

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
ADMINISTRATIVE ORDER NO. 09-06**

CJA and CCAN Fee Schedule

Supersedes Administrative Order 08-18

**Criminal Justice Act Claims –
Attorney Compensation**

Pursuant to D.C. Code §11-2604, and subject to all the conditions thereof, the following maximum amounts are applicable in the Superior Court as compensation to attorneys for representation without approval by the Chief Judge of the Superior Court of a higher amount. These amounts are applicable for each case, other than one in which a guideline fee voucher is submitted, and an order by a court granting a new trial will be deemed to initiate a new case:

Felony (adult or juvenile)	\$7,000 ¹
Misdemeanor (adult or juvenile)	\$2,000 ²
Other offenses for which the Sixth Amendment to the Constitution requires the appointment of counsel or for whom, in a case in which the person faces a loss of life or liberty, any D.C. law requires the appointment of counsel (e.g., D.C. Code § 7-1304.12 (mentally retarded persons))	\$1,500 ³
Felony post-trial matters	\$7,000 ⁴
Misdemeanor post-trial matters	\$2,000 ⁵
Post-trial motion made after entry of judgment	\$1,500 ⁶
Probation revocation proceeding	\$1,500 ⁷
Parole revocation proceeding	\$1,500 ⁸
Representing a material witness	\$1,500 ⁹

¹ D.C. Code §11-2604(b)(1); Plan for Furnishing Representation to Indigents Under the District of Columbia Criminal Justice Act, October 2, 2008 (hereafter CJA Plan), §II(D)(2)(b).

² D.C. Code §11-2604(b)(1); CJA Plan, §II(D)(2)(b).

³ CJA Plan, §II(D)(2)(b); 18 U.S.C. §3006A(d)(2).

⁴ D.C. Code §11-2604(b)(3).

⁵ D.C. Code §11-2604(b)(3).

⁶ CJA Plan, § II(D)(2)(b); 18 U.S.C. §3006A(d)(2).

⁷ CJA Plan, § II(D)(2)(b); 18 U.S.C. §3006A(d)(2).

⁸ CJA Plan, § II(D)(2)(b); 18 U.S.C. §3006A(d)(2).

⁹ CJA Plan, § II(D)(2)(b); 18 U.S.C. §3006A(d)(2).

Representing a person seeking relief under D.C. Code §§16-1901 or 23-110	\$1,500 ¹⁰
Extradition and Fugitive Matters	\$1,500 ¹¹
Representing a person in proceedings pursuant to D.C. Code §24-502 or D.C. Code Title 21, Chapter 5	\$1,500 ¹²
Probation revocation proceedings and post trial motions in juvenile cases.	\$1,500 ¹³
Representation furnished other than in the Superior Court or the District of Columbia Court of Appeals.	\$500 ¹⁴

**Criminal Justice Act Claims -
Services and Expenses Other Than Counsel**

Pursuant to D.C. Code §11-2605 and subject to all of the conditions thereof, expert and other service vouchers that are submitted under the Criminal Justice Act are subject to the following maximum amounts for services and expenses:

Without prior authorization	Investigative services in the following amounts: Misdemeanor cases – 10 hours Felony II cases – 20 hours Felony I cases – 35 hours plus expenses reasonably incurred ¹⁵
With prior authorization	\$1,600 plus expenses reasonably incurred ¹⁶ Excess of \$1,600 - with prior authorization and certification by the presiding judge as

¹⁰ CJA Plan, § II(D)(2)(b); 18 U.S.C. §3006A(d)(2).

¹¹ CJA Plan, § II(D)(2)(b); 18 U.S.C. §3006A(d)(2).

¹² CJA Plan, § II(D)(2)(b); 18 U.S.C. §3006A(d)(2).

¹³ CJA Plan, § II(D)(2)(b); 18 U.S.C. §3006A(d)(2).

¹⁴ Neither the statute nor the CJA Plan sets a specific amount for this representation. D.C. Code § 11-2604(d) provides: "In cases where representation is furnished other than before the Superior Court or the District of Columbia Court of Appeals, claims shall be submitted to the Superior Court which shall fix the compensation and reimbursement to be paid." This amount of \$500.00 is hereby set.

¹⁵ CJA Plan, §II(D)(9)(limiting compensation without prior request to investigative services as set forth therein). This amount cannot be waived.

¹⁶ D.C. Code §11-2605(c); 18 U.S.C. §3006A(e)(3).

necessary to provide fair compensation for services of an unusual character or duration and the amount of the excess is approved by the Chief Judge¹⁷

Pre-approved vouchers for transcript services may be approved and processed for payment by the District of Columbia Courts' Fiscal Officer or a designee for the amount claimed in the submitted voucher provided the amount does not exceed the pre-approved amount or the limitations noted above.

**Child Abuse and Neglect and Adoption Claims –
Attorney Compensation**

Pursuant to D.C. Code §§16-2326.01 and 16-316 and subject to all of the conditions thereof, the following maximum amounts for compensation to attorneys for representation in neglect and adoption proceedings in the Superior Court are applicable. Any excess of such maximum amounts may be approved by the Chief Judge of the Superior Court for extended or complex representation, when necessary to provide fair compensation:

All neglect proceedings from initial hearing through disposition, except termination of parental rights	\$1,980 ¹⁸
All subsequent neglect proceedings other than termination of parental rights, per year	\$1,980 ¹⁹
Adoption proceedings	\$1,980 ²⁰
Termination of parental rights proceedings	\$2,700 ²¹

¹⁷ D.C. Code §11-2605(c); 18 U.S.C. §3006A(e)(3).

¹⁸ D.C. Code §16-2326.01(b)(1).

¹⁹ D.C. Code §16-2326.01(b)(2).

²⁰ D.C. Code §§16-316; 16-2326.01(b)(2).

²¹ D.C. Code §16-2326.01(b)(3).

**Child Abuse and Neglect Claims -
Services and Expenses Other Than Counsel**

Pursuant to D.C. Code §16-2326.01, and subject to all of the conditions thereof, expert and other service vouchers that are submitted in neglect proceedings are subject to the following maximum amounts for services and expenses:

Without prior authorization	10 hours of investigative services ²²
With prior authorization	\$300 ²³

Excess of \$300 – with prior authorization and certification by the presiding judge as necessary to provide fair compensation for services of an unusual character or duration and the amount of the excess is approved by the Chief Judge²⁴

Pre-approved vouchers for transcript services may be approved and processed for payment by the District of Columbia Courts' Fiscal Officer or a designee for the amount claimed in the submitted voucher provided the amount does not exceed the pre-approved amount or the limitations noted above.

²² D.C. Code §16-2326.01(g)(3); Plan for Furnishing Representation in Neglect Proceedings in the District of Columbia, April 23, 2004 (hereafter CCAN Plan), §II(D)(8)(limiting compensation without prior request to no more than 10 hours of investigative services).

²³ D.C. Code §16-2326.01(g)(3); CCAN Plan, II(D)(8).

²⁴ D.C. Code §16-2326.01(g)(3) and (4).

Travel Mileage Reimbursement Rate

CJA and CCAN attorneys and investigators may be reimbursed \$0.585 per mile for travel incurred in connection with representation of clients

Time Limitations for Submission of Claims for Compensation or Reimbursement

For work done in criminal and juvenile cases	Within 120 days of termination of representation
For work done from initial hearing through disposition stage in neglect cases	Within 120 days after disposition
For work done after disposition in neglect cases, per case year	Within 120 days of the case year anniversary date ²⁵
For work done in termination of parental rights and adoption cases	Within 120 days of completion of representation
For all cases in which representation terminates or is suspended while the case is still active	Within 120 days of the termination or suspension of representation

Exceptions to these time limitations will be considered only where it can be documented that it was impossible to file a claim because of actual physical or mental incapacity or death of the attorney furnishing the representation.²⁶ Press of business will not be grounds for exception. Any exception must be approved by the Chief Judge on recommendation by the presiding judicial officer.

This Order shall be effective immediately.

²⁵ The case year anniversary date is the date, in any year post disposition, that falls on the anniversary of the disposition hearing.

²⁶ In accordance with Administrative Order No. 04-09, a voucher submitted within the appropriate deadline that is rejected as defective or incomplete and returned in full compliance with all requirements within 15 days of the date the rejected voucher is placed in the attorney's return folder in the Web Voucher System will be deemed filed as of the date the voucher was first submitted.

SO ORDERED.

BY THE COURT

June 8, 2009

**_____
/s/
Lee F. Satterfield
Chief Judge**

Copies to:

**All Judges
Magistrate Judges
Executive Officer
Clerk of the Court
Division Directors
Defender Services Branch Chief
Director CCAN Office
Director Public Defender Service
Library
Daily Washington Law Reporter
Gideon Website
DC Bar Webmaster**