

# U.S. District Court – District of North Dakota



## CRIMINAL JUSTICE ACT QUICK REFERENCE GUIDE

The Criminal Justice Act of 1964 established a plan for appointing and compensating lawyers to represent financially eligible defendants. The District of North Dakota thanks you for your service!  
Detailed information can be found in the Court's [CJA Information Packet](#).

### Appointed Attorney Compensation:

The CJA Act establishes maximum hourly rates and limits on total compensation for attorneys and service providers. These rates are set forth in the chart below.

**Case maximums apply to compensation only,  
not expenses.**

### Non-compensable Hours:

You may not claim time spent filling out the voucher. You may not claim time spent providing services of a personal nature, such as coordinating the care of the defendant's children.

**If you have any questions, please contact the  
clerk's office:**

**Fargo 701-297-7000 or Bismarck 701-530-2300**

### Reimbursable Expenses (examples):

- Computer Assisted Legal Research
- Telephone calls
- Copies
- Postage
- Actual travel expenses including meals, mileage, and actual parking costs

### Non-Reimbursable Expenses (examples):

- General office overhead, including rent and secretarial expenses
- Items of a personal nature, including clothing and haircuts for defendants
- Printing briefs
- Alcoholic beverages
- Parking fines or traffic violations

### Useful Websites:

ND CJA: <http://www.ndd.uscourts.gov>  
Office of Defender Services: <https://www.fd.org>  
National CJA Voucher Reference Tool:  
<http://www.uscourts.gov/uscourts/cjaort/index.html>  
Resources: <http://www.fd.org/cja-resources>

### CURRENT CASE MAXIMUMS

Attorney Case Compensation Max.	Current	Previous
Felony	\$13,600	\$13,400
Misdemeanor	\$3,900	\$3,800
Appeal	\$9,700	\$9,600
Supervised Release/Probation Violations; Material Witnesses; Grand Jury Witnesses	\$2,900	\$2,700
<b>Investigative, Experts, &amp; Other Service Providers</b>		
With Prior Authorization	\$3,000	\$2,800
Without Prior Authorization	\$1,000	\$900

### HOURLY RATES\*

Date	Hourly Rate
Current	\$175
Prior to 1/1/2024	\$172
Prior to 1/1/2023	\$164
Prior to 1/1/2022	\$158

\*Non-capital Cases

## Vouchers:

- Time must be in tenths of an hour.
- Services and expenses must be itemized by date and categorized.
- Supporting documentation must be attached, including receipts for expenses over \$50.
- An over-the-limit letter must be included to justify any voucher over the statutory maximum.
- Vouchers must be submitted no later than 45 days after the final disposition of the case.

All payment requests must be made via eVoucher.

The CJA eVoucher Attorney User Manual provides additional information & instructions.

## Travel Guidelines:

- Mileage is reimbursed at the current GSA rate: [www.gsa.gov](http://www.gsa.gov)
- Travel expenses are reimbursed at the actual expense, not to exceed the current per diem rate [www.gsa.gov](http://www.gsa.gov)
- You are eligible for the government rate!
- Prior authorization is needed to travel more than 100 miles outside the District of North Dakota. Additional information on submitting a Travel Authorization via eVoucher can be found in the [CJA eVoucher Attorney User Manual](#).

## Interim Payment:

- The presiding judge may authorize interim payment to counsel at regular intervals in representations exceeding 90 days in duration or \$4,000 in accrued compensation and expense claims.
- Submit a completed CJA 20 indicating the dates of service, and check “Interim Payment.”

Attorneys must update their Billing Information in eVoucher when payment information changes (*i.e.*, change of address, change of law firm, change of name). Keep your information current to minimize payment delay.

## Investigative, Expert, and Other Service Providers:

- Paralegals are service providers and claims must be made on a CJA 21, not as an expense on the attorney’s CJA 20.
- Services must be itemized.
- Prior approval is required from the District Judge and the Chief Judge of the Circuit if a claim is expected to exceed the statutory maximum.
- Service providers must complete a [Service Provide Payee Registration Form](#)

## Subpoenas:

- The “Criminal Pretrial Order and Jury Trial Notice” authorizes a defendant’s application for the issuance and service of subpoenas.
- The subpoena must be completed by the requesting party and must contain the following: (1) case name, (2) case number, (3) last known residential address of the party being subpoenaed.
- **The U.S. Marshal is unable to serve a subpoena without a residential address.**
- Counsel must deliver the original and two copies of the completed subpoenas directly to the U.S. Marshal **for service no later than ten (10) court days before a hearing or trial.**
- **Counsel must notify subpoenaed witnesses of a cancellation or rescheduling of a trial.**

Case Budgets should be submitted for all cases expected to exceed 300 times the current non-capital hourly rate. Additional information can be found in the [Budget Authorization Job Aid](#).

## Transcripts:

- Counsel must submit an AUTH-24 via eVoucher to request a transcript.
- Counsel may not pay for a transcript out of pocket. Transcripts will not be reimbursed as an expense on a CJA 20 as an expense.

eVoucher

