



United States District Court Western District of New York

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).
- 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.
- 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 are needed for the creation of an eVoucher account, they should not be attached to authorizations or vouchers.

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.

01/22/2020	Review GOV000-GOV800 (bank records), indictment, and investigative memos (5 pp)	4.9
02/05/2020	Listen to witness interview in Spanish and draft summary in English (15-min recording)	0.9
03/31/2020	Review notes from client evaluation and draft initial report	3.5
04/20/2020	Draft report after interview with witness AB, update case chronology	1.6
05/08/2020	Retrieve and review client criminal history records from superior court (approx. 100 pp)	2.8
05/26/2020	Research social media and other online sources for information on witness JS. Update case cast of characters	2.3
06/01/2020	Redact discovery for client review (per protective order)	0.8
06/14/2020	Research and review chapter in DSM-5 specific to client’s mental health issues. Take detailed notes and update client chronology	1.5
06/27/2020	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).

02/13/2020	Meet with client; conduct examination	3.0
03/01/2020	Interview with witness AB	1.2
04/10/2020	Meet with counsel and client; translate for counsel from 1 pm- 2pm	1.0
04/28/2020	Emails with attorney re new discovery	0.1
05/18/2020	Phone call with counsel re case strategy and next steps	0.4
05/30/2020	Locate and interview witnesses 1, 2, 3, and 4	4.5
06/12/2020	Translate for Spanish speaking client at detention hearing from 12pm -12:50pm	0.9

Travel Time

Include origin/destination, whether round trip/one way. When prorating travel among cases, provide the other case number(s).

02/13/2020	Drive from office to attorney's office	0.2
02/16/2020	To/from office to Niagara County Jail for client examination	1.7
03/01/2020	Round trip to witness AB in Rochester(Split with Roberts/19-cr-526; 1.2 total)	0.6
03/18/2020	RT to crime scene review	0.8
04/04/2020	Round trip to courthouse for hearings (split with [CASE #])	0.5
05/30/2020	Travel from office to four different witness locations within Buffalo	2.7
06/01/2020	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).

02/29/2020	Travel for client meeting (76 miles; 38 miles each way)	\$43.70
02/29/2020	Bridge toll	\$6.45
04/10/2020	Hard drive for discovery (receipt attached)	\$65.00
05/15/2020	Copies of transcripts (400 pp)	\$40.00
05/20/2020	Client medical records from ECMC	\$52.75
05/20/2020	Postage to mail copies of discovery to client at MCD	\$4.60