



UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

**Post Office Box 193939
San Francisco, CA 94119-3939**

Date: November 8, 2018
To: Criminal Justice Act Panel Attorneys
From: Molly C. Dwyer, Clerk of Court
Re: Associate, Additional, and Co-Counsel Attorney Billing

All eVoucher programs have been updated so that associates working in the firm of appointed counsel must bill their time on appointed counsel's voucher, separately from appointed counsel's time. When appointed counsel anticipates using the services of an in-house associate attorney in a given case, counsel must ask the court for permission to add the associate to that particular eVoucher appointment. The request must confirm that the associate is an employee in counsel of record's firm, must provide the associate's billing rate and the nunc pro tunc date, and must state whether the associate also provided services in the district court. Requests to create an associate record can be submitted via email to Susan_Gelmis@ca9.uscourts.gov.

If you wish to use the services of an additional attorney or co-counsel from within or outside of your firm, or an associate counsel outside your firm, you must use the attached form requesting advance authorization to obtain that relief. Submit the request and completed form via email to Susan_Gelmis@ca9.uscourts.gov.

REQUEST FOR ADVANCE AUTHORIZATION OF ADDITIONAL COUNSEL OR CO-COUNSEL (NON-CAPITAL CASES ONLY)

ADDITIONAL COUNSEL

Counsel at my firm

I request authorization to use the services of (name) , a partner or an attorney employed at my firm, at the rate of /hour, as additional counsel. I estimate that the attorney will bill hours of service. Payment for this attorney's services should be made to:

 The firm. The firm's employer identification number is
 The individual. The individual's Social Security number is

Outside counsel

I request authorization to use the services of (name) , at the rate of /hour, as an additional counsel. I estimate that the attorney will bill hours of service. Payment for this attorney's services should be made to:

 The attorney's firm or employer. The firm/employer's employer identification number is
 The individual. The individual's Social Security number is

I understand that the presumptive statutory maximum applies to the combined compensation of counsel of record and the additional counsel.

CO-COUNSEL

I request appointment of (name) , as co-counsel. (name) is a partner or is currently employed at:

 My firm Another firm/sole practitioner

I have attached an explanation why the exceptional complexity of the case and the interests of justice warrant appointment of co-counsel and have included an estimate of the anticipated hours of service that co-counsel will provide.

Payment for co-counsel's services should be made to

 Co-counsel's firm or employer. The firm/employer's employer identification number is
 The individual. Co-counsel's Social Security number is .

 /s/
Type name:
Counsel appointed under the Criminal Justice Act

Note:

The tax identification number is not required if the firm or individual is already registered as a service provider in the CJA evoucher system, or if the individual is associate counsel employed by the same firm as appointed counsel.

Completion of this form to request co-counsel or additional counsel is not necessary in death penalty cases, as criminal defendants and petitioners are presumptively eligible for the services of two attorneys. A request to use in house associate counsel is necessary in all cases.

The question whether the estimated hours in this request will be awarded in full will be determined when the voucher is reviewed.

Requests for advance authorization of paralegal, law clerk or other expert services exceeding \$800 are made via the Advance Authorization for Expert Services form.