

# 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

### Some Useful Websites:

ND CJA: <http://www.ndd.uscourts.gov>

Office of Defender Services: <https://www.fd.org>

National CJA Voucher Reference Tool:

<https://cjaresources.fd.org/cjaort/index.html>

Resources: <http://www.fd.org/cja-resources>

### CURRENT CASE MAXIMUMS

Attorney Case Compensation Max.	Current	Previous
Felony	\$12,300	\$12,100
Misdemeanor	\$3,500	\$3,400
Appeal	\$8,800	\$8,600
Supervised Release/Probation Violations; Material Witnesses; Grand Jury Witnesses	\$2,600	\$2,600
Investigative, Experts, & Other Service Providers		
With Prior Authorization	\$2,700	\$2,600
Without Prior Authorization	\$900	\$800

### HOURLY RATES\*

Date	Hourly Rate
Current	\$158
Prior to 1/1/2022	\$155
Prior to 1/1/2021	\$152
Prior to 1/1/2020	\$148

\*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
- Justification for any voucher over the statutory maximum must be included
- 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 <http://www.gsa.gov/portal/content/100715>
- Travel expenses are reimbursed at the actual expense, not to exceed the current per diem rate <http://www.gsa.gov/portal/category/21287>
- 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
- Submit a completed CJA 20 indicating the dates of service and check “Interim Payment”

**Attorneys are responsible for updating their Billing Information in eVoucher when their 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 considered to be 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 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 must not pay for a transcript out of pocket. Transcripts will not be reimbursed as an expense on a CJA 20 as an expense

**eVoucher**

