**UNITED STATES DISTRICT COURT**

**CENTRAL DISTRICT OF CALIFORNIA**

**CACD AUTH FORM – ASSOCIATE COUNSEL**

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| **INSTRUCTIONS FOR OBTAINING CJA FUNDING FOR ASSOCIATE COUNSEL:**   1. **Verify That Your Request Complies with the Associate Counsel Policy.** This AUTH form is only for associate counsel and should not be used to request the assistance of a paralegal/lawyer or the appointment of co-counsel. The Associate Counsel Policy requires delegation of discrete tasks that will not be duplicated by Lead Counsel. If an attorney is less experienced or Lead Counsel envisions the role of the lawyer to be more widespread (not limited to discrete tasks), then using a paralegal/lawyer at $75 per hour is more appropriate. Per the CACD’s CJA Plan, co-counsel is only warranted in “extremely difficult” cases and co-counsel appointment “should be made only upon a showing of good cause and in the furtherance of the interests of justice, the best interests of the client, and cost-savings to the Court.” 2. **Complete and Save This Form.** Complete this form and save it as a Word document, then print or publish it to PDF. For supplemental funding requests, use the previously saved Word version of this form and add the necessary supplemental information, then print or publish the revised version to PDF. 3. **Create an AUTH in eVoucher**. Be sure to choose the correct option under “Authorization Type Selection” on the “Basic Info” Tab: choose “Request Additional Funds” if you have previously requested funds for associate counsel in this case; ***choose “Create New Authorization” only if this is the first request in this case for associate counsel***. 4. **Attach Supporting Documentation to AUTH.** Upload this form, a CV/resume and any other documents specifically required below, and anything else necessary to support your request to the “Documents” Tab of the AUTH in eVoucher. 5. **Submit the AUTH to the CJA Office.** All CJA funds are administered and processed in the eVoucher system. To complete your CJA funding request, you must check the “affirm” box and click “Submit” on the “Confirmation” Tab in eVoucher. 6. Questions? Contact us at [cja@cacd.uscourts.gov](mailto:cja@cacd.uscourts.gov) or call Tracy Nelson at (213) 894-2382. |

**I. BASIC INFORMATION ABOUT REPRESENTATION**

|  |  |
| --- | --- |
| Attorney Name: | Enter Attorney Name here |
| Defendant Name: | Enter Defendant Name here |
| Case Title: | Enter Case Title here |
| Case Number: | Enter Case Number here |
| Defendant Number: | Enter Defendant Number here |
| Total Number of Defendants: | Enter Total Number of Defendants here |
| Has Case Been Designated as COMPLEX by the USAO? (*Provide the docket number and give the government’s estimate of the number of trial days if provided.*) | Explain here if case is COMPLEX |
| Defendant’s Other Pending Cases (*give case numbers*): | List Defendant’s Other Pending Cases here |

**II. ASSOCIATE COUNSEL INFORMATION**

|  |  |
| --- | --- |
| Name: | Enter Associate Name here |
| Phone Number: | Enter Associate Phone Number here |
| Email Address: | Enter Associate Email here |
| Billing Address: | Enter Associate Billing Address here |
| CV/Resume Attached (*Required for initial AUTH*): | Click here to choose your answer |
| Recent Writing Sample Attached (*Required for initial AUTH*): | Click here to choose your answer |
| Is Associate Counsel a Member in Good Standing of the California State Bar? | Click here to choose your answer  *If yes, provide SBN:* State Bar Number  *Date Admitted*: Click or tap to enter a date. |
| Is Associate Counsel a Member in Good Standing of the Bar of this Court? | Click here to choose your answer  *Date Admitted*: Click or tap to enter a date. |
| Has Associate Counsel ever been a Licensed Member of the Bar of any other State or Court? (*List and provide jurisdiction, date of admission, and current status.*) | Click or tap here to enter text. |
| Have there been any gaps in Associate Counsel’s practice of law? Since admission in CA? (*If so, explain and give duration of any time spent not practicing law.*) | Click or tap here to enter text. |
| Is Associate Counsel employed by lead counsel’s firm? | Click here to choose your answer |
| Is Associate Counsel related to lead counsel? | Click here to choose your answer |
| If applicable, hourly rate charged to Associate Counsel’s private, paying clients? | Click or tap here to enter text. |
| Describe Associate Counsel’s criminal defense experience, any federal court experience, any expertise in fields related to the subject matter of the case, and any other relevant experience. | Click or tap here to enter text. |
| Already has CACD eVoucher User Name/Password? | Click here to choose your answer |

**III. TYPE AND AMOUNT OF REQUEST**

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| --- | --- |
| **Indicate below whether this is the first AUTH you have submitted in this case for any associate counsel:** | |
| Yes. This is the first request for any associate counsel.  No. This is a supplemental request; Insert number of previous AUTHS here previous AUTHs for associate counsel have been submitted. | |
| **Amount Approved to Date:** |  |
| **Current Amount Requested:**  (*This amount must match the “Total Amount Requested” in Section V*) |  |

**IV. BRIEF SUMMARY OF CASE TO DATE**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| If applicable, provide the current trial date: |  | If applicable, provide the current sentencing date: | |  |
| Has a guilty plea been entered? | Yes  No | If yes, plea was entered on (*date*): | |  |
| Has there been a trial? | Yes  No | If yes, how many trial days? | |  |
| What was the result? (*check all that apply*) | Guilty  Not Guilty  Mistrial | | Date: |  |

**Briefly Summarize the Charges and Any General Information Required to Justify this Funding Request** (*Explain why this case merits use of Associate Counsel.* ***If a previous AUTH for any associate counsel was approved, please identify which of the previously authorized tasks were actually completed, which became unnecessary, and which remain to be completed*.**)

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| Click or tap here to enter text. |

**V. DESCRIPTION OF TASKS TO BE PERFORMED BY ASSOCIATE COUNSEL**(*Please review the “Summary of Associate Counsel Hourly Rate Policy” set forth below, as well as the Court’s “Policies and Procedures for Use of Associate Counsel in Non-Capital Cases Under the Criminal Justice Act” (available at* [*http://www.cacd.uscourts.gov/attorneys/cja/cja-service-provider-policies-rates*](http://www.cacd.uscourts.gov/attorneys/cja/cja-service-provider-policies-rates)*). Then complete the chart* *below: estimate the time needed per task, multiply by the corresponding hourly rate, and add the per-task amounts to determine the “total amount requested,” which must match the Current Amount Requested in Section III, above. If this is a nunc pro tunc request, please also complete Section VI.*)

**Summary of Associate Counsel Hourly Rate Policy:** Subject to approval by the presiding judge, Associate Counsel will be paid between $90 and $125 per hour based on years of practice. Attorneys must have at least one year of practice in order to be approved as Associate Counsel. While attorneys may rely on experience in practice outside California before being admitted to the California Bar in order to qualify as Associate Counsel, hourly rates are calculated based on the number of years in practice AS A MEMBER OF THE CALIFORNIA BAR. Associate Counsel with less than three years of experience in practice as a member of the California Bar will be paid at $90 per hour. The rate will increase $5 per hour for each additional year in practice as a member of the California Bar, up to a maximum of $125 per hour (and adjusting for any time periods during which Associate Counsel was not an active member of the California Bar). However, if the hourly rate charged to Associate Counsel’s paying clients is less than the otherwise applicable CJA rate, payment will only be approved at the lower hourly rate. Rate increases will not be automatic as Associate Counsel gains experience; an increase must be requested, and any information necessary to justify such an increase (e.g., “I just passed my third anniversary of admission to the CA Bar”) must be provided to the CJA Office.

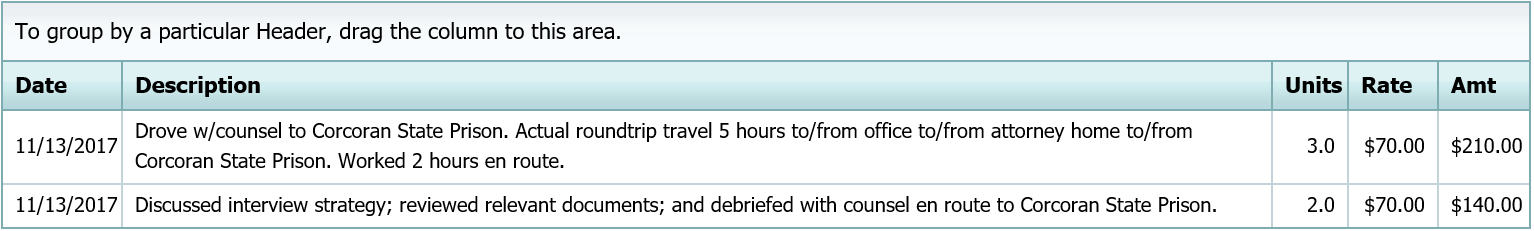
|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Task** | **Estimated # Hours Requested** | **Hourly Rate for Task** | **Amount Requested** | **Identify Discrete Assignments that Associate Counsel is Qualified to Perform Independently, Under the Supervision of Lead Counsel, and Explain How the Assignment of These Discrete Tasks to Associate Counsel Will Reduce Hours Expended by Lead Counsel Without Compromising the Quality of Representation in the Case.** |
| Review and Analyze Discovery and Defense Documents (*generally describe the scope and substance of the discovery/ documents to be reviewed*) |  |  | $0.00 |  |
| Draft Motions (*identify each anticipated motion to be drafted by associate counsel*) |  |  | $0.00 |  |
| Prepare Charts, Summaries, Binders, or Exhibits |  |  | $0.00 |  |
| Prepare Reports |  |  | $0.00 |  |
| Interview Witnesses |  |  | $0.00 |  |
| Meet or Consult with Counsel, Client, Other Service Providers, or Case Agents |  |  | $0.00 |  |
| Conduct Legal Research or Draft Documents |  |  | $0.00 |  |
| Examine Evidence or Case-Related Location |  |  | $0.00 |  |
| Assist Counsel in Court (*e-mail* *CJA Supervising Atty IN ADVANCE with request for in-court hours; you will be notified by email if your request is approved by the presiding judge; attach this e-mail to your AUTH.*) |  |  | $0.00 |  |
| Travel Time\* (*Your estimate must take into account the Travel Policies set forth below.*) |  |  | $0.00 |  |
| Other |  |  | $0.00 |  |
| TOTAL AMOUNT REQUESTED | 0 |  | $0.00 |  |

**\* TRAVEL POLICIES: In estimating the number of hours to request for travel, you must take into account three factors: (1) some local travel is subject to caps on time and mileage; (2) travel for multiple clients should be combined when possible and billed appropriately; and (3) everyone is required to perform substantive work en route during any travel whenever doing so is feasible and safe. In addition, please note that all out-of-district and overnight travel requires pre-approval. See below for additional information, *all of which is equally applicable to both attorneys and service providers*.**

**(1) Local Travel.** For routine travel such as court appearances or client visits, service providers and attorneys must bill as if the starting point of the trip was the closer of either their home or office, regardless of where a particular trip actually begins or ends. Generally, for Western Division cases, roundtrip travel time between any two locations in Los Angeles County will be capped at 3 hours and roundtrip mileage will be capped at 150 miles. To claim actual time or mileage in excess of those amounts, you must provide justification. The same caps will apply to travel to any location in Los Angeles County for Western Division cases by service providers who live outside the Western Division; once in Los Angeles County on a Western Division case, case-related work requiring additional travel can be compensated at actual time and mileage (subject to the general 3-hour/150-mile cap).

**(2) Multiple Clients.** Every effort must be made to coordinate travel for different cases. For example, visits to multiple clients at MDC should be scheduled for the same day, if possible, to minimize the number of trips and the associated travel costs. Travel time for such trips may be billed either all under one client or pro-rated between clients, but time entries for such trips must in either case explain that travel was combined for multiple clients and must clearly identify those clients.

**(3) Working En Route.** When traveling, service providers and attorneys should make every effort to work on existing matters, especially during air and train travel. Service providers and attorneys must bill for the time spent performing substantive work while traveling as a separate line item, and indicate that the substantive work was performed “en route” in the description field of the service tab. Similarly, counsel and service providers must bill for the time spent exclusively on travel (the time when no substantive work was performed en route), and indicate total time in the description field of the service tab. See example below:



**(4) Inter-district, Overnight, or International[[1]](#footnote-1) Travel.** Absent extenuating circumstances, counsel must first obtain approval from the CJA Supervising Attorney by submitting a travel AUTH via eVoucher at least ten business days in advance. Once travel is authorized, the traveler must then contact National Travel Service (NTS) at 1-800-445-0668 to arrange the travel. When pre-approved by the CJA Supervising Attorney, travelers are not required to use the government contracted travel agency if alternative methods would result in an overall savings to the government. If the non-government fare exceeds the government contract rate, a traveler may only claim reimbursement up to the amount of the government contract fare rate. Please note that, in general, the CJA Office will not authorize payment for more than eight hours of travel time within a 24-hour period commencing when the traveler leaves his/her home or office.

**\*\*ADDITIONAL TRAVEL RESTRICTIONS MAY BE APPLIED WHEN NECESSARY IN INDIVIDUAL CASES\*\***

**VI. NUNC PRO TUNC AUTHORIZATION**

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| *Counsel is responsible for ensuring that advance authorization is requested as needed for all work. Associate Counsel who perform work in excess of authorized amounts may not be paid for that work. Nunc pro tunc requests may be submitted, but will be denied absent extraordinary circumstances. Justification that is sufficiently persuasive and detailed to overcome the failure to obtain advance authorization must be provided with each nunc pro tunc request.* | |
| **Requested Nunc Pro Tunc Date:** | Click or tap to enter a date. |
| **Justification for Nunc Pro Tunc Request:** | Provide explanation here |

1. International travel requires approval by the presiding judge as facilitated by the CJA Supervising Attorney. [↑](#footnote-ref-1)