

## CJA Attorney Instructions for Capital Cases

Effective June 2016, all capital cases use the eVoucher system, however, the process will be slightly different since these cases are complex and will entail an extended amount of work over a long time period. The court has outlined a specific plan to take into account the need for a budget in these types of cases, the best way to obtain a budget for the case that is efficient for the attorney and the court, the ability to manage the case budget and how vouchers will be processed in the CJA evoucher system.

### Case Budget

As soon as the case is determined to be a death penalty case, a standard order will be issued by the court requiring a proposed case budget submission to the court. The court recognizes that budget requests and budget orders usually are very complex and lengthy documents and therefore the proposed budget will be submitted to the court through a motion in CM/ECF and authorized by court order.

It is imperative that attorney time and expenses in the proposed budget request be stated in dollars. **The motion may reference attorney hours or attorney hours may be used in the calculation of the request but the final request should be for a stated dollar amount.** After the budget amount is approved by court order the approved budget will be entered into the eVoucher system by the Court's CJA Team using a CJA 26 document referencing the court order.

If the CJA hourly rate for death penalty cases is increased after a budget has been authorized by the court, and the attorney determines the case will be significantly impacted, an amended budget should be proposed by the attorney referencing the rate increase.

Supplemental case budgets will be handled in the same manner as the initial case budget. The attorney should propose the budget by motion through CM/ECF and the court will authorize the budget by court order.

**It is also imperative that the proposed budget for experts be requested individually by expert type.** Once experts are approved by order, the Court's CJA Team will create AUTH documents in eVoucher for each expert type for the amount approved in the budget order. The motion requesting the expert and the order approving the expert will both be attached to the AUTH document. If the amount approved for experts exceeds \$7,500, the AUTH document will be sent to the Chief Judge of the 8<sup>th</sup> Circuit for approval.

### Attorney Reimbursement – Time and Expenses

Each attorney should create and submit CJA 30 documents in eVoucher. Typically interim voucher reimbursement is approved by the court. The time period for each voucher should be indicated on the Claim Status tab of the voucher (across the top). Time should be logged during the time period using the Services tab and any reimbursable expenses logged under the Expense tab. Any document or receipts supporting the voucher may be attached in PDF format under the Documents tab.

### Expert Reimbursement

Experts are reimbursed by creating a CJA 31 document in eVoucher. A few of the experts that work in the Eastern District of Missouri frequently may be authorized to enter CJA documents in eVoucher. Others are authorized in the district but do not create vouchers in eVoucher since they are used infrequently. For those experts, the attorney will create the CJA 31 voucher in eVoucher (which sometimes also happens with paper vouchers). When creating the CJA 31, you will need to reference an approved AUTH for the expert which has been created by the court and available under appointment in eVoucher. Be aware that when an attorney enters and submits a CJA 31 voucher for an expert, the attorney will receive the document back on their desktop to approve as the attorney. Once approved by the attorney, the document will be submitted to the court.

### **Assistance**

If you have questions or need assistance with this process please feel free to contact the Court's CJA Team members Marian, Laura and Cindy at 314-244-7872 or Kathleen Cookson at 314-244-7870.