

**ADMINISTRATIVE OFFICE OF THE  
UNITED STATES COURTS**

WASHINGTON, D.C. 20544

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**GUIDE TO JUDICIARY POLICY**

TRANSMITTAL 07-014 VOLUME/PART 7A CHAPTER(S) 1, 2, 3, 5, 6

**TO:** Judges, United States Courts of Appeals  
Judges, United States District Courts  
United States Magistrate Judges  
Circuit Executives  
Federal Public/Community Defenders  
District Court Executives  
Clerks, United States Courts of Appeals  
Clerks, United States District Courts  
Chief Probation Officers  
Chief Pretrial Services Officers  
Senior Staff Attorneys  
Circuit Librarians  
Chief Circuit Mediators

**FROM:** Judge Roslynn R. Mauskopf *Roslynn R. Mauskopf*

**RE:** DEFENDER SERVICES

This transmittal provides notice of changes to *Guide to Judiciary Policy*, Volume 7 (Defender Services), Part A (Guidelines for Administering the CJA and Related Statutes):

[Chapter 1 – Overview](#)

[Chapter 2 – Appointment and Payment of Counsel](#)

[Chapter 3 – Authorization and Payment for Investigative, Expert, or Other Services](#)

[Chapter 5 – Disclosure of Information on CJA-Related Activities](#)

[Chapter 6 – Federal Death Penalty and Capital Habeas Corpus Representations](#)

Throughout these chapters, references were updated to reflect the eVoucher system as the judiciary's method for CJA voucher submission and processing. Additional changes include:

- In Chapter 2, aligning guidance on financial affidavits with the judiciary's Privacy Policy and confirming the compensability of travel time for in-person attorney-client meetings;

## Guide Transmittal 07-013 – Defender Services

- In Chapter 3, clarifying the funding source for compensation of guardians ad litem appointed under 18 U.S.C. § 3509(h) and the use of government rates for experts and other services providers' case-related travel; and
- In Chapter 5, reflecting the expiration of a statutory basis for disclosure of attorney compensation in noncapital representations.

The significant changes are detailed in the Redline Comparison below.

Questions regarding this transmittal may be directed to the AO Defender Services Offices, at 202-502-3030.

### REDLINE COMPARISON REFLECTING CHANGES

*[Significant changes in Chapter 1 (Overview) follow:]*

#### § 130 Applicability

The guidance contained in this volume applies to the providers of services under the CJA and related statutes, federal courts, judiciary personnel, and all others responsible for the operation of any aspect of the Defender Services program.

#### § 140 ~~Criminal Justice Act (CJA) forms~~ The eVoucher System

~~The CJA forms are posted on the public judiciary website.~~

(a) The eVoucher system is the judiciary's primary method for CJA panel voucher submission and processing. It enables:

- the administration of CJA panel appointments;
- attorney voucher submission, review, and payments;
- service provider authorization, voucher submission, review, and payments;
- local reporting on CJA panel operations; and
- the implementation of case budgets.

(b) Policies on voucher review and approval are provided in Guide, Vol. 7A, Ch. 2 (Appointment and Payment of Counsel). CJA forms and accompanying instructions contain Judicial Conference policies and guidance for voucher administration and should be consulted in conjunction with this Guide volume and eVoucher's online help materials. PDF versions of the CJA forms and accompanying instructions are posted on the judiciary's public website.

#### § 150 Contact Information

For inquiries ~~about~~ on the policies ~~contained in Guide, Volume 7A of the Guide~~, contact the ~~AO Defender Services Office~~, Legal and Policy Division Duty Day Attorney in the AO's Defender Services Office at 202-502-3030 or ~~viab~~ y email at ~~eds\_lpb@ao.uscourts.gov~~ ds\_lpd@ao.uscourts.gov.

## REDLINE COMPARISON REFLECTING CHANGES

[Significant changes in Chapter 2 (Appointment and Payment of Counsel) follow:]

### § 210 Representation under the Criminal Justice Act (CJA)

#### § 210.10 District Plans

##### § 210.10.10 Overview

[. . .]

- (e) Each district court should review, and amend as appropriate, the CJA Plan every five years to ensure compliance with the applicable statutory authorities, CJA Guidelines, and other relevant Judicial Conference policies.

[. . .]

### § 210.20 Proceedings Covered by and Compensable under the CJA

[. . .]

#### § 210.20.20 Discretionary Appointments

[. . .]

- (f) For appointments in civil forfeiture proceedings, see: § 210.20.40.

[. . .]

### § 210.20.50 Proceedings Not Covered by or Compensable under the CJA

Cases or proceedings which are not covered by or compensable under the CJA include the following:

[. . .]

- ~~(b) Corporate defendant cases.~~

- (b) Representation of corporations or other business entities.

[. . .]

### § 210.20.60 Civil Actions to Protect Federal Jurors' Employment

- (a) Although not an appointment under the authority of the CJA, Congress has ~~annually~~ included statutory language in the annual appropriation for the federal judiciary's Defender Services account to authorize "the compensation of attorneys appointed to represent jurors in civil actions for the protection of their employment, as authorized by 28 U.S.C. § 1875(d)."

[. . .]

- (d) The court should use the eVoucher system and Form CJA 20 (Appointment of and Authority to Pay Court-Appointed Counsel) for the appointment and pay counsel "to the extent provided by [the CJA]," 28 U.S.C. § 1875(d)(1), and the CJA Guidelines.

[. . .]

### § 210.40 Determining Financial Eligibility for Representation Under the CJA

[. . .]

#### § 210.40.20 Fact-Finding

[. . .]

- (h) Financial affidavits (such as Form CJA 23) seeking the appointment of counsel should not be included in the public case file and should not be made available to the public at the courthouse or via remote electronic access. If the financial affidavit is docketed it should be filed under seal. See: Privacy Policy for Electronic Case Files.

## REDLINE COMPARISON REFLECTING CHANGES

### § 210.50 CJA Forms

The Judicial Conference of the United States, at its meeting in January 1965, approved the recommendation of its Committee to Implement the Criminal Justice Act of 1964 (subsequently renamed the Committee on Defender Services), that every district incorporate in its plan a requirement that the standard forms, approved by the Conference, be used. **See:** [JCUS-JAN 1965](#), p. 6. ~~Copies~~The majority of CJA forms are now incorporated into the eVoucher system. In addition, copies of the pertinent forms may be found on the [public judiciary website](#).

### § 220 Appointment of Counsel

[. . .]

#### § 220.30 New Appointments Following Earlier Representations

A new appointment on [Form CJA 20](#) should be made for each person represented in the following proceedings:

[. . .]

(b) probation ~~or supervised release~~ revocation proceedings;

[. . .]

#### § 220.30(f) Insanity Defense Reform Act of 1984 *[table]*

U.S. Code Section	Type of Hearing	New Case	Part of Case in Chief
<a href="#">18 U.S.C. § 4243(f)</a>	Hearing to determine whether person hospitalized following finding of not guilty by reason of insanity may be released conditionally or unconditionally.	<del>Yes</del>	<del>No</del>
	<del>Also hearing to modify or eliminate conditions of release.</del>	Yes	No
	<u>Hearing to modify or eliminate conditions of release.</u>	<u>Yes</u>	<u>No</u>

### § 220.55 Standby Counsel

[. . .]

#### § 220.55.20 Standby Counsel Services Accepted by a Pro Se Defendant

(a) The CJA provides that ~~“[u]nless unless~~ the ~~[financially eligible]~~ person waives representation by counsel. ~~---[, the court] shall must~~ appoint counsel to represent ~~him.”the person.~~ [18 U.S.C. § 3006A\(b\)](#).

[. . .]

### § 220.60 Termination of Appointment

In any case in which appointment of counsel has been made under the CJA and the court subsequently finds that the person is financially able to obtain counsel, such appointment should be terminated using the eVoucher system or Form CJA 7 (Order Terminating Appointment of Counsel and/or Authorization for Distribution of Available Private Funds).

## REDLINE COMPARISON REFLECTING CHANGES

### § 230 Compensation and Expenses of Appointed Counsel

#### § 230.10 Forms for Compensation and Reimbursement of Expenses

~~Forms~~The eVoucher system is the judiciary's primary method for CJA panel voucher submission and processing. See: Guide, Vol. 7A, § 140. Legacy forms for the compensation and reimbursement of expenses to appointed counsel, together with instructions for their use, may be found on the [public judiciary website](#). A copy of all supporting documents that itemize or expand the amounts shown on the face of [Form CJA 20](#) must be attached when submitting vouchers in the eVoucher system.

#### § 230.13 Time Limits

- (a) Vouchers should be submitted no later than 45 days after the ~~final disposition of the case~~representation concludes, unless good cause is shown. The clerks ~~or CJA supervisory attorneys~~ of the concerned courts should ensure that ~~panel~~ attorneys comply with the prescribed limits. Every effort should be made to have counsel submit the claim as soon as possible upon completion of services rendered. While extremely late submissions may impact the ability to adequately substantiate claims, voucher reductions based solely on submissions outside of the 45-day time limit are not authorized. See: § 230.33.10 (Standard for Voucher Review).

[. . .]

#### § 230.43 Approval Authority of U.S. Magistrate Judges

Absent delegated authority, U.S. magistrate judges may only approve vouchers for services rendered in connection with a case disposed of entirely before the U.S. magistrate judge.

[. . .]

#### § 230.60 Attorney Compensation for Travel Time

[. . .]

- (d) Necessary and reasonable travel includes travel time to meet and confer in-person with clients, including when clients are remotely detained, even if teleconferencing or videoconferencing technology is available.

**[Note:** The Judicial Conference Committee on Defender Services' Strategic Plan stresses the importance of CJA attorneys meeting in-person with their clients to build and maintain a relationship of trust necessary to provide high quality defense representation. Therefore, teleconferencing and videoconferencing technology should not be used as a substitute for in-person attorney-client meetings but may be used to supplement in-person visits, at the sole discretion of counsel, where it would not diminish the quality of representation or adversely impact the attorney-client relationship.]

## REDLINE COMPARISON REFLECTING CHANGES

### § 230.63 Reimbursable Out-of-Pocket Expenses

[. . .]

#### § 230.63.20 Reimbursement for Transcripts

- (a) Generally, court reporters or reporting services which furnish court authorized transcripts in CJA cases claim and receive compensation for their services ~~en~~through the eVoucher system on Form CJA 24 (Authorization and Voucher for Payment of Transcript). **See:** Guide, Vol. 7A, § 320.30. While this is the preferred method for payment of transcripts, if ~~assp~~spoointed counsel has elected to pay for the court-authorized transcripts “out-of-pocket,” the cost may be claimed as a reimbursable expense, as provided for in 18 U.S.C. § 3006A(d)(1), ~~in~~ eVoucher. [. . .]
- (b) The cost of transcribing depositions in criminal cases is the responsibility of the Department of Justice under Rule 17(b) of Fed. R. Crim. P.

**Exception:** When the witness is a defense expert, the expert is paid out of CJA funds ~~(53 Comp. Gen. 638 (1974))~~; (B-139703, 53 Comp. Gen. 638 (1974)).

#### § 230.63.40 Travel Expenses

[. . .]

- (c) In determining whether actual expenses incurred are “reasonable,” counsel should be guided by ~~the prevailing limitations placed upon travel and subsistence expenses of federal judiciary employees in accordance with existing judiciary travel regulations~~; travel and subsistence expense levels set by the Judiciary Staff Travel Regulations.
- (d) ~~Government~~ Federal law authorizes attorneys, experts, and other persons traveling primarily in connection with carrying out responsibilities under the CJA to use government travel rates ~~at~~ from common carriers and lodging providers. (**See:** 18 U.S.C. 3006A note; Federal Courts Administration Act of 1992, Pub. L. No. 102-572, title VII, § 702, 106 Stat. 4515 (Oct. 29, 1992).)
- (1) Government rates may provide substantial cost reductions ~~from~~ or increased flexibility over ordinary commercial rates ~~may be available from common carriers for travel authorized by the court in connection with representation under the CJA~~. To obtain such rates, ~~attorneys must contact the clerk of the court and obtain prior approval~~ must be obtained from the appointing authority.
- (2) Government contract airfares must be booked through the carrier or the judiciary’s contract travel agent using the ~~presiding judicial officer’s~~ court’s centrally billed account.

#### § 230.63.70 Other Reimbursable Expenses

Other reimbursable expenses include:

- telephone toll calls;
  - ~~telegrams~~;
- case-related videoconferencing not covered by general office overhead;
- photographs or video duplication; and
- copying or laser printing (except commercial brief printing — **see:** § 230.66.40).

## REDLINE COMPARISON REFLECTING CHANGES

### § 230.66 Non-Reimbursable Expenses

#### § 230.66.10 General Office Overhead

[ . . . ]

(b) Except in extraordinary circumstances (**see:** [Guide, Vol. 7A, § 320.70.30](#)), whether work is performed by counsel or other personnel, the following expenses associated with CJA representation are not reimbursable:

- [ . . . ]
- telephone, cell phone, or internet service; and
- [ . . . ].

#### § 230.66.20 Items and Services of Personal Nature

[ . . . ]

(b) The cost of services of a personal nature and expenses incidental thereto which cannot be considered legal representation are not compensable under the CJA. Such services include:

- assisting the defendant in the disposition of the defendant's personal property, unless obtaining access to the property could reasonably contribute to a representational purpose;
- [ . . . ]

#### § 230.66.30 Filing and Other Fees

Attorneys are not required to pay ~~a filing fee, pro hac vice, or PACER fees~~ in connection with a CJA case, as such payment and reimbursement thereof is tantamount to the government billing itself to accomplish a transfer of appropriated funds into the General Fund of the Treasury. Panel attorneys and service providers should obtain a fee-exempt PACER account for use in connection with CJA appointments. More information may be obtained from the PACER Service Center (pacer@psc.uscourts.gov or 800-676-6856).

#### § 230.66.40 Printing and Copying of Briefs

- (a) The expense of ~~printings~~specialized typesetting, layout, or binding of appellate or other legal briefs (including Supreme Court booklets) exceeding requirements for individuals represented under the CJA, regardless of the printing method utilized, is not reimbursable.
- (b) The reasonable cost of laser printing, photocopying, or similar ~~copying service~~duplication expenses is reimbursable.

#### § 230.66.50 Service of Process

- (a) Witness fees, travel costs, and expenses for service of subpoenas on fact witnesses, are not payable out of the CJA appropriation but are governed by [Fed. R. Crim. P. Rule 17](#) and [28 U.S.C. § 1825](#).
- (b) While not separately compensable, service of process incidental to a witness interview or other representational purpose is permissible.

## REDLINE COMPARISON REFLECTING CHANGES

### § 230.66.50 [cont'd]

- (c) If the U.S. Marshals Service is unavailable to serve a fact witness in time for a court proceeding, the circumstances should be documented, and prior approval obtained from the presiding judge or CJA supervisory attorney before incurring expenses for service of process. However, the judge or CJA supervisory attorney may waive prior approval if he or she determines that timely service of necessary process could not await preauthorization.

[Significant changes in Chapter 3 (Authorization and Payment for Investigative, Expert, or Other Services) follow:]

### § 310 In General

[. . .]

#### § 310.30 *Ex Parte* Applications

- (a) Ex parte applications for services other than counsel under [18 U.S.C. § 3006A\(e\)](#) must be heard *in camera*, and must not be revealed without the consent of the defendant. The application must be placed under seal until the final disposition of the case in the trial court, subject to further order of the court. Maintaining the ~~secrecy~~confidentiality of the application prevents the possibility that an open hearing may cause defendants to reveal their defense.

(b) [. . .]

- (c) The use of eVoucher to request and authorize services other than counsel supports confidentiality and enhances efficiency. Such records should be made available to successor counsel for representational purposes upon request. However, further disclosure remains subject to the court's control over CJA information as provided in Guide, Vol. 7A, Ch. 5 (Disclosure of Information on CJA-Related Activities).

#### § 310.40 Claims for Services Other than Counsel

All claims for services other than counsel, under [18 U.S.C. § 3006A\(e\)](#), must be submitted using the eVoucher system and should include the following:

[. . .]

#### § 310.50 Forms for the Authorization and Payment for Services Other than Counsel

~~Forms~~Requests for ~~the~~ authorization and payment for services other than counsel should be submitted using the judiciary's eVoucher system. Legacy forms, together with instructions ~~for the execution and distribution thereof~~, can be found on the [judiciary's public website](#).

#### § 310.70 Review of Vouchers

Absent extraordinary circumstances, ~~judges~~reviewers should act upon claims for compensation for investigative, expert, or other services within 30 days of submission.

## REDLINE COMPARISON REFLECTING CHANGES

### § 320 Authorization of Investigative, Expert, and Other Services

[. . .]

#### § 320.20 Psychiatrists, Psychologists

[. . .]

##### § 320.20.20 Source of Payment

[. . .]

(c) Court-ordered presentence examinations and reports under 18 U.S.C. § 3552(c) are not paid by the CJA appropriation. However, funding for these examinations is available from the AO. Courts should contact the AO's Probation and Pretrial Services Office at 202-502-1600 for guidance. See: Guide, Vol. 8D, § 140(f).

### § 320.20.40 Procedures for Payment

(a) CJA Appropriation – Defense Services

- (1) Form CJA 21 (Authorization and Voucher for Expert and Other Services)eVoucher should be used for all payments for “defense” services in non-capital cases. **See also:** Form CJA 21 (Authorization and Voucher for Expert and Other Services).
- (2) Form CJA 31 (Death Penalty Proceedings: Ex Parte Request for Authorization and Voucher for Expert and Other Services)eVoucher should be used for all payments for “defense” services in death penalty cases. **See also:** Form CJA 31 (Death Penalty Proceedings: Ex Parte Request for Authorization and Voucher for Expert and Other Services).
- (3) TheeVoucher submissions of form CJA 21 or CJA 31 should clearly describe the purpose of the expert's service.

[. . .]

### § 320.20.50 Dual Purpose Examinations

(a) [. . .] In such dual purpose examinations, for the convenience of the expert providing the service, the entire compensation claim may be submitted ~~on~~through eVoucher using Form CJA 21, or, in a death penalty proceeding, Form CJA 31. [. . .]

[. . .]

### § 320.30 Transcripts

#### § 320.30.10 Authorization and Payment

(a) For panel attorneys, the preferred method for payment of transcripts authorized by the court is for the court reporter or reporting service to claim compensation directly ~~on~~through eVoucher's Authorization and Voucher for Payment of Transcript (Form CJA 24 (Authorization and Voucher for Payment of Transcript)). Alternatively, the panel attorney may pay for ~~the court-authorized transcript~~transcripts and obtain reimbursement as an “out-of-pocket expense,” in the eVoucher system using Form CJA 24. **See:** Guide, Vol. 7A, § 230.63.20, and § 320.30.40. Regardless of which method is used, the limitations set forth in § 310.20 and the \$7,500 limitation set forth in Guide, Vol. 7A, Ch. 6 are inapplicable with regard to the cost of transcripts.

[. . .]

## REDLINE COMPARISON REFLECTING CHANGES

### § 320.30.30 Commercial Duplication in Multi-Defendant Cases

- (a) In multi-defendant cases involving CJA defendants, no more than one transcript should be purchased from the court reporter on behalf of CJA defendants. ~~One of the~~The appointed counsel or the clerk of court should ~~arrange for the duplication, at commercially competitive rates, of enough copies of the transcript for~~share an electronic copy with each of the CJA defendants for whom a transcript has been approved. ~~If the transcript was provided in printed format, counsel should arrange for duplication at commercially competitive rates.~~ The cost of such duplication will be charged to the CJA appropriation. This policy would not preclude the furnishing of duplication services by the court reporter at the commercially competitive rate.

[ . . . ]

### § 320.50 Guardian Ad Litem

#### § 320.50.10 Proceedings Involving Juveniles

- (a) A guardian ad litem appointed under [18 U.S.C. § 5034](#) is not eligible for compensation under the CJA or any other ~~authority~~appropriated source. Any person who is appointed as both counsel and guardian ad litem in one case under § 5034 should prorate time spent fulfilling the duties of these two offices. Only time spent as counsel on a case is compensable and should be reflected on the CJA claim.
- (b) ~~A guardian ad litem appointed for a child victim or witness under 18 U.S.C. § 3509(h) must be compensated through decentralized court funds using BOC 2559, not the CJA or the attorney admission fund.~~

### § 320.60 Commercial Computer-Assisted Legal Research Services

[ . . . ]

- (b) Claims for compensation for such services should be submitted ~~on~~through eVoucher using Form CJA 21 (Authorization and Voucher for Expert and Other Services), or, in a death penalty proceeding, Form CJA 31 (Death Penalty Proceeding: Ex Parte Request for Authorization and Voucher for Expert and Other Services). For information concerning reimbursement for the cost of direct use, by appointed counsel, of computer-assisted legal research services, **see:** Guide, Vol. 7A, § 230.63.30.

### § 320.70 Other Services and Computer Hardware and Software

[ . . . ]

#### § 320.70.40 Computer Hardware, Software, or Litigation Support Services

[ . . . ]

- (b) Acquisition of Computer Hardware and/or Software
- (1) The request for acquisition of the computer hardware and/or software, or for the procurement of litigation support services should be submitted ~~on~~through eVoucher using Form CJA 21 (Authorization and Voucher for Expert and Other Services), or, in a death penalty proceeding, Form CJA 31 (Death Penalty Proceedings: Ex Parte Request for Authorization and Voucher for Expert and Other Services).

[ . . . ]

## REDLINE COMPARISON REFLECTING CHANGES

### § 320.80 Reimbursement of Expenses

[ . . ]

#### § 320.80.20 Government Travel Rates

~~Government~~ (a) Federal law authorizes experts and other service providers traveling primarily in connection with carrying out responsibilities under the CJA the use of government travel rates at from common carriers and lodging providers. See: 18 U.S.C. § 3006A note.

(b) Government rates may provide substantial cost reductions from or increased flexibility over ordinary commercial rates may be available from common carriers for travel authorized by the court in connection with representation under the CJA. To obtain such rates, investigators and other service providers must contact the clerk of court and obtain prior approval from the presiding judicial officer appointing authority. Government contract airfares must be booked through the carrier or a judiciary contract travel management center using the court's centrally billed account.

*[Significant changes in Chapter 5 (Disclosure of Information on CJA-Related Activities) follow:]*

### § 520 Disclosure of Information on Payments to Attorneys

#### § 520.10 Timing

~~The CJA, as amended in 1998, mandates disclosure of amounts paid to court appointed attorneys upon the court's approval of the payment.~~

(a) The statutory basis for disclosing payments to counsel in noncapital appointments expired on Jan. 25, 2000. See: § 540. While disclosure provisions continue by Judicial Conference policy, courts should consider factors listed in § 510.30 and § 520.50, depending on the stage of the case, to ensure that such disclosures will not impact the right to counsel in CJA panel appointments. Disclosure may be postponed until after all proceedings have concluded. See: § 510.40.

(b) For capital cases, disclosure must be after the disposition of the petition for habeas corpus.

#### § 520.20 Documents

(a) To satisfy the requirements of the CJA, courts may release ~~copies of the summary payment vouchers (the top sheets of completed forms CJA 20 or CJA 30); amounts from the eVoucher system,~~ redacted or unredacted, depending on the stage of the particular case and the ~~statutory policy~~ considerations involved.

(b) **Documentation submitted in support of, or attached to, payment ~~claims is not covered by the CJA and need~~ may not be disclosed at any time.**

#### § 520.30 Notice

[ . . ]

(c) Upon receipt of a request for disclosure of CJA payment information, courts may contact counsel about the propriety of safeguarding the information under § 510.40.

## REDLINE COMPARISON REFLECTING CHANGES

### § 520.40 Attorney Payments Approved Before or During Trial

[. . .]

- (b) On the completion of trial, an unredacted copy of ~~the voucher~~summary payment amounts from the eVoucher system may be released, depending on whether an appeal is being pursued and whether the court determines that one or more of the interests listed in [Guide, Vol. 7A, § 520.50](#) require the redaction of information.

### § 530 Disclosure of Information on Payments to Service Providers

[. . .]

- (b) For capital cases, disclosure must be **after** the disposition of the petition for habeas corpus.

*[Significant changes in Chapter 6 (Federal Death Penalty and Capital Habeas Corpus Representations) follow:]*

### § 630 Compensation of Appointed Counsel in Capital Cases

[. . .]

#### § 630.60 Forms

Claims for compensation and reimbursement of expenses for attorneys furnishing services in death penalty proceedings should be submitted through the eVoucher system on [Form CJA 30 \(Death Penalty Proceedings: Appointment of and Authority to Pay Court Appointed Counsel\)](#).

### § 660 Authorization and Payment for Investigative, Expert, and Other Services in Capital Cases

[. . .]

#### § 660.50 Forms

Claims for compensation and reimbursement of expenses for investigative, expert, or other services in death penalty proceedings should be submitted through the eVoucher system on [Form CJA 31 \(Death Penalty Proceedings: Ex Parte Request for Authorization and Voucher for Expert and Other Services\)](#).

### § 680 Clemency

[. . .]

#### § 680.20 Clemency Vouchers

##### § 680.20.10 Issuance of Voucher for Clemency Work

Upon appointment of counsel for habeas corpus proceedings brought under [28 U.S.C. § 2254](#), the district court should issue appointed counsel two CJA payment vouchers through the eVoucher system ([Form CJA 30 \(Death Penalty Proceedings: Appointment of and Authority to Pay Court Appointed Counsel\)](#)); one designated for the habeas corpus proceeding and one designated for a potential clemency proceeding.

##### § 680.20.20 Processing of Clemency Vouchers

All attorney compensation ([Form CJA 30 \(Death Penalty Proceedings: Appointment of and Authority to Pay Court Appointed Counsel\)](#)) and investigative, expert, or other services vouchers ([Form CJA 31 \(Death Penalty Proceedings: Ex Parte Request for Authorization and Voucher for Expert and Other Services\)](#)) pertaining to the clemency representation should be submitted to the district court through the eVoucher system, regardless of whether the habeas corpus case is on appeal at the time.