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CENTRAL DISTRICT OF CALIFORNIA
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MEMORANDUM

TO: CJA Trial Attorney Panel

FROM: Judge Michael W. Fitzgerald
Chair, CJA Committee

RE: Policies and Rates for Service Providers and Experts in CJA Cases

DATE: June 23, 2020

I hope you, your staff, and your families are remaining healthy. The Court is grateful for everything you're doing now, from dealing with the strictures at MDC-LA to making yourselves available for video hearings.

This memorandum (1) sets forth new rates for service providers in Central District cases administered under the Criminal Justice Act ("CJA") and (2) highlights important existing policies regarding the submission of vouchers by service providers and experts, the submission of funding requests by attorneys seeking their services, and best practices regarding initial retention. Please review and forward to any service providers and experts with whom you are currently working. The new rates will take effect on July 1, 2020. Failure to follow the policies set forth here will cause delays, and possibly reductions, in payment.

Time Limit for Submission of Vouchers

Service providers and experts are required to submit a final voucher in the eVoucher system, for all remaining unsubmitted time in a case, no later than **90 days** after the final disposition of the case. Final vouchers submitted after the 90-day deadline must be accompanied by a letter, addressed to the Chair of the CJA Committee, which provides good cause for the delay.

Requesting Funding for Service Providers and Experts

Funding for service providers and experts must be requested in advance, before the service provider or expert begins working on the case. *Guide to Judiciary Policy*, Vol. 7A, Ch. 3, § 310.20.10. Requests for funding must be made online by submitting an “AUTH” in the eVoucher system and uploading the required supporting documentation. To request funding for an investigator, a paralegal, an expert, or associate counsel, the attached supporting documentation must include the appropriate CACD AUTH Form (CJA-01, CJA-02, CJA-03, or CJA-04), available on the Court’s website at <http://www.cacd.uscourts.gov/court-procedures/forms/CJA%20Forms>. If authorization is not requested in advance, express approval from the presiding judge must be obtained before any *nunc pro tunc* payments will be processed. *Nunc pro tunc* funding requests should be emailed to the CJA Supervising Attorney, who will forward the request to the presiding judge for consideration.

Funding requests made per each category of service provider or expert that exceed the statutory maximum, currently \$2,600, must be approved by the Ninth Circuit. Please keep in mind that this additional review can take two weeks or more depending on the nature of the request. Therefore, it is especially important that funding requests requiring Ninth Circuit review are made well before the services are needed.

CJA lawyers are encouraged to send each approved service provider and expert an engagement letter after funding has been approved. This letter should: (1) confirm the amount and rate approved by the Court; (2) advise that contemporary time records must be maintained and are subject to audit upon the Court’s request; and (3) advise that funding approval does not guarantee payment, as the Court may reduce payment for mathematical errors, non-compliance with the *Guide to Judiciary Policy*, unreasonable work performed, or excessive billing. Sample engagement letters for CJA cases can be found on the Court’s website at <http://www.cacd.uscourts.gov/sites/default/files/documents/Sample%20Engagement%20Letter.pdf>.

Rates

The chart below sets forth the general rates that will be paid to service providers for work performed on or after July 1, 2020, though rates may be adjusted in individual cases, consistent with current Central District CJA policies and procedures. Rates paid to experts are set individually in each case, within ranges set by the Ninth Circuit.

Additional information about the policies applicable to CJA service providers and experts in the Central District is available on the Court's website at <http://www.cacd.uscourts.gov/attorneys/cja/cja-service-provider-policies-rates>.

**CENTRAL DISTRICT OF CALIFORNIA
CJA SERVICE PROVIDER HOURLY RATES
(effective July 1, 2020)**

Service Provider/Expert	Hourly Rate	Type of Tasks
Paralegal	\$65	All Tasks Performed & Travel Time
	\$75	Tasks Requiring Use of the Paralegal's Foreign Language Skill
Paralegal Lawyer	\$75	All Tasks Performed & Travel Time
Investigator	\$55	Tasks Involving Record Collection & Related Travel Time
	\$75	Routine Tasks & Travel Time
	\$95	Tasks Requiring Specialized Skills (a high level of investigative expertise relevant to the type of crime alleged or other special skills the case requires)
	\$115	Tasks Requiring Use of the Investigator's Foreign Language Skill
Capital Mitigation Specialist	\$125	All Tasks Performed & Travel Time
Capital Mitigation Specialist Proficient in a Foreign Language (when the case requires extensive use of those language skills)	\$150	All Tasks Performed & Travel Time
Associate Counsel	\$90-\$125	See the Central District's Associate Counsel Policy
Experts	Rates Set Individually in Each Case within Ranges Approved by the Ninth Circuit (see below)	All Tasks Performed Except for Travel Time (which must be negotiated within the terms set forth by the Travel Time Policy summarized on the CACD CJA-02 Expert AUTH Form)
Interpreters/Translators		See rates posted at http://www.cacd.uscourts.gov/attorneys/cja/scheduling-out-court-interpreters

**Ninth Circuit Approved Rate Ranges
for Expert Witnesses in CJA Cases
(approved by the Ninth Circuit effective January 8, 2020;
adopted by the Central District effective July 1, 2020)**

Accident Reconstruction	\$150 – \$200
Accountant	\$150 – \$275
Audio, Video, Photo Analyst	\$100 – \$200
Ballistics/Firearms Expert	\$200 – \$300
Chemist/Toxicologist (non-M.D.)	\$175 – \$275
Crime Scene/Police Practices/Use-of-Force Expert	\$150 – \$250
DNA	\$150 – \$250
Fingerprint Analyst	\$150 – \$250
Forensic Computer/Cellphone	\$150 – \$250
Gang Expert	\$150 – \$200
Handwriting Analyst	\$150 – \$250
Jury Consultant	\$150 – \$225
Legal Analyst/Consultant (Non-Attorney: e.g., Sentencing Guidelines consultant)	\$75 – \$100
Mitigation Specialist – Non-Capital	\$75 – \$125
Neurologist (M.D.)	\$275 – \$400
Neuropsychologist (Ph.D.)	\$225 – \$375
Other Medical (M.D. or D.O.)	\$275 – \$400
Psychiatrist (M.D.)	\$275 – \$400
Psychologist (Ph.D.)	\$150 – \$300