

## **Submitting Fifth Circuit CJA Vouchers**

### **(Revised November 27, 2017)**

#### Log in to eVoucher to Prepare and Submit Your Voucher

1. Log in to eVoucher: [https://evsdweb.ev.uscourts.gov/CJA\\_c05\\_prod/CJAeVoucher/](https://evsdweb.ev.uscourts.gov/CJA_c05_prod/CJAeVoucher/)
2. Click “My Profile” and review your Attorney Information and Billing Information to ensure that it is accurate.
3. From your eVoucher Home screen, select the appropriate CJA appointment in the “My Appointments” window.
4. Create your voucher and enter your time, expenses and other information. Attach supporting documentation by following the steps in the Court’s [eVoucher Manual for CJA Counsel](#).
  - Required documentation includes, but is not limited to:
    - An attorney certification, which **must be included** for your voucher to be paid. The form can be found under the "Links" menu in eVoucher or can be downloaded from our website at:  
<http://www.lb5.uscourts.gov/CJA/CJADocs/certification.pdf>
    - PDF copies of all required *itemized* (not just credit card) receipts (over \$50 single item expenditures, all outside copy services, all travel expenses, and Westlaw/Lexis expenditures).
    - A PDF copy of any petition for writ of certiorari and reply, without attachments.
    - If the requested fees **exceed the statutory maximum**, a CJA 27 or an excess fee memo or letter in lieu thereof.
  - If you have questions about the detail required or supporting documentation that must be submitted with your voucher, refer to the Court’s CJA Voucher Submissions Instructions and Policies on the Court’s [CJA homepage](#) or contact the CJA Administrator at (504) 310-7799 or [cja\\_request@ca5.uscourts.gov](mailto:cja_request@ca5.uscourts.gov)
5. Explain any unusual issues (e.g., delay in submitting the voucher, waiver of compensation over the case compensation maximum, etc.) by either (1) attaching a cover letter/memo in the “Documents” tab of the voucher, or (2) using the Public/Attorney Notes field on the “Confirmation” tab.
6. Review the attached **Pre-Submission Deficiency Checklist** to ensure that your voucher is complete.
7. At the bottom of the Confirmation tab, check the box to swear and affirm to the accuracy of the voucher. The voucher will be automatically dated and time stamped. Click “Submit” to send the voucher to the Court. **Note:** CJA 21 and 31 vouchers require counsel to complete this step twice.
8. Return to your eVoucher Home Screen to confirm that the voucher appears in the “My Submitted Documents” window; **if the voucher appears in the “My Active Documents” window, it has not yet been submitted to the Court.**

#### Questions?

- For **eVoucher Technical Support**, please review the Court’s [CJA homepage](#) or contact the CJA Administrator at (504) 310-7799 or [cja\\_request@ca5.uscourts.gov](mailto:cja_request@ca5.uscourts.gov)
- For **substantive questions regarding the content of a voucher, required documentation and related issues** please consult the Court’s CJA Voucher Submissions Instructions and Policies on the Court’s [CJA homepage](#) or contact the CJA Administrator at (504) 310-7799.

## Pre-Submission Deficiency Checklist

### VOUCHER DETAIL

1. Please document all time spent and all expenses incurred in connection with the appeal. If you decide **to waive compensation** in excess of the presumptive maximum, please do so by attaching a letter in the “Documents” tab of the voucher.
2. Your billing entries must be **accurate and contain sufficient detail, as set forth below.**
3. Ensure that the **correct date** is entered for every time entry and expense claimed on the “Services” and “Expenses” tabs of the voucher. Look at the appellate docket and sort the eVoucher entries in the “Services” and “Expenses” tabs to crosscheck your work.
4. Are any **entries** (other than interviews and conferences) **not supported by the appellate docket?** E.g., district court time (hearings, pleadings not related to the appeals, etc. which must be claimed on a district court voucher), “review NDA” when no appellate NDA issues that day, etc.
5. Avoid **duplicate entries** e.g., time spent on an identical task or expense more than once (not building on prior work, but simply an erroneous re-entry of the identical task).
6. **Avoid excessive billing for simple tasks.** For example, six minutes (0.1 hour) or more is not reasonably and necessarily required to review three-sentence orders, minute orders, transcript order responses, pro forma orders granting extensions of time/setting oral arguments, or other pro forma docket entries, or to review every Notice of Docket Activity (particularly those not accompanied by any document). Please combine time spent reviewing substantive entries into a single task description on the day incurred.
7. Provide **sufficient detail** to allow the court to exercise informed judicial discretion. Strike a balance between: (a) meeting your obligation to provide sufficient information for the court to determine whether your time and expenses are compensable/reimbursable, and (b) not disclosing any attorney-client communication or attorney work product. Do more than repeatedly describe a task in generalities, e.g., “work on opening brief.” Add a few words to provide more detail. For example:

*Record Review: summarize/annotate Vol. 2 transcripts*

*Record Review: Review PSR, witness X testimony*

*Research reasonable suspicion; outline argument*

*Letter to client re Cert denial, 2255*

8. Is any time claimed for work on prison condition issues, family matters, or other work unrelated to the appeal? Time or expenses unrelated to the appeal cannot be paid from CJA funds.

9. You may not request compensation for an **attorney or paraprofessional performing clerical or administrative tasks**. Time spent on tasks such as printing documents, making copies, preparing mailings, dropping off or arranging mailings or copies, filing or checking ECF notices, resolving e-filing difficulties with the clerk's office, etc. are considered clerical or administrative in nature and are neither compensable as attorney time nor reimbursable as paraprofessional staff (law clerk, paralegal, legal assistant) expense.
10. You must identify **time claimed that relates to two separate appeals** (whether same or different clients, whether both are CJA or one is retained) and how that time has been prorated.
11. Please note that pursuant to §230.40 of the CJA Guidelines and Section 6 of the Fifth Circuit's Plan for Representation on Appeal under the Criminal Justice Act, **no one appointed under the CJA may accept any payment from or on behalf of the person represented without prior authorization by a judge of the court of appeals**.

### EXPENSES

1. **Receipts** – Crosscheck every expense **receipt** against the amount entered in the “Expense” tab in the voucher. Ensure that the information from the receipt has been transferred accurately and that any non-reimbursable charges (e.g., alcohol, meals for a second person, personal expenses such as in-room movies) have been deducted. Each in-house copy expense must be documented by (a) date (not summarized by month), (b) rate (not more than \$0.15/page), (c) what was copied, and (d) how many copies were made.
2. **Specific Expenses:**
  - Filing fees are not reimbursable because they are generally waived for CJA clients upon proper application to proceed in forma pauperis.
  - PACER fees are not reimbursable because a fee-exempt PACER account is available to all CJA attorneys for use in their CJA matters.
  - Overnight or expedited delivery charges are not compensable in non-capital cases. Mailings should be sent using the most economical means possible and must be claimed on an actual expenses basis. The court will not reimburse for certified mail, return receipt, or tracking. Receipts are required for all postage claims over \$50.
  - Per U.S. Supreme Court Rules, a CJA client permitted to proceed in forma pauperis need not booklet pleadings and may submit fewer copies on standard 8 ½ x 11 inch paper.
  - Reimbursing mileage and fuel is duplicative; only mileage is reimbursable for a single trip.
  - Local Bar admission fees are not reimbursable from CJA funds.
  - As of December 1, 2015, the Court of Appeals no longer processes CJA 24s for payment. Please contact the CJA administrator at the originating district court for information about that district's processing of CJA 24 vouchers.

- Notice must be given to the court before engaging a relative (other than an attorney in the same firm) who will be compensated with CJA funds.

### **VOUCHER COVER LETTER/MEMO AND PUBLIC/ATTORNEY NOTES**

In addition to attaching the required supporting documentation in the “Documents” tab of the voucher, you must also attach, as necessary, a separate letter or memorandum addressing any and all of the following issues, as appropriate:

- Explain, if needed, why your request was not submitted within 45 days of final disposition
- Identify any discrepancies between the appellate docket and your time or expense dates
- If travel in excess of four hours round-trip is being claimed, or travel requiring overnight accommodations or airfare, and pre-approval was not sought, please provide details about the travel and why it was necessary.
- Justify why, if needed, you did not obtain approval to exceed \$800 for expert services, and/or why, in the interest of justice timely procurement of such services could not await prior authorization.

You may also use the Public/Attorney Notes section at the bottom of the voucher’s “Confirmation” tab to communicate brief messages or other helpful information to the Court.