

# **CJA Voucher Process:** *Nuts & Bolts and Recent Changes & Challenges*

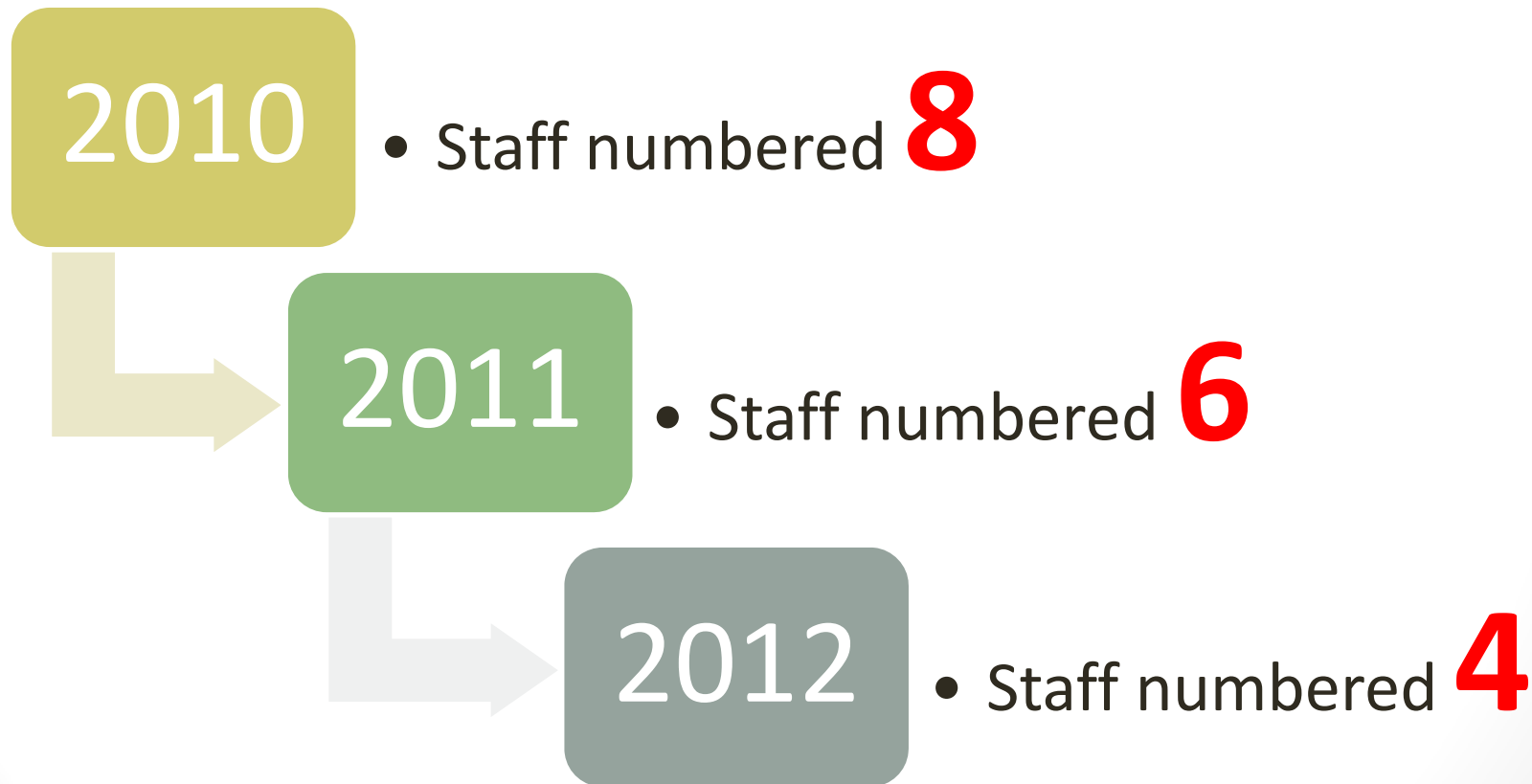
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# Volume

- **19,000** vouchers per year
- **1,600** per month
- **80** per day



# Staffing



# **CJA VOUCHER PAYMENT PROCESS**

# Process Description

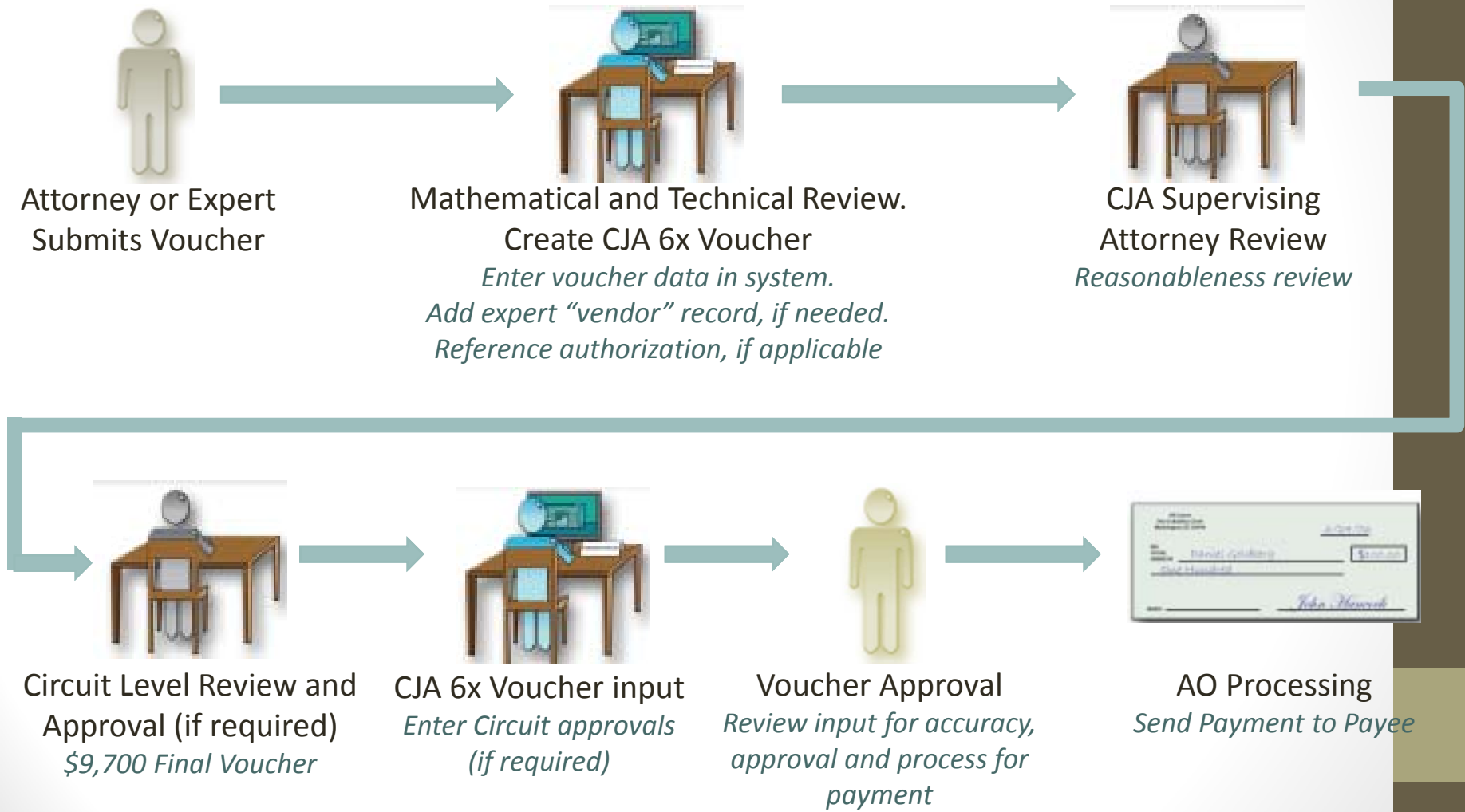
## What?

- Ensure claims are for authorized services and expenses.
- Ensure claims are in accordance with applicable Judicial Conference Guidelines.
- Amount claimed necessary and reasonable for adequate representation.

## How?

- Multiple reviews and certifications.
- Strict division of duties to ensure accuracy and accountability.
- Repeated manual entry of information in 2 separate systems (CJA Services and 6x).

# CJA Voucher End-to-End Process



# Roles and Functions

## **SUBMITTER**

- A voucher claim is submitted by a Submitter, such as the appointed CJA Panel Attorney or service provider.

## **PROCESSOR**

- Reviews and checks voucher for accuracy and completion. Creates client notebook in payment system, if needed.

## **REVIEWER**

- Performs mathematical and technical reviews of submitted vouchers to make sure all hours claimed are correctly calculated, all non-compensable services or non-reimbursable expenses are identified, and verify that all required supporting documentation is attached.

# Roles and Functions (cont.)

## **APPROVER**

- Reviews and evaluates the reasonableness of a Submitter's claim, approves or disapproves amounts for payment, and signs the voucher. For vouchers claiming amounts more than the statutory maximum, forwards to the circuit for review and approval.

## **EXCESS APPROVER**

- Considers the voucher and assess the reasonableness of the Submitter's claims prior to approving or disapproving the amounts and signing the voucher. Approved vouchers are provided to court personnel for further processing.

## **2<sup>nd</sup> APPROVER**

- Verify that all information on voucher matches information on 6x (security safeguard).



# Processing and Reviewing a Voucher

- When CJA receives a voucher, it is reviewed to verify the initial appointment data, amounts claimed for compensation and expense reimbursement, and for mathematical accuracy and technical sufficiency.
- The mathematical review includes a careful re-calculation of all hours submitted by the panel attorney, making sure that all hours were submitted in the proper format; namely, in tenths of an hour.
- The technical review includes verifying that all required supporting documentation is attached to the voucher. The reviewers also identify claims for possible non-compensable services or non-reimbursable expenses. These reviews are critical to the CJA voucher payment process. After they are completed, data is entered into the national 6x program. The voucher is then provided, with the Reviewers' observations and recommendations, to the authorized designee.

# Approval Process

- After preliminary reviews, all vouchers submitted for compensation require a judicial review. The authorized designee reviews the “reasonableness” of the claim and approves payment within the levels of their delegated/statutory authority.
- For vouchers claiming amounts exceeding statutory maximums, after the designee certifies that the “excess” amounts are authorized and appropriate the voucher must be forwarded to the chief circuit judge (or circuit judge delegate) for review and approval. Payments in excess of CJA compensation maximums may be made to provide fair compensation in cases involving extended or complex representation when so certified by the court and approved by the circuit approval authority. [\[Guide, Vol. 7, § 230.23.40\(a\)\]](#)
- The approving judicial officer should first make a threshold determination as to whether the case is either extended or complex [\[Guide, Vol. 7, § 230.23.40\(b\)\]](#). After establishing that a case is extended or complex, the approving judicial officer should determine if excess payment is necessary to provide fair compensation. [\[Guide, Vol. 7, § 230.23.40\(c\)\]](#)
- Once vouchers are approved, the payment information is electronically submitted to the AO for processing and payment disbursement.



## Common Mistakes that Delay the Process

- Expenses not itemized – All expenses and travel must be itemized.
- Required receipts missing - All travel and any non-travel expense in excess of \$50 must be accompanied by supporting documentation (e.g., receipts, canceled checks), where practical.
- Hours reported improperly - All hours must be reported in hours and tenths of an hour.
- Mathematical errors.
- Incorrect mileage rates.
- Justification memorandum is missing for amounts exceeding statutory maximum
- Required prior authorization for services is missing (where cost of services obtained exceeds the **\$800** limit, excluding expenses reasonably incurred).
- Tax Identification Number of claimant/payee is missing.

# What You Can Do To Expedite Payment

- Submit timely vouchers
- Check vouchers for technical and substantive errors
- Include all of the appropriate attachments to your vouchers
- Refrain from calling the CJA Office to check on the status of your vouchers

# Current Status



CJA 20

• September 1, 2012

CJA 21

• September 11, 2012

CJA 24

• August 28, 2012

CJA 29

• Current

CJA 30

• Current

CJA 31

• September 6, 2012

# Recent Changes to CJA 29 Authorizations

- AO Directive Re: \$800 limit
- CJA Committee Directive

# AO's \$800 Limit Interpretation

The total cost of services obtained without prior authorization may not exceed \$800, excluding expenses (see also CJA Guidelines § 310.20.30). Once the \$800 limitation has been met by any one **or combination** of service providers, prior authorization must be obtained from the court, unless counsel meets the exigency requirements of § 3006A(e)(2)(B).

# Effect of AO's Interpretation

- 150 new CJA 29 authorizations in a 4 month period
- Staff time tracking \$800 limit in notebooks
- 40% of CJA 21 vouchers returned because \$800 limit exceeded
  - Adjustment forms
  - Questions and complaints
- Increased number of nunc pro tunc requests



# CJA Committee Directive

Consult with presiding judge regarding certain types of service provider requests:

- Mental Health Expert
- Sentencing Mitigation
- Uncommon

# Effect of CJA Committee Directive

- 5-day rule no longer applies
- Additional review can cause delay

# CJA UPDATES & RESOURCES

## Electronic CJA Voucher Processing System (eCJA VPS)

- National application for electronic submission, processing, approval, and payment of CJA vouchers.

## National CJA Voucher Reference Tool

- <http://www.uscourts.gov/uscourts/cjaort/index.html>