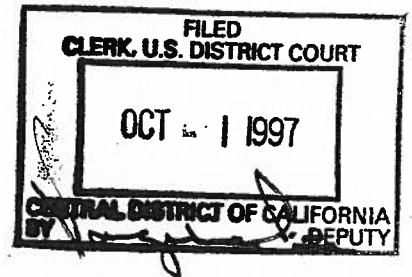


UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA



IN RE:)
)
)
)
 CRIMINAL JUSTICE ACT VOUCHERS)
 _____)

GENERAL ORDER NO. 97-7

WHEREAS, the Criminal Justice Act of 1964, as amended (18 U.S.C. § 3006A) (the "CJA") requires each United States district court to place in operation a plan for furnishing representation for any person financially unable to obtain adequate representation in certain circumstances;

WHEREAS, this court has established such a plan (the "Plan");

WHEREAS, the Plan provides payment of fees and expenses to counsel appointed under the Plan and payment for investigative, expert, and other services incurred pursuant to the Plan shall be made in accordance with such rules and regulations and guidelines, as have been or may be prescribed from time to time by the Judicial Conference of the United States, and in accordance with the fiscal policies of the Administrative Office of the United States Courts;

WHEREAS, those rules, regulations, guidelines and policies require that every claim for compensation for services rendered and/or reimbursement for expenses incurred must be submitted on standard CJA voucher forms ("Vouchers") and reviewed for both reasonableness and compliance with the CJA and the Guidelines for the Administration of the Criminal Justice Act, Volume VII, Guide to Judiciary Policies and Procedures ("CJA Guidelines") by the court;

WHEREAS, those rules, regulations, guidelines and policies require that every claim for compensation for services rendered and/or reimbursement for expenses incurred in excess of the

statutory limitation must be certified by this court and forwarded to the chief judge of the circuit for approval;

WHEREAS, to bring about more consistent, efficient, and timely review, certification and payment of Vouchers;

IT IS HEREBY ORDERED, Vouchers claiming compensation for services rendered and/or reimbursement for expenses incurred in this court under the CJA shall be submitted to the Clerk of this court no later than 45 days after the final disposition of the case in this court or after the filing of a notice of appeal, whichever is later.

All Vouchers must be accompanied by an original and one copy of a detailed statement to substantiate the amount requested. Fees shall be chronologically and fully itemized with individual narrative entries showing the date of the service, precise description of the service including relevance of the service to the federal proceedings, actual time consumed for that service in hours and tenths of hours, name of the individual providing the service, hourly rate of the individual providing the service, and calculation of rate and hours equaling the charge for the individual entry. The hours and charges shall be totaled for all services and a calculation tape from an adding machine attached to the statement.

Expenses shall be itemized and stated separately on the statement. The itemized expenses shall state as to each item the date incurred and the description (i.e. person called, mileage, number of copies made and unit charged per copy, destination of messenger, etc.). All supporting documentation (receipts, canceled checks, etc.) shall be attached. The charges shall be totaled for all expenses and a calculation tape from an adding machine attached to the invoice.

IT IS FURTHER ORDERED, authority under the CJA to act on all pre-indictment Vouchers greater than \$1,000.00 and all post-indictment Vouchers is delegated to the CJA Supervising Attorney.

The Clerk shall send the above submitted Vouchers to the CJA Supervising Attorney for approval or certification. After review of submitted Vouchers, the CJA Supervising Attorney shall approve such amounts deemed reasonable and appropriate under the CJA and CJA Guidelines.

Vouchers submitted for payment of attorney fees in excess of the statutory maximum provided by the CJA shall include the panel attorney's written justification for why the case should be considered "extended" or "complex" and why the excess payment is necessary to provide fair compensation. Justifications shall be submitted on a CJA 26 form or in the alternative may be typewritten or in a legible written form which contains all information required in the CJA 26 form. The Voucher and justification will be reviewed by the CJA Supervising Attorney who will determine whether the case is either "extended" or "complex" as defined in the CJA Guidelines. If the case is established as being "extended" or "complex," the CJA Supervising Attorney will determine if excess payment is necessary to provide fair compensation in accordance with the CJA Guidelines.

Vouchers submitted for non-attorney fees in excess of the statutory maximum provided by the CJA shall include the panel attorney's written justification for why excess payment is necessary to provide fair compensation for services of an unusual nature or duration or a copy of the Court Order authorizing the expenditure. After review, the CJA Supervising Attorney will

make a determination and certify, if appropriate, the excess payment necessary to provide fair compensation for services of an unusual nature or duration.

Prompt notice of approval of Vouchers submitted will be provided to the panel attorneys. Prior to the reduction of any Voucher or denial of certification, the CJA Supervising Attorney shall notify the panel attorney of the reason for the reduction or denial and allow the attorney to submit a written request for reconsideration. The request for reconsideration must address the propriety and reasonableness of the Voucher. Requests for reconsideration must be submitted to the CJA Supervising Attorney within 14 calendar days of notification of the proposed reduction or denial unless good cause is shown.

The CJA Supervising Attorney shall review a timely submitted request for reconsideration and may grant it in full, in part, or not at all. The CJA Supervising Attorney's decision and supporting rationale for the denial of any part of a request for reconsideration shall be communicated to the panel attorney. Within ten calendar days of such notice, the panel attorney may appeal any denial of reconsideration to the judge who presided over the subject case. The appeal shall be filed with the CJA Supervising Attorney who shall immediately refer the matter for decision, together with the complete Voucher file to the judge who presided over the subject case. The judge's decision on appeal shall be final.

The delegation authority shall be effective upon the filing of this general order. The remaining provisions of this general order shall be effective 30 days after filing.