

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

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Clerk, U.S. District & Bankruptcy
Courts for the District of Columbia

In Re: Interim Vouchers for Payments Under
the Criminal Justice Act in Exigent
Circumstances Created by the COVID-19
Pandemic

Standing Order No. 20-12 (BAH)

Chief Judge Beryl A. Howell

ORDER

This Court has taken significant steps to limit its operations due to the COVID-19 pandemic and in the interest of public health and safety. *See In Re: Court Operations in Exigent Circumstances Created by the COVID-19 Pandemic, March 16, 2020.* All jury trials have been postponed until at least May 11, 2020, and all other court proceedings have been suspended until at least April 17, 2020, unless the presiding Judge determines a particular proceeding should go forward. *Id.* In addition, access to the courthouse and the Clerk's Office has been restricted, with proceedings dependent on reduced on-site staff. *See In Re: Restrictions on Courthouse Visitors, March 13, 2020.*

The disruptions to court operations have the potential to disrupt timely payments to and place a financial burden on Criminal Justice Act (CJA) Panel attorneys, as well as their staff and service providers. Delays due to the temporary suspension of court proceedings and trials may result in the delayed resolution of certain criminal cases.

This Court's policy regarding the compensation of CJA Panel attorneys states:
"Providing fair compensation to appointed counsel is a critical component of the administration of justice. CJA panel attorneys must be compensated for time expended in court and time reasonably expended out of court, and reimbursed for expenses reasonably incurred." *Criminal*

Justice Act Plan, United States District Court for the District of Columbia, effective April 17, 2019, at p.19. Pursuant to the terms of this Court’s CJA Plan, “claims for compensation should be submitted no later than 60 days after final disposition of the case, unless good cause is shown.” *Id.* The *Guide to Judiciary Policy* outlines procedures for interim payments to counsel in an appropriate case upon the issuance of a memorandum order by the district court detailing procedures and payments for interim vouchers. *See Guide to Judiciary Policy, Vol. 7, Ch. 2, Appendix 2C.* Interim payments are typically sought and approved for lengthy matters, and are authorized under the CJA, 18 U.S.C. § 3006A((d)(1)(directing that appointed counsel “shall, at the conclusion of the representation *or any segment thereof*, be compensated...”)(emphasis supplied).

In order to mitigate the potential financial hardship that exigent circumstances relating to the COVID-19 pandemic may pose to attorneys appointed under the Criminal Justice Act, and to ensure the continued high quality of representation provided by CJA attorneys, this Court finds good cause, effective immediately, to authorize CJA Panel attorneys and their service providers to submit interim vouchers for services rendered in all pending matters.

An initial voucher may be submitted no sooner than two months after the date of appointment. Subsequent interim vouchers may be submitted when the current interim voucher amount is greater than \$2,000 or no sooner than two months after the date of the previously submitted interim voucher. Within 60 days of the conclusion of representation, counsel should submit a final voucher without regard to the amount of the claim or the date of any previously submitted voucher.

The submission of an interim voucher is not required but rather is permitted in an effort to alleviate the anticipated hardship on counsel of undertaking representation for an extended

period of time without compensation and to expedite the processing, review and payment of CJA vouchers. The Court reserves the right to delay or withhold payment on any interim voucher.

The Clerk of Court is directed to send a copy of this Order to all members of the Court's CJA Panel.

It is so ORDERED.

Dated: March 23, 2020



Beryl A. Howell

Beryl A. Howell
Chief Judge