminal Procedure, Local Criminal Rules, and Federal Sentencing Guidelines is not compensable absent a specific representational purpose, which should be identified in the voucher.	NO
Reviewing publications or other media uniquely related to specific case or client If reasonably necessary to a specific client's representation (e.g., background about a particular gang, terrorist group, etc.) and outside the range of an experienced criminal defense attorney, reasonable time spent reading a book or viewing a documentary uniquely relevant to the case or client may be compensable. To assist voucher review, billing entries must provide a detailed explanation. Counsel should exercise professional judgment in assessing whether such time is better characterized as non-compensable training or continuing legal education.	DEPENDS
Reimbursement for a publication necessary to client's representation and not accessible through a library or other means *****Before purchase, check with your local defender office, panel administrator, or CJA staff to see if the resource is available at no cost. To assist voucher review, the expense entry must explain the publication's necessity for the particular representation and why the publication should not be viewed as a general resource for counsel's law	YES*****

VII. CASE RESEARCH AND WRITING	COMPENSABLE?
practice and thus not chargeable to CJA.	
Attending CLE related to the subject matter of your case Other than as explained under "Attending 'bring your case' style of workshop or conference" (see below), time and expenses related to educational seminars, including travel, attendance, registration fees, or materials, are not compensable or reimbursable under the CJA.	NO
Attending "bring your case" style workshop or conference Although time spent attending plenary sessions is not compensable at "bring your case" workshops, time spent discussing and strategizing about an individual case is compensable. The court may permit reimbursement of travel costs on a pro rata basis based on the conference agenda (plenary vs. specific case sessions); advance authorization to bill time and travel expenses is required.	YES

VIII. TRIAL

Incredible effort goes into adequately preparing for and participating in a federal criminal trial. Counsel must be prepared for both the known and the unknown. The better prepared, the faster counsel can pivot as testimony and theories of the case unfold. Depending on case complexity, preparation may require longer than normal days in the days, weeks, or even months before trial.

During trial, counsel should plan to be in the courtroom 15-20 minutes before the scheduled start time to set up any equipment or evidence displays to avoid delay; this is compensable time. If the trial is complex and courtroom presentation assistance is needed, counsel should ask for such services in advance. Having a paralegal, investigator, or associate attorney to coordinate witnesses or display documents at trial is an effective way to stay organized and allow counsel to focus on direct and cross examination of witnesses.

On trial days, billable hours may easily exceed 10 hours or more a day between out-of-court preparation and in-court proceedings, and no additional justification is needed when billing.

After closing arguments, it is expected that counsel will spend time meeting with the client or co-defendant counsel, talking with witnesses and family members, outlining possible issues for post-trial motions or appeal, dealing with trial exhibits, reassembling the case file, etc. This is compensable time and should be billed as such to demonstrate that counsel was engaged in representational work as opposed to "waiting for jury verdict." If

jury deliberations move into subsequent days, counsel are expected to shift focus to other matters.

VIII. TRIAL	COMPENSABLE?
Creating witness, issue, or exhibit binders in preparation for trial If feasible, counsel should delegate this task to a lower-cost service provider.	YES
Preparing exhibit and witness lists	YES
Preparing demonstrative exhibits	YES
Practicing opening statement or closing argument	YES
Testing defense theories Reasonable time spent preparing and participating in mock cross examination, voir dire, or argument is compensable. In particularly complex or high-profile cases and where otherwise justified, counsel may seek funding to test defense theories before a mock jury or recruit an informal volunteer panel. Consult your local CJA Supervising Attorney/Resource Counsel or Circuit Case Budgeting Attorney if you think the case might qualify for such services.	YES
Arriving to court 15-20 minutes early to set up courtroom presentation materials and equipment or otherwise prepare	YES
Awaiting a jury verdict Compensable: Packing up and managing trial exhibits and files, debriefing or consulting with client or defense team, consulting with co-defendant counsel, making notes for possible post-trial motions or filings, considering possible appellate issues, preparing necessary motions or other filings, responding to jury questions, traveling to and from the courthouse if ordered to be in the building during deliberations or appear in court, and reading of the verdict. Pure wait time typically is not compensable, especially where the jury deliberates for more than one day. When ordered by a court to remain at a courthouse pending a verdict, counsel should exercise professional judgment in billing wait time and should be prepared to work on other matters while waiting.	DEPENDS
Speaking with jurors after verdict is reached If the purpose of speaking with jurors is to discern grounds for post-trial relief, such time is compensable and should be explained in the voucher.	DEPENDS
Preparing post-trial motions	YES

IX. POST-JUDGMENT AND APPELLATE MATTERS

Even after entry of judgment, counsel have obligations and responsibilities at the district court level to ensure an orderly wrap up or to make sure the case is properly noticed for appeal or transferred to another attorney for appellate representation. If trial counsel stays on as appellate counsel, time spent working on the appeal is generally billed to the court of appeals. (In unusual circumstances there may be issues with or delays in obtaining appointment from the court of appeals; in such instances, counsel should remain in contact with their CJA office regarding the compensability of such activities at the district court level.)

Although in some cases, there may be benefits to maintaining continuity of counsel, the skills necessary to represent a client on appeal differ greatly from those needed to excel at trial practice. Before continuing as counsel on appeal, trial counsel should consult with the client about potential issues for appeal and the appellate qualifications of trial counsel. Many districts have a specialized panel of appellate attorneys available for appointment in cases where trial counsel withdraws. The motion to withdraw need not list any type of deficiency in representation or conflict, merely that trial counsel has primarily a trial practice and the client prefers appointment of qualified appellate counsel. This allows the case to return to trial counsel on remand if the appeal is successful. Counsel interested in gaining additional proficiency in Ninth Circuit appellate practice are encouraged to consult with their federal defender office (particularly if they have an appellate unit) or a member of the CJA appellate panel for training, mentorship, and other developmental opportunities.

As with representation in the district court, counsel representing a client on appeal may at times need to undertake work that is ancillary to the appeal and that may take place back in the district court, including litigation about the completeness of the record and access to sealed filings. Whenever feasible, prior authorization should be sought by contacting the CJA Administrative Attorney for the Ninth Circuit Court of Appeals, who can also provide guidance on when tasks by appellate counsel should be billed to the district court. If an ancillary matter, such as a limited remand or an initial motion for bail pending appeal, is likely to involve significant work in district court and appellate counsel did not represent the defendant at trial, appellate counsel may be advised to seek appointment and an eVoucher representation in district court.

IX. POST-JUDGMENT AND APPELLATE MATTERS	COMPENSABLE?
Preparing interlocutory appeal or mandamus petition Billed to district court unless Court of Appeals accepts jurisdiction and appoints counsel.	YES
Drafting notice of appeal Billed to the district court, not the Court of Appeals.	YES
Moving to withdraw as counsel on appeal If trial counsel prefers to withdraw in favor of new counsel on appeal, trial counsel should first timely file the notice of appeal in the district court to preserve the client's right to appeal and then move to withdraw as soon as possible in the Court of Appeals asking for appointment of substitute counsel. See Ninth Circuit Rule 4-1. **NOTE:** Time spent moving to withdraw may be billed to the district court representation if counsel has no other billable time for the appellate representation and the motion to withdraw is filed prior to submission of counsel's final voucher in district court.	YES
Coordinating case file transfer to new counsel after entry of judgment Including communicating with appellate counsel to discuss potential issues to raise on appeal, access to sealed filings, or other matters relevant to the appeal.	YES
Reasonable and necessary communications with client after entry of judgment or dismissal of district court proceedings Including reasonable time responding to client requests for case file or discovery materials or inquiries about post-conviction relief. Counsel should seek guidance from a CJA administrator concerning compensability of client communications that occur after submission of a final voucher in district court. Some courts have local orders governing representation or advice for matters such as 2255 motions resulting from changes in the law and compassionate release requests.	YES

IX. POST-JUDGMENT AND APPELLATE MATTERS	COMPENSABLE?
Preparing Certificate of Appealability (COA) for Habeas Consistent with Rule 11 of the Rules Governing § 2254 and § 2255 Cases, courts must issue or deny a COA when entering a final order adverse to the petitioner. Thus, COA briefing in the district court typically is permitted only if the court concludes that it cannot rule without additional argument from the parties. If a COA is denied by the district court and an NOA is filed, counsel may bill the appellate representation for preparing a COA request in the Court of Appeals, regardless of if the COA is granted. If a COA is granted by the district court, appellate counsel should not prepare a COA request in the Court of Appeals but may brief uncertified claims in the opening brief, as provided by Ninth Circuit Local Rule 22-1(e).	DEPENDS
Designating/ordering transcripts for appeal If the transcript-requesting attorney continues the representation on appeal, this time may be billed to the attorney's district court appointment; otherwise, it should be billed to the Court of Appeals representation. **NOTE:** CJA-24 transcript requests are always submitted in the district court's eVoucher system under either the original district court representation (if counsel represented the client in district court) or a new "expert-only" representation created by the district court for the limited purpose of facilitating submission of transcript requests by substitute appellate counsel.	YES
Designating/ordering transcripts other than for appeal Counsel must identify a representational purpose when ordering transcripts at a client's request for reasons other than an appeal.	DEPENDS
Designating/ordering transcripts for BOP placement purposes Or for other purposes unrelated to the defense of the criminal case.	NO
Unsealing district court documents for appeal Counsel should consult with the Court of Appeals CJA Administrative Attorney about whether time spent in district court seeking to unseal documents for appeal should be billed to the Court of Appeals.	YES
Requesting or facilitating bail pending appeal If counsel represented the client in district court, this may be billed to the district court on a final or supplemental voucher; otherwise, the work can be billed to the Court of Appeals as an ancillary matter.	YES
Printing, scanning, or downloading transcripts or excerpts of record	NO
Reviewing record on appeal The presumptive rate of review for court record and transcripts on appeal	YES*

IX. POST-JUDGMENT AND APPELLATE MATTERS	COMPENSABLE?
is 50-60 pages an hour. *Because review of discovery is typically unnecessary for an appeal, prior authorization for such review must be obtained from the Court of Appeals CJA Administrative Attorney.	
Preparing appellate briefs and motions Including time and expense for researching and drafting appellate briefs as well as motions, continuance requests, and petitions for rehearing filed in the Court of Appeals.	YES
Ordering duplication of briefs through copy service Time spent placing a copy order is non-compensable administrative work as explained in Section II. However, reasonable duplication costs may be reimbursed as an expense as discussed in Section XII.	NO
Copying briefs and mailing to client Time spent physically printing or copying is non-compensable administrative work as explained in Section II. However, reasonable copy and mailing costs may be reimbursed as an expense as discussed in Section XII.	NO
Acknowledging oral argument date as required by the Court of Appeals Time spent to complete this ministerial task must not exceed 0.1 hrs.	YES
Preparing or responding to certiorari petition Work related to a certiorari petition is billed to the Court of Appeals. If the petition is granted, counsel's time on merits briefs and oral argument is billed to the United States Supreme Court.	YES
Preparing an Information Summary Form for the Court of Appeals An Information Summary Form must accompany every voucher submitted to the Court of Appeals.	NO
Undertaking ancillary state court work Counsel must obtain prior court authorization to bill the federal district or appellate court for ancillary state court work, such as filing a successive state post-conviction petition or seeking other relief in state court.	DEPENDS
Responding to allegation of ineffectiveness in a 28 U.S.C. § 2255 petition Because defending against an IAC claim is not representational work on behalf of the former client, counsel may not be reimbursed through the CJA for time spent responding to a former client's allegation of ineffectiveness raised in a post-conviction proceeding.	NO
Preparing requests to file second or successive (SOS) habeas petition Whether work on an SOS request is billed to the district court or appellate court will depend on the specific circumstances of the case;	YES

IX. POST-JUDGMENT AND APPELLATE MATTERS	COMPENSABLE?
counsel should consult with the local CJA administrator, Supervising Attorney/Resource Counsel, or Court of Appeals CJA Administrative Attorney.	
Seeking relief based on a change in law or statute *****Courts have discretion to appoint counsel to prepare a motion or petition seeking relief based on a change in law or statute (e.g., compassionate release, First Step Act litigation, *Johnson* relief, etc.). Counsel must seek PRIOR approval and move for appointment, even if counsel represented the client at sentencing. If the case is pending appeal and appellate counsel wants to pursue relief, appellate counsel must seek appointment in district court to undertake the representation and bill to the district court.	YES*****

X. CLIENT SERVICES

The CJA Guidelines provide that items of a personal nature purchased for or on behalf of a client are not reimbursable. This includes clothing, haircuts, cigarettes, meals, candy, and other "incidental expenses of a personal nature" that are not considered legal representation. See, e.g., CJA Guideline § 230.66.20. Incidental expenses of a personal nature include assisting the client in the disposition of the client's personal property (unless obtaining access to the property could reasonably contribute to a representational purpose), arranging for the placement of the client's minor children, assisting the client in executing the conditions of probation or supervised release (e.g., finding employment or housing or arranging for drug or alcohol counseling), and providing legal assistance in matters unrelated to resolution of the CJA case, though possibly incidental to the client's arrest (e.g., helping a detained client execute a Power of Attorney to permit family members to transact on the client's behalf).

Although defense attorneys often feel morally or even ethically obligated to assist their clients or their clients' family members with personal matters, activities that are personal in nature are not reimbursable under the CJA absent an articulated and reasonable representational purpose. The determination of whether a service is personal in nature or compensable under the CJA is ultimately within the discretion of the approving authority. As private attorneys, CJA counsel may undertake certain tasks pro bono if they do not conflict with the appointed representation.

Cautionary Note: Counsel are sometimes asked to undertake representational matters unrelated to the CJA appointment, such as state or local charges or a civil matter. While such activities are not categorically prohibited, the CJA Guidelines make clear that counsel may not accept payments from or on behalf of a CJA client without prior authorization. Where authorized, such situations present difficulties and attorneys are required to maintain careful records separating billing for CJA versus non-CJA activities.

The two most common quasi-personal services that frustrate both counsel and voucher reviewers involve obtaining clothing for a detained client in connection with court appearances and retrieving a client's personal belongings seized at the time of arrest. While ensuring a client is dressed appropriately for court arguably has a representational purpose, the CJA Guidelines clearly preclude compensation for time spent by counsel to procure such clothing. However, similar to scheduling-related communications addressed in Section V, communications where a clothing-related discussion is incidental to some other case-specific topic or issue are compensable (e.g., asking a family member about arranging for clothing while also discussing what to expect at an upcoming court hearing). For these types of "mixed" calls or emails, counsel's billing should identify the non-personal aspect of the communication.

With respect to a client's personal property, counsel or a service provider may be compensated for retrieving or arranging for others to retrieve items that have potential evidentiary or investigative value relevant to the charges or to potential mitigation (e.g., immigration or other identification, cash, documents, address book, laptop, mobile phone, or other electronic device) or if the retrieval is incidental to some other task (e.g., interviewing a case agent). Billing entries for such work should explain how obtaining access to the personal property furthered a representational purpose to avoid being reduced as non-compensable services of a personal nature.

Work on legal matters ancillary to the criminal representation are not "services of a personal nature" and may be compensated as provided in CJA Guideline § 210.20.30. The court is responsible for determining whether a matter is ancillary to the principal criminal charge and, whenever feasible, advance authorization should be sought. If authorized, the scope of representation extends only to the part of the ancillary matter that relates to the principal criminal charge and correlative objective in providing the representation.

X. CLIENT SERVICES	COMPENSABLE?
Procuring or arranging for others to procure clothing for client Time spent solely arranging clothing for court or release (e.g., communicating with a client or client's family, visiting a defender office closet, shopping at a thrift store). However, the act of arranging for clothing may be accomplished contemporaneously with hearing preparation, interviews, family consultations, or other substantive matters as incidental to that work. In that event, counsel's voucher should describe the non-clothing-related aspect of the billed time.	NO
Arranging for client haircut	NO
Furnishing cigarettes, candy, meals, etc. Including putting money on a client's account at a detention center.	NO
Communicating with client, client's family, or agents about client's personal property if subject to civil forfeiture or return under Federal Rules of Criminal Procedure 41(g)	YES
Retrieving or arranging for others to retrieve critical client property that has potential evidentiary, investigatory, or other representational purpose Critical client property includes items such as immigration or other identification documents, cash, address or phone books, laptops, and mobile phones or other electronic devices that may support the resolution of criminal matters or assist foreign national clients in a safe return should they be removed. Counsel should utilize a lower-cost service provider to retrieve the property. Billing entries for property retrieval must explain the representational purpose to avoid being reduced as non-compensable services of a personal nature. If the work is found to be compensable, related expenses such as mileage or postage also are compensable.	YES
Assisting detained client in obtaining medical care or addressing a condition of confinement if there is a representational purpose *Assisting a detained client to obtain medical care or address some other condition related to confinement **must** have a CJA representational purpose (e.g., to facilitate attorney-client communication, access to the client, or client participation in their defense or court proceedings) for counsel to be reimbursed for this work. Billing entries should explain the representational purpose to avoid being reduced as non-compensable services of a personal nature.	YES*

X. CLIENT SERVICES	COMPENSABLE?
Assisting client with requirements of pretrial diversion program This is distinguished from assisting a client after judgment in executing conditions of probation or supervised release, which is a non-compensable service of a personal nature under CJA Guideline § 230.66.20.	YES
Petitioning for modification of detention conditions Including for a detained client to attend a funeral or an out-of-custody client to travel outside the district. Such efforts may require communicating with Pretrial Services or the U.S. Attorney's Office, which are compensable tasks and not services of a personal nature. **NOTE:** Attorneys and service providers may not be reimbursed for the time and expense of transporting a client to attend a funeral or other personal matter.	YES
Arranging for the placement of minor children of the client	NO
Providing representation in related state court or other ancillary matters Work related to state court proceedings or other ancillary matters may be compensable. Counsel should obtain prior authorization from the court. CJA Guideline § 210.20.30.	DEPENDS

XI. TRAVEL AND WAITING TIME

Counsel and service providers are entitled to compensation for time spent conducting necessary and reasonable travel in furtherance of the representation. This includes travel to visit a detained client or interview a witness. While these are easy examples, other situations are more difficult, including local driving to accomplish non-compensable administrative tasks (such as photocopying or mailing documents to a client). As explained in Section II, the hourly rate paid to counsel and service providers is intended to compensate for general office overhead, including clerical assistance. Many CJA attorneys and providers work from home and lack conveniences such as a high-volume copier or daily express mail pickup. Thus, it may be necessary to take frequent trips to a post office, shipping company, copy center, or office supply store. However, such travel is generally considered part of office overhead (which is overall less costly when working solely from a home office) and thus not reimbursable except in extraordinary or unusual circumstances.

For air and overnight travel, authorization must be sought **in advance** unless court or district policy establishes otherwise. Prior authorization assists in obtaining reduced and refundable government travel rates. See CJA Guideline § 230.63.40(d). In the absence of exigent circumstances, travel authorization requests should be submitted at least 10

business days ahead of the proposed travel (using the procedures established by the court) and should detail the purpose, proposed itinerary, duration, and estimated travel expenses. All air travel and car rentals must be pre-authorized by the court and should generally be booked through the judiciary's contract travel agent. Where other travel arrangements are made, absent reasonable justification, reimbursement will generally be limited to the government rate.

Ordinarily, compensable time for travel includes only those hours actually spent in or awaiting transit. While traveling, time spent on substantive work should be billed separately from pure travel time (in which no work is performed, whether on CJA or privately retained cases) and clearly denoted on the voucher as work accomplished while in travel status. Commencing from when the traveler leaves their home or office, pure travel time is limited to no more than eight hours for each one-way trip (versus a roundtrip made in a 24-hour period, which may exceed eight hours) absent extraordinary circumstances and subject to additional district limits. Further, compensation for pure travel time may not be claimed in one case if billable work in another case is undertaken at the same time while in travel status (double billing); if such work is for another CJA representation, the fact the work occurred while in travel status on a different case should be noted in the voucher. Counsel and service providers should choose the most expeditious means of transportation practicable and are expected to undertake substantive work whenever possible while in travel status (e.g., while waiting at an airport or on a plane). Excessive "travel only" time when work could have been undertaken while in transit will be scrutinized.

CJA reimburses for reasonable expenses actually incurred during travel rather than on a flat per-diem basis. As such, itemized receipts are generally required for all reimbursable expenses. If a receipt is not available, counsel should submit an explanation of the expense and substantiation of the charge to the best of the traveler's ability.

In determining whether incurred expenses are "reasonable," voucher reviewers are guided by travel and subsistence expense levels set by the Judiciary Staff Travel Regulations. Expenses may include parking fees, tolls, mileage for personally owned vehicles, meals, and lodging. Receipts should include line-item details, especially for meals (i.e., not summary credit card receipts). Meal expenses for same-day travel in excess of 12 hours are reimbursable. The maximum reimbursement for airfare booked by the traveler directly is the prevailing government contract rate. The U.S. General Services Administration's (GSA) website (gsa.gov/travel-resources) publishes government rates for air travel between most cities and for daily lodging/subsistence.

Alcoholic beverages, entertainment (e.g., movies), travel insurance, parking fines or fees for traffic violations, personal automobile expenses, increased costs incurred by traveling indirect routes for personal reasons, and use of taxis to obtain meals are not reimbursable. If a traveler lengthens a trip or incurs any cost for personal reasons or performs work that is not related to the purpose of the official travel, the increased cost caused by such action also is not reimbursable.

Under 18 U.S.C. § 4285, the U.S. Marshals Service is responsible for transporting out-of-custody clients to court. However, as explained in the Cardone Report, the cost of return transportation is not included in this statutory mandate, nor is the cost of lodging and subsistence while an out-of-custody client is attending proceedings in court (e.g., trial). Although not required by statute, the Marshals Service in some districts has acquiesced when ordered by courts to pay for return travel and lodging/subsistence of out-of-custody defendants. Similarly, the Pretrial Services Office in some districts has assisted with locating temporary housing. While the CJA generally may not be used to pay for client lodging or subsistence, at least one court has broadly construed the term "other services" in 18 U.S.C. § 3006A(e)(1) to include lodging for an out-of-state defendant during trial. See United States v. Mendoza, 734 F.Supp.2d 281 (E.D.N.Y. 2010).

While CJA funds cannot be used for the sole purpose of facilitating a CJA client's court appearance, an independent defense-specific purpose for client travel could support the use of the CJA appropriation, particularly when bringing the client to the attorney's location, rather than sending the defense team to the client's location, is the most cost-effective way to achieve a representational activity. For example, the attorney may have confidential and secure meeting space, ready access to case files and disclosure, the assistance of paralegals and other staff, and other advantages over traveling to a client's home location for attorney-client meetings. The fact that a CJA client may also have additional case-related activities in the district (such as a court hearing or a proffer meeting with the government) would not eliminate the independent defense purpose. Such independent defense activities (such as necessary attorney-client conferences outside of court or review of discovery and disclosure at the attorney's office) could therefore, on a case-by-case basis, support the use of CJA funds for client travel.

Should a court find that a bona fide independent defense purpose exists to support CJA funding of client travel, funding could be provided as a reimbursement of the attorney's out-of-pocket expenses or via a Government Travel Authorization through eVoucher using the court's centrally billed credit card. Questions concerning travel for out-of-custody clients should be directed to the presiding judge or other approving authority.

XI. TRAVEL AND WAITING TIME	COMPENSABLE?
Preparing a travel request Including time for estimating expenses. Counsel should consult GSA's website for government airfare rates and per diem rates for lodging/meals & incidentals. It should not take more than 0.2 hours to conduct this research absent unique and extraordinary circumstances.	YES
Booking travel	NO
Traveling to courthouse for court appearances Subject to district-specific rules or limits.	YES
Traveling to courthouse for other representational purpose when required Including travel to courthouse to deliver required courtesy copies, file materials that cannot be submitted electronically, or obtain items not available in CM/ECF. If possible, attorneys should use the most cost-effective method for delivery, e.g., U.S. postal mail, or combine the task with other work requiring travel to the courthouse.	YES
Arriving before scheduled start time of hearing, meeting, or client visit Limited time before a hearing, meeting, or client visit is scheduled to begin (up to 0.3 hours unless ordered to arrive earlier by the court).	YES
Wait time between scheduled and actual start time of hearing, meeting, or client visit Unless counsel is able to conduct other work while waiting. Includes time waiting for matter to be called after court calendar begins.	YES
Traveling to meet with out-of-custody client For meetings at an attorney's office that do not coincide with transportation to a court proceeding provided by the U.S. Marshals Service, out-of-custody clients should travel at their own expense when feasible. For clients that lack the means to travel, counsel may request that CJA cover the cost of transporting the client to meet with counsel when doing so would be economically advantageous to the CJA compared to counsel traveling to the client's locale. While CJA funds cannot be used for the sole purpose of facilitating a CJA client's court appearance, CJA funding for client travel may be requested if it is to facilitate an independent defense purpose (such as reviewing discovery) and is the most cost-effective way to achieve this separate representational activity, even if the travel coincides with a court hearing or proffer meeting with the government. Counsel should seek advance authorization and provide a comparison of costs for the client to be transported to and from the attorney's office and for counsel to travel to and from the client's locale (including attorney time and travel expenses). If approved, counsel should consult with a	YES

XI. TRAVEL AND WAITING TIME	COMPENSABLE?
CJA administrator for guidance on booking client travel. Client travel expenses are ordinarily limited to the cost of transport and do not include lodging or subsistence.	
Traveling and wait time to meet with client at detention facility Subject to district-specific rules or limits.	YES
Traveling to meet with a defense team member In furtherance of their fiduciary duty under the CJA to work efficiently, counsel and service providers should exercise professional judgment in determining whether a meeting's objective can be accomplished using video or audio conferencing.	YES
Traveling to pick up discovery Whenever feasible, counsel should coordinate discovery pickup at the U.S. Attorney's Office with other tasks such as meeting with the assigned AUSA and are encouraged to delegate pick up to a lower-cost service provider. While travel time to a commercial printing or copy center is not ordinarily compensable, it may be allowed if the vendor is used by the Government for discovery productions.	YES
Traveling to and wait time at print/copy center Except in unusual or extraordinary circumstances of the type that would normally result in an additional charge to a fee-paying client. See CJA Guideline § 320.70.30.	NO
Traveling to and wait time at post office	NO
Traveling to purchase a hard drive or other office supplies	NO
Traveling by car when mileage plus attorney travel time is less than airfare Travel should be by the most expeditious means of transportation practicable and commensurate with the nature and purpose of the duties of the individual requiring travel.	YES
Transporting client to/from court, airport, rehabilitation facility, or another locale Unless such travel is incidental to a client meeting, in which case the time would be billed as communicating with client, not traveling.	NO
Walking/escorting client within courthouse to probation, pretrial, or U.S. Marshals Service	YES
More than eight hours of pure travel time for each one-way trip *Absent extraordinary circumstances and subject to additional district limits	NO*

XII. GENERAL OFFICE OVERHEAD AND OTHER EXPENSES

As provided in CJA Guideline § 230.66.10 and discussed in Section II above, counsel's hourly rate is intended to include compensation for general office expenses, including personnel, rent, telephone, cell phone, internet, general video and teleconferencing services, and clerical assistance. However, unusual or extraordinary expenses of these types may rise to the level of "other services necessary for an adequate defense" under 18 U.S.C. § 3006A(d)(1), especially if the circumstances from which the need arises would normally result in an additional charge to a fee-paying client. CJA Guideline § 320.70.30. Prior authorization should be sought before incurring any unusual or extraordinary expenses.

Reasonable out-of-pocket expenses may be reimbursed if itemized and documented. Expenses for services such as interpretation or translation are not considered out-of-pocket expenses and should not be paid out-of-pocket by counsel except under unusual circumstances where use of a service provider voucher would be impracticable. Such circumstances must be documented in the attorney's voucher. In most circumstances, service provider expenses should be submitted on form CJA-21/31 after obtaining prior authorization, if required.

Similarly, the acquisition of computer hardware or software not typically available in a law office and reasonably necessary to the representation, including the procurement of litigation support services such as cloud hosting for discovery review, should be submitted on form CJA-21/31. Prior authorization for computer hardware, software, or litigation support services is required. If combined costs are expected to exceed $10,000, appointed counsel must consult with the local CJA office or the National Litigation Support Team for guidance.

Commercial duplication services may be paid out of pocket by counsel and reimbursed as an expense on CJA-20/30 or paid directly to the vendor via a CJA-21/31. Prior authorization should be sought if copy expenses are likely to exceed $500.

Transcripts of federal court proceedings are ordered using a CJA-24. The cost of transcripts of nonfederal proceedings (e.g., state court hearing) may be paid directly to the court reporter through a CJA-21/31 after obtaining any required prior authorization or may be purchased out-of-pocket by counsel and reimbursed. Consult the local CJA office for guidance on purchasing transcripts of nonfederal proceedings.

As the amount of electronic discovery continues to expand, counsel are expected to be mindful of adjusting to new technologies that assist with organization and review of discovery and avoid unnecessary printing and copying of voluminous materials. Whenever feasible, discovery should be provided to a client or service providers in an electronic format.

This same guidance regarding reimbursement of counsel's expenses applies in determining the reasonableness of expenses incurred by service providers. CJA Guideline § 320.80.10.

XII. GENERAL OFFICE OVERHEAD AND OTHER EXPENSES	REIMBURSABLE?
Administrative assistant to answer phones and reply to general office email	NO
Hard drives for discovery storage If the hard drive or other storage media is purchased with the intent that it stays with the case file or will be used in another CJA representation, reimbursement may be sought. Justification should be included on the voucher.	YES
Mobile printer for use during trial	NO
File folders, binders, and other supplies for office use However, in particularly complex cases requiring an unusual or extraordinary number of binders to provide exhibits to the court or opposing counsel, such expense may be construed as necessary for an adequate defense and thus reimbursed. Justification should be included on the voucher.	NO
Case organization tools unique to the needs of a case Proprietary software (including cloud-based discovery review platforms) or hardware not typically available in a law office needed to review evidence or organize discovery during pendency of a specific case. Counsel should discuss options with a CJA administrator, budgeting attorney, or the National Litigation Support Team (NLST) and obtain prior authorization. See CJA Guideline § 320.70.40.	YES
Cloud storage subscription services Including Dropbox, Box, Sync, or other general storage services. NLST has a contract with Box and can provide free storage for CJA cases that qualify.	NO
General case organization or team communication tools E.g., Casemap, Everlaw, Basecamp, etc. Check with NLST for available discounts.	NO

XII. GENERAL OFFICE OVERHEAD AND OTHER EXPENSES	REIMBURSABLE?
Trial presentation tools (e.g., TrialDirector 360) Check with NLST for available discounts or your local CJA Supervising Attorney/Resource Counsel for more information. It is within the approving authority's discretion to reimburse counsel for all or part of the cost of trial presentation software that is not used in the normal course of business if it is procured solely for a specific CJA representation and is warranted by the trial's complexity.	DEPENDS
Calendaring or billing software	NO
Photocopying or laser printing The Ninth Circuit's maximum reimbursement rate for in-house copying or printing is 15 cents per page for black and white and 25 cents per page for color. District reimbursement rates may be lower.	YES
Scanning and OCR services by third-party vendors Third-party vendors may charge an hourly rate or per page fee. Check with your CJA administrator as reimbursement rates vary depending on the quality and form of the documents. (See Section VI for compensability of attorney and service provider time for these tasks.)	YES
U.S. Postal fees	YES
Premium delivery services Use of couriers, messengers, and other premium delivery services (other than standard delivery) is discouraged absent a genuine necessity for the service. Explanations and receipts are required.	DEPENDS
Physical storage of paper materials Storage of hard-copy case files is typically office overhead. However, for an extraordinarily large volume of materials for which counsel lacks adequate space and for which physical storage is necessary for the representation, such expense may rise to the level of "other services necessary for an adequate defense" under 18 U.S.C. § 3006A(d)(1) and may be reimbursed during the representation. Prior authorization is required.	DEPENDS
Collect calls from client While it may be more cost efficient to deposit money into a detained client's account to facilitate attorney-client communications, such funds are akin to services of a personal nature and are not reimbursable under the CJA. Only reasonably documented actual expenses may be reimbursed.	YES

XII. GENERAL OFFICE OVERHEAD AND OTHER EXPENSES	REIMBURSABLE?
Communication with detained client on fee-based platforms Fees paid to detention center vendors for calls, emails, or video visits with a detained client are reimbursable if they can be reliably linked to a particular client/representation.	YES
Video or audio-conferencing tools Subscriptions to common audio or video services (e.g., Zoom, Skype, GoToMeeting, etc.) are considered overhead unless being employed solely for a specific representation and not general use. Any videoconference expense claimed on a voucher should explain why the service is not general office overhead.	DEPENDS
Equipment for in-custody client to review discovery Consult with a CJA administrator as prior authorization is required for the purchase of laptops, tablets, or audio devices.	DEPENDS
Expenses reasonably incurred in defending actions alleging malpractice in representational services under the CJA Reimbursable expenses include the cost of transcripts, witness fees and costs, and retained attorney fees. CJA Guideline § 230.63.60. The total reimbursement must not exceed the deductible amount of counsel's professional liability insurance policy or $5,000, whichever is less, and should be claimed as an expense on Form CJA-20/30. These expenses are not reimbursable if a judgment of malpractice is rendered against the attorney. As with § 2255 proceedings, compensation for representing oneself in defending malpractice allegations is not reimbursable.	YES
Computer-assisted legal research (CALR) services CJA Guideline **§ 230.63.30** provides that online legal research services (e.g., Lexis, Westlaw) may be reimbursed if the amount claimed is reasonable. In this digital age, counsel are expected to have flat-rate monthly plans, the cost of which is considered non-reimbursable overhead. *Fees for legal research outside counsel's monthly plan may be reimbursed in extraordinary or unusual circumstances; counsel should consult with their local CJA administrator prior to incurring such charges. When submitting a claim for reimbursement, counsel must attach a copy of the bill and a statement of justification.	DEPENDS*
Transcripts of federal proceedings Counsel should not pay out of pocket for transcripts. Rather, transcripts should be requested on CJA Form 24. Except during trial, expedited or daily copy is discouraged. Any requests for expedited or daily copy must be justified and pre-approved by the court.	NO

XII. GENERAL OFFICE OVERHEAD AND OTHER EXPENSES	REIMBURSABLE?
PACER fees Attorneys and service providers should apply for a no-fee account and may contact the PACER Service Center in San Antonio at 1-800-676-6856 for more information. Service providers may require documentation from a CJA administrator explaining their role and eligibility for the CJA exemption and should register at this link for a "case search only" account: https://pacer.psc.uscourts.gov/pscof/registration.jsf Additional information: https://www.pacer.gov/ecfcbt/cso/PACER_Job_Aids/Activating_CJA_Privileges.pdf https://www.pacer.gov/ecfcbt/cso/PACER_Job_Aids/CJA_instructions.pdf	NO

XIII. CONCLUSION

The goal of this handbook is to help counsel receive full and fair compensation for their invaluable service on behalf of CJA clients and the protections afforded to all of us by the Sixth Amendment's right to counsel. Attorneys can make voucher approval faster and easier by familiarizing themselves with the CJA Guidelines and following the simple rule of briefly explaining why anything out of the ordinary was necessary to the specific representation. This can almost always be done without lengthy justifications or compromising the confidentiality of the representation. If you run into problems, please consult your local CJA experts at the courthouse, federal defender, or CJA Panel Attorney District Representative.

Appendix I: CJA 20/30 BILLING TIP SHEET

NINTH CIRCUIT CJA UNIT

CJA Resources: https://www.ca9.uscourts.gov/cja

CJA-20 Billing Tips

- Record time daily and enter it into eVoucher at least weekly, if not daily.
- Describe services in sufficient detail to allow reviewers to gauge the reasonableness of the time expended without revealing privileged information.
- Do not block bill a group of different tasks in one billing entry. Rather, each task should be billed separately except those that take less than six minutes (e.g., reviewing ECFs), which should be aggregated into one billing entry. This ensures that total time billed in a day does not exceed the actual time expended.
- For similar tasks on the same date, either aggregate into one billing entry or describe the services in a way that shows the entries are distinct (e.g., continued PSR review; follow-up call to client; additional emails to co-counsel).

16a. Interviews and Conferences

Includes witness interviews, meetings, and communications. Specify with whom (e.g., client, AUSA, service provider), type of communication (e.g., email, telephone call, in-person meeting, video conference), and topic (if not privileged).

a. Interviews and Conferences	Meet with client and interpreter	1.6
a. Interviews and Conferences	Emails with AUSA re discovery issues in Vol 3	0.3

16b. Obtaining and Reviewing Records*

Includes discovery review and docket review. Specify type of discovery (transcripts, reports, medical records, photos, audio recordings, etc.) and, if applicable, Bates range, approximate number of pages, text searches run, number of relevant hits reviewed, and length of audio/video recordings. Specify ECF numbers for docket review.

b. Obtaining and Reviewing Records	Review GOV000-GOV800 (bank records), indictment, and investigative memos (5 pp)	4.9
b. Obtaining and Reviewing Records	Run approx. 5 text searches for client's name (including monikers) in 2TB of discovery; review approx. 175 pp of hits	2.8

**See Discovery-Related Billing Tips sheet for further examples.*

16c. Legal Research and Brief Writing

Specify issue researched or type of motion. Include docket number if filed or note that document ultimately was not filed. Includes researching jury instructions, drafting research memos, and preparing sentencing memoranda and charts.

c. Legal Research and Brief Writing	Research and draft suppression motion	2.9
c. Legal Research and Brief Writing	Review PSR and draft objections	3.2

16d. Travel Time

Include origin/destination, whether round trip/one way, and method if not driving. When prorating travel among cases, provide the other case number(s).

d. Travel Time	Walk round trip office to US District Court	0.2
d. Travel Time	Office to/from San Quentin Detention Center (split w/CASE #)	1.7

16e. Investigative or Other Work

Includes researching witnesses; inspecting evidence or crime scene; retrieving case-related evidence or property; preparing for hearing or trial, including witness examinations, opening statement, and closing argument; drafting requests for service providers; reviewing service provider bills to certify work was undertaken; budgeting the representation; and reviewing defense-generated materials, including documents, charts, and memos.

e. Investigative or Other Work	Draft funding application and prepare budget	0.7
e. Investigative or Other Work	Inspect crime scene with investigator	2.9

Appendix II: CJA 21/31 BILLING TIP SHEET

NINTH CIRCUIT CJA UNIT

CJA Resources: https://www.ca9.uscourts.gov/cja

CJA-21/CJA-31 Billing Tips

- Service providers such as investigators, paralegals, interpreters, and experts bill in eVoucher on CJA-21 (non-capital cases) or CJA-31 (capital cases). **NOTE:** Associate attorneys performing legal services bill on CJA-20 or CJA-30.
- Absent authorization for a different billing arrangement (e.g., hosting fees per GB), providers must bill time in tenths of an hour (six-minute increments) and describe work in sufficient detail to allow reviewers to gauge the reasonableness of the time expended without revealing privileged information.
- Providers should not block bill a group of different tasks in one billing entry. Rather, each task should be itemized separately except those that take less than six minutes (e.g., multiple emails), which should be aggregated into one billing entry. This ensures that total time billed in a day does not exceed the actual time expended.
- For similar tasks on the same date, providers should either aggregate the work into one billing entry or describe the services in a way that shows the entries are distinct (e.g., continued review of medical records; follow-up call with counsel).
- Where permitted, CJA counsel and providers should work with a court's CJA administrator to arrange for providers to enter their own time directly into eVoucher after CJA counsel has created the CJA-21 or CJA-31. If provider direct entry is permitted, CJA counsel may assign the voucher to either the provider or counsel to complete; entries entered by a provider still must be reviewed and submitted by counsel. If provider direct entry is not permitted, only the "attorney assignment" option will be available and counsel must enter the provider's billable time and expenses into the CJA-21 or CJA-31. **NOTE:** Time spent creating or making entries into a CJA-21 or CJA-31 is a non-compensable administrative task. However, time spent by counsel reviewing a service provider's bill to ensure the work was undertaken is compensable.
- While documents such as W-9s containing a service provider's personal identifying information (e.g., social security number or date of birth) are needed for the creation of an eVoucher account, they should not be attached to authorizations or vouchers. The better practice is to coordinate with the CJA department.

Reviewing Discovery, Conducting Research, and Drafting Documents*

Specify type of discovery reviewed (transcripts, reports, medical records, photos, audio recordings, etc.) and, if applicable, Bates range, approximate number of pages, text searches run, number of relevant hits reviewed, and number of audio/video recordings. Specify the type of document created (report, memo, index, etc.) and any research or additional factors involved in its creation.

01/22/2023	Review GOV000-GOV800 (bank records), indictment, and investigative memos (5 pp)	4.9
02/05/2023	Listen to witness interview in Spanish and draft summary in English (15-min recording)	0.9
03/31/2023	Review notes from client evaluation and draft initial report	3.5
04/20/2023	Draft report after interview with witness AB, update case chronology	1.6
05/08/2023	Retrieve and review client criminal history records from superior court (approx. 100 pp)	2.8
05/26/2023	Research social media and other online sources for information on witness JS. Update case cast of characters	2.3
06/01/2023	Redact discovery for client review (per protective order)	0.8
06/14/2023	Research and review chapter in DSM-5 specific to client's mental health issues. Take detailed notes and update client chronology	1.5
06/27/2023	Review client medical records (230pp); update and revise evaluation report	3.1

**See Discovery-Related Billing Tips sheet for further examples.*

Interviews and Conferences

Includes meetings and communications, e.g., reviewing and responding to emails, meetings and calls with client and counsel, interviews with witnesses, etc. Specify with whom (e.g., client, counsel, witness initials), type of communication (e.g., email, telephone call, Zoom conference) or meeting location, and topic (if not privileged).

02/13/2023	Meet with client; conduct examination	3.0
03/01/2023	Interview with witness AB	1.2
04/10/2023	Meet with counsel and client; translate for counsel	1.0
04/28/2023	Emails with attorney re new discovery	0.1
05/18/2023	Phone call with counsel re case strategy and next steps	0.4
05/30/2023	Locate and interview witnesses 1, 2, 3, and 4	4.5
06/12/2023	Translate for Spanish speaking client at detention hearing	0.9

Travel Time

Include origin/destination, whether round trip/one way, and method if not driving. When prorating travel among cases, provide the other case number(s).

02/13/2023	Walk from office to attorney's office	0.2
02/16/2023	To/from office to Santa Rita Jail for client examination	1.7
03/01/2023	Round trip to witness AB in Burbank (Split with Roberts/22-cr-526; 1.2 total)	0.6
03/18/2023	RT to crime scene review	0.8
04/04/2023	Round trip to courthouse for hearings (split with [CASE #])	0.5
05/30/2023	Travel from office to four different witness locations within Seattle	2.7
06/01/2023	Pick up new discovery from government	0.8

Expenses

Out-of-pocket expenses reasonably incurred may be claimed on a CJA-21/CJA-31. They must be listed on the "Expenses" tab and reasonably documented. Itemized receipts are required for any airfare, lodging, or meals when travel is authorized and for any expense over $50. Common reimbursable expenses include photocopying, postage, fees for public records, mileage, and external hard drives for storing case-specific discovery. **NOTE:** While the cost of items such as hard drives may be reimbursed as an expense, the time and travel associated with procuring the items are generally not compensable (e.g., driving to Office Depot or the Post Office).

02/29/2023	Travel for client meeting (76 miles; 38 miles each way)	$43.70
02/29/2023	Bridge toll	$6.45
04/10/2023	Hard drive for discovery (receipt attached)	$65.00
05/15/2023	Copies of transcripts (400 pp)	$40.00
05/20/2023	Client medical records from Kaiser	$52.75
05/20/2023	Postage to mail copies of discovery to client at MCD	$4.60

Appendix III: DISCOVERY BILLING TIP SHEET

NINTH CIRCUIT CJA UNIT

CJA Resources: https://www.ca9.uscourts.gov/cja

Discovery-Related Billing Tips

Adequately articulating and explaining discovery-related billable time can be challenging, especially where page counts are difficult to ascertain (e.g., conducting a keyword search in a database). For this reason, billers should provide sufficient detail to enable voucher reviewers to understand the context of the work and its relevance to the case, without revealing privileged information. This tip sheet provides numerous examples of good discovery-related billing entries.

Discovery Review:

- Note type and substance of discovery reviewed
- Note approximate number of pages or Bates ranges
- Note number or length of audio/video files
- Note if review is continuation of same materials on same day (and thus not mistaken for a duplicate entry)
- Note any unique issues in reviewing discovery

Review SFPD reports, 302s, defendant's criminal histories (225 pp)	3.5
Continue reviewing SFPD reports, 302s, defendant's criminal histories. (130 pp)	2.0
Listen to client's jail calls, take notes (10 calls, approx. 75 mins)	1.5
Review reports of proffers with cooperating defendant (114 pp)	1.6
Review RICO allegations involving defendant and co-defendants, reviewed LAPD intervention, CDC incidents (291 pp)	2.0
Memo to attorney re client involvement with intercepted kites, defense strategy; draft memo with attached discovery as provided	1.8
Review audio intercepts involving Co-D and CI/CW meeting from 2020 (23 phone calls)	2.7
Code date, description, type, and author in CaseMap for Bates ROI000250-ROI000404 (50 documents/154 pp)	2.4
Review crime scene surveillance video; mark time stamps with activity of white Honda per counsel's request (4-hour video)	2.5
Emails with investigator re new witness reports; add reports to master case index	0.2
Review recordings of meetings involving RR (ES-44, 77, 78, 79, 131) and make notes of potential issues, problems with transcripts, arguments re MJ	5.7
Read/index 7/2023 discovery materials re ES recordings	1.8
Review IRS spreadsheets, reports of work absences by client and co-defendants, patient's student files (337 pp)	2.6
Review reports of defendant and co-d daughter's post-arrest interviews and reports related to fraud scheme involving defendant (52 pp)	0.8
Run searches for client's name and monikers in 90,000 pages of discovery using dtSearch (approx. 100 hits/40 docs)	3.1
Meet with client at jail re 03/20/2023 discovery review	1.0
Review CaseMap reports for 10 witness searches (approx. 200 docs/500 pp)	6.5

Discovery Processing:

- Time it takes to set up discovery files to download or upload is compensable, but wait time is not.
- Time spent loading, assessing, and organizing documents to OCR is compensable, but OCR run time is not.

Load, process, organize, OCR new discovery (3 discs)	1.2
Convert tiffs to pdf, OCR, and rename files (25 docs)	0.8
Convert surveillance videos from proprietary format to mp4s; open each video in provided player to convert (18 videos)	1.1
Load and organize discovery on SD card for client tablet pursuant to protective order	0.7
Update master discovery index with new government production	0.2
Set up OCR to run on pdfs received in government production (Bates TW000850-TW0004390)	0.5
Emails with government re new discovery; download discovery from Box; OCR, organize, and transfer to hard drive	0.6
Organize, convert to pdf, bates stamp, OCR defense-collected discovery (65 docs/1700 pp)	1.4
Convert client jail calls to mp3; conversion done individually on each call (125 calls)	1.1
Review contents of hard drive and load drive for investigator	0.5
Create dtSearch index of pdfs in discovery (approx. 90,000 pp/10 folders)	0.7

Discovery Dissemination:

- Counsel and providers should work to ensure that discovery is disseminated in an efficient manner.
- Check with CJA administrators about the availability of tablets or other electronic devices for discovery review by clients or others.

Phone call with AUSA re issues with discovery production	0.2
Emails with co-counsel and investigator re discovery updates	0.1
Multiple emails with counsel re missing discovery; locate missing documents and respond	0.3
Email with government re 01/22/2024 discovery production	0.1
Update client tablet with new discovery	0.5
Meet with paralegal and investigator re discovery review and case strategy	1.5
Update hyperlinked discovery chart with discovery production 4 and upload to box.com for all Counsel	0.6
Draft discovery letter to AUSA	0.5
Emails with jail re problems with client tablet	0.1
Update attorney hard drive with new processed discovery	0.4