

Budgeting

In non-capital representations of unusual complexity that are likely to become extraordinary in terms of cost, a case may be referred to a Ninth Circuit Case Managing Attorney by any stakeholder (Judge, appointed attorney, CJA Administrator) for case budgeting, consistent with the CJA Guidelines, Vol. 7A, Ch. 2, §§ 230.26.10–20.

Budgeting is required in all capital cases.

Submitting a Budget in eVoucher using Budget AUTH

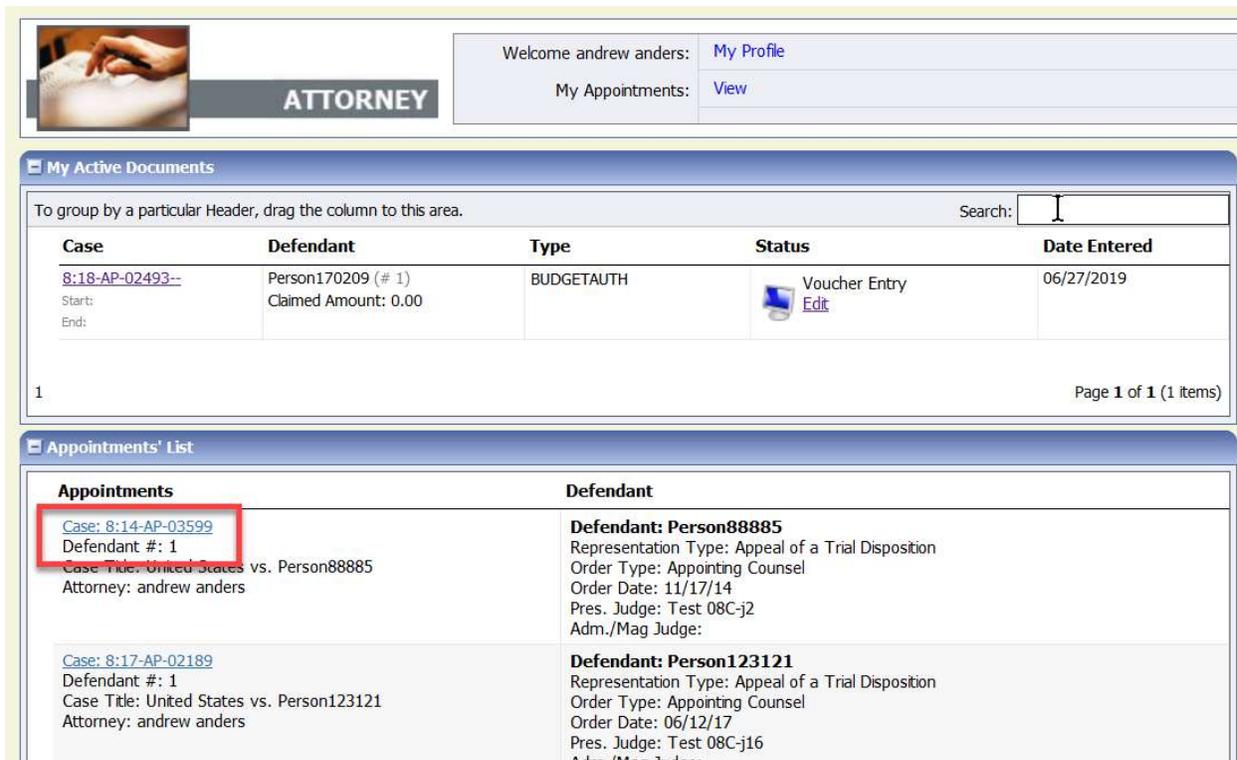
If you are preparing a budget for attorney and service provider fees and it is ready for review by the Court, the budget should be submitted in eVoucher using the Budget AUTH document.

Step
1

Fill out the appropriate Capital or Non-Capital Funding Application form provided by a Ninth Circuit Case Managing Attorney (CMA). After review and consultation with the CMA, follow the instructions below to submit the document to the Court .

Step
2

Click the hyperlink for the correct case to access the Appointment Info page.



The screenshot displays the user interface for an attorney. At the top, there is a header with a profile picture, the name "ANDREW ANDERS", and the title "ATTORNEY". Below this, there are links for "My Profile" and "View" under "My Appointments".

The main content area is divided into two sections:

- My Active Documents:** A table with columns for Case, Defendant, Type, Status, and Date Entered. A single entry is shown for case 8:18-AP-02493-- with a status of "Voucher Entry" and a date of 06/27/2019.
- Appointments' List:** A table with columns for Appointments and Defendant. Two appointments are listed, with the first one highlighted by a red box. The first appointment is for case 8:14-AP-03599, defendant Person88885, and attorney andrew anders.

Submitting a Budget in eVoucher using Budget AUTH (cont'd)

Step
3

On the Appointment Info page, in the Create New Voucher section, click the **Create** hyperlink next to BUDGETAUTH.

The screenshot shows a web application interface. At the top is a navigation bar with links for Home, Operations, Reports, Links, Help, and login. Below this is a section titled 'Appointment' with a summary of the appointment and a 'View Representation' link. The main focus is the 'Create New Voucher' section, which contains three rows of voucher types, each with a 'Create' button:

- AUTH**: Authorization for Expert and other Services. The 'Create' button is blue.
- AUTH-24**: Authorization for payment of transcript. The 'Create' button is blue.
- BUDGETAUTH**: Authorization for Excess Attorney Fees and/or Expert and other Services on Budgeted Case. The 'Create' button is blue and is highlighted with a red rectangular box.

To the right of the voucher section is a detailed view of the appointment information, including:

- 1. CIR./DIST./DIV.CODE: 08AC
- 3. MAG. DKT/DEF.NUM
- 7. IN CASE/MATTER OF: United States vs. Pers
- 10. OFFENSE(S) CHARG: 12:1457.M PENALTY
- 11. ATTORNEY'S NAME: andrew anders, 1 Attorney St, Pierre SD 57501, Phone: 111-111-1111
- 13. LAW FIRM NAME

Submitting a Budget in eVoucher using Budget AUTH (cont'd)

Step 4

On the **Basic Info** tab of the Budget AUTH, you must enter information in the **Budget Phase/Stage** (i.e. Pretrial/Trial/Clemency, One/Two, etc.) and **Requested Additional Attorney Fees** fields. Optionally, in the **Notes** field, you can add notes that you would like to be viewed with the requested amounts (you still have an opportunity to include notes on the **Confirmation** tab). If no attorney fees are being requested in this request, you **MUST** enter **\$0** to submit the Budget AUTH.



BUDGETAUTH
Attorney Enter
Authorization

Def.: Sample Defendant

[Link to CM/ECF](#)

Voucher #:
Request Date:
Decision Date:

Tasks

[Link To Appointment](#)
[Link To Representation](#)

Reports

[Budget AUTH Form Report](#)
[Budget AUTH Form Report](#)

Basic Info
Authorization Request
Documents
Confirmation

Basic Info

| | | | |
|---|---|---|--|
| 1. CIR. DIST. DIV. CODE 0970 | 2. PERSON REPRESENTED Sample Defendant | VOUCHER NUMBER | |
| 3. MAG. DKT/DEF. NUMBER | 4. DIST. DKT/DEF. NUMBER 2-19-CR-01000-1-GMS | 5. APPEALS. DKT/DEF. NUMBER | 6. OTHER. DKT/DEF. NUMBER |
| 7. IN CASE/MATTER OF (Case Name) USA v. Sample Defendant | 8. PAYMENT CATEGORY Felony (including pre-trial diversion of alleged felony) | 9. TYPE PERSON REPRESENTED Adult Defendant | 10. REPRESENTATION TYPE Criminal Case |
| 11. OFFENSE(S) CHARGED 8:1324.F 8:1324(a)(1)(A)(ii) and (a)(1)(B)(i) - Transportation of an Illegal Alien for Profit | | | |
| 12. ATTORNEY'S NAME AND MAILING ADDRESS Sample Attorney - Bar Number: 00000 401 W Sample Street Phoenix AZ 85004 Phone: 602-555-1234 - Fax: | | 13. COURT ORDER <input type="checkbox"/> A Associate <input type="checkbox"/> C Co-Counsel <input type="checkbox"/> D Federal Defender <input type="checkbox"/> F Subs for Federal Defender <input type="checkbox"/> L Learned Counsel (Capital Only) <input type="checkbox"/> O Appointing Counsel <input type="checkbox"/> P Subs for Panel Attorney <input type="checkbox"/> R Subs for Retained Attorney <input type="checkbox"/> S Pro Se <input type="checkbox"/> T Retained Attorney <input type="checkbox"/> U Subs for Pro Se <input type="checkbox"/> X Administrative <input type="checkbox"/> Y Standby Counsel Prior Attorney's Name Appointment Date: Signature of Presiding Judge or By Order of the Court Deborah M Fine Date of Order: 5/16/2019 Nunc Pro Tunc Date: Repayment <input type="checkbox"/> YES <input type="checkbox"/> NO | |
| 14. LAW FIRM NAME AND MAILING ADDRESS | | | |

Order Date:

Nunc Pro Tunc Date:

Budget Phase/Stage: Pretrial

Attorney Funding Information

| | |
|--|--|
| Current Representation Limit | \$ 11,500.00 |
| Requested Additional Attorney Fees | \$ 40,000.00 |
| Authorized Additional Attorney Fees | \$ * |
| Grand Total Authorized Attorney Fees | \$ 11,500.00 |

Notes:

« First
< Previous
Next >
Last »
Save
Delete Draft

Submitting a Budget in eVoucher using Budget AUTH (cont'd)

Step
5

On the **Authorization Request** tab, from the **Service Provider Type** drop-down list, select the service provider(s) type you wish to use, if any. Any previous authorizations for that provider type display. Click the previous authorization to add the additional amount requested, and then click **Add**. Note that the provider request appears in the grid below. Continue to add service providers, and then click the **Documents** tab when complete.

Basic Info | **Authorization Request** | Documents | Confirmation

Request For Service Providers

Service Provider Type: Documents Examiner

Previous Authorizations for this Provider Type:

ID Number: 854057
 Order Date: 07/18/2018
 Authorized Amount: \$1,000.00
 Grand Total Amount: \$1,000.00

Service Type: Documents Examiner
 Estimated Amount: \$1,000.00
 Notes:

Previously Authorized Amount: \$1,000.00
 Additional Amount Requested: 10000.00
 Additional Amount Authorized:
 Description:

Add Remove

* Required Fields

To group by a particular Header, drag the column to this area.

| Service Provider Type | Previously Authorized Amount | Additional Amount Requested | Description |
|-----------------------|------------------------------|-----------------------------|-------------|
| Chemist/Toxicologist | \$0.00 | \$500.00 | Chemist |
| Ballistics | \$0.00 | \$2,000.00 | |

Note: If there is no prior AUTH, you only need to enter an amount requested in the **Additional Amount Requested** field.

Basic Info | **Authorization Request** | Documents | Confirmation

Request For Service Providers

Service Provider Type: Accountant

Previous Authorizations for this Provider Type:

No Previous Authorizations Found

Previously Authorized Amount: \$0.00
 Additional Amount Requested: 1000.00
 Additional Amount Authorized:
 Description:

Step
6

Click **Document** tab or Click **Next**, located on the progress bar.

Submitting a Budget in eVoucher using Budget AUTH (cont'd)

Step
7

Click **Browse** to select a PDF file to attach. This is where you will attach the Capital or Non-Capital Funding Application, completed at Step 1, along with any additional supporting documentation such as a provider's CV, resume, or project bid.

Note:

All documents must be submitted in PDF format, and must be 10 MB or less.

Step
8

Click **Upload**.

Basic Info > Justification > Documents > Confirmation

Supporting Documents

File Upload (Only Pdf files of 10MB size or less!)

File Browse...

Description

Upload

| Description | Delete | View |
|---|------------------------|----------------------|
| Non-Capital Funding Application, submitted 8.1.18 | Delete | View |
| CV for Investigator Susie Smith | Delete | View |
| Project Bid for Behind the Gavel | Delete | View |

< First < Previous Next > Last > Save Delete Draft Audit Assist

The attachment and description are added to the voucher and appear in the bottom of the **Description** section.

Step
9

Click **Save**.

Step
10

Click **Confirmation** tab or Click **Next**, located on the progress bar.

Submitting a Budget in eVoucher using Budget AUTH (cont'd)

The confirmation tab appears.

Step 11 Verify all information on the page is correct.

Step 12 Select the affirmation check box.

Step 13 Click **Submit**. Your individual login and password will serve as your electronic signature.

| Attorney Funding Information | | | |
|---|------------------------------|--------------------------------------|----------------------------------|
| Requested Additional Attorney Fees | \$100,000.00 | Current Representation Limit | \$100,000.00 |
| | | Authorized Additional Attorney Fees | |
| | | Grand Total Authorized Attorney Fees | \$100,000.00 |
| NOTES: | | | |
| Requests For Service Providers | | | |
| Service Provider Type | Previously Authorized Amount | Additional Amount Requested | Additional Amount Authorized |
| Chemist-Toxicologist | \$0.00 | \$500.00 | |
| Ballistics | \$0.00 | \$2,000.00 | |
| Totals | \$0.00 | \$2,500.00 | |
| Order Date | Nunc Pro Tunc Date | Budget Phase/Stage | |
| | | initial | |
| Signature of Attorney andrew anders | Date Signed | Judge Code | Requested Amount \$102,500.00 |
| Signature of Presiding Judge | Date Signed | Judge Code | Approved Amount |
| Signature of Chief Judge, Court of Appeals(or Delegate) | Date Signed | Judge Code | Approved Amount |
| Attention: The notes you enter will be available to the next approval level. | | | |
| Public/Attorney Notes | | | |
| <input checked="" type="checkbox"/> I swear and affirm the truth or correctness of the above statements Date: 7/1/2019 14:59:3 | | | |
|  | | | |
| « First < Previous Next > Last » Save Delete Draft | | | |

Step 14 A confirmation screen appears, indicating the previous action was successful and the Budget AUTH has been submitted to the court. Click the **Home Page** hyperlink to return to the home page, or click the **Appointment Page** hyperlink to create an additional document for this appointment.

| Home Operations Reports Links Help login |
|---|
| Success This document has been submitted. Please keep the following document number for your own records: 08AC.0854055 |
| Back to: Home Page Appointment Page |

The Budget AUTH now appears in the **My Submitted Documents** section of your home page.

Submitting a Budget in eVoucher using Budget AUTH (cont'd)

Step 15

You will automatically receive an email if/when the Budget AUTH has been approved. You should then download and review the “Funding Authorization” attached by the Court to the Budget AUTH under the Documents tab. The Funding Authorization serves as the Court’s budget order. If the approved budget includes funding for existing or new service providers, the CJA Department will update eVoucher to reflect the new or additional approved funding.

Note:

To download and review the “Funding Authorization” follow these steps:

- Go to your “Appointments’ List” on your home page and select the appropriate case number.
- From the Appointment Info page, click the appropriate Budget AUTH under “Vouchers on File” section.
- Go to the Documents tab and click View next to the “Funding Authorization”
- Save or print the document as usual
- Once finished, click “Home” on the upper left menu to return to the home page.

Budget Reports

Once a budget is approved, counsel should monitor the status of funds, attorney hours, and expert services, by reviewing the reports provided in the CJA eVoucher program, especially the Defendant Detail Budget Report.

Items to remember:

- Viewable reports appear on the left review panel.
- Each panel, depending upon which document you are viewing, will have different reports available.
- Below each report link is a short description of the information provided by that report.
- The main report is the Defendant Detail Budget Report-Attorney.



Defendant Detail Budget Report-Attorney

This report reflects the total amount authorized for this representation, any excess payment allowed, the vouchers submitted against those authorizations, and the remaining balances.

The report provides the information in two sections: attorney appointments and authorized experts and other services.

Current statutory maximum or amount of excess fee limit (after CJA26 or Budget AUTH approval)

CJA-26 and/or Budget AUTH Requests for Add'l Funds (Requested/Approved)

3:17-CR-08000-1-JI

| Counsel Budget | | Defendant: John Doe | | | | | | | | | |
|--------------------------|---------------|---------------------|-----------------|------------------|-----------------|--|--|--|--|--|--|
| Type of Representation: | Criminal Case | Document | Document Number | Amount Requested | Amount Approved | | | | | | |
| Budget Amount Requested: | \$0.00 | CJA-26 | 0970.0822711 | \$5,612.40 | \$4,209.30 | | | | | | |
| Budget Amount Approved: | \$15,709.30 | Total: | | \$5,612.40 | \$4,209.30 | | | | | | |

| Voucher Dates | Voucher Number | Claimed | | | Approved | | | Voucher Info | | | |
|--|----------------|-------------|----------|----------|-------------|------------|----------|--------------|--------------|------------------|--|
| | | Fees | Expenses | | Total | Fees | Expenses | | Claim Status | Circuit Approved | |
| | | | Travel | Other | | | Travel | Other | | | |
| Attorney: George Attorney (Appointing Counsel) Inactive | | | | | | | | | | | |
| 09/29/2017 to 05/31/2018 | 0970.0508332 | \$4,583.60 | \$143.63 | \$13.15 | \$4,740.38 | \$4,344.40 | \$141.49 | \$13.15 | \$4,499.04 | Final | |
| Total Claimed/Approved: | | \$4,583.60 | \$143.63 | \$13.15 | \$4,740.38 | \$4,344.40 | \$141.49 | \$13.15 | \$4,499.04 | | |
| Pending Approval: | | \$0.00 | \$0.00 | \$0.00 | \$0.00 | | | | | | |
| Attorney: David Attorney (Subs for Panel Attorney) Active | | | | | | | | | | | |
| 05/31/2018 to 04/17/2019 | 0970.0821314 | \$11,362.00 | \$518.27 | \$210.63 | \$12,090.90 | | | | | Final | |
| Total Claimed/Approved: | | \$11,362.00 | \$518.27 | \$210.63 | \$12,090.90 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | | |
| Pending Approval: | | \$11,362.00 | \$518.27 | \$210.63 | \$12,090.90 | | | | | | |

| Attorney Voucher Grand Totals | | | | | | | | | | | | |
|-------------------------------|-------------|----------|----------|-------------|------------|----------|----------|------------|----------------------|--------|----------------|----------------------------|
| | Fees | Claimed | | Total | Fees | Approved | | Total | Fee Amount Remaining | | | |
| | | Expenses | Travel | | | Other | Expenses | | Travel | Other | After Approved | After Approved and Pending |
| | | | | | | | | | | | | |
| Total Claimed/Approved: | \$15,945.60 | \$661.90 | \$223.78 | \$16,831.28 | \$4,344.40 | \$141.49 | \$13.15 | \$4,499.04 | \$11,364.90 | \$2.90 | | |
| Pending Approval: | \$11,362.00 | \$518.27 | \$210.63 | \$12,090.90 | | | | | | | | |

Voucher Info for previous counsel

Voucher Info for current counsel

Column has been updated from Pending to Claimed. The amount claimed on the voucher will remain visible even after a voucher is approved to allow attorney to see what was claimed on voucher submission and what was approved by the court.

Approved column has been updated so that if voucher is not submitted the voucher row will be blank. Once approved by the court the amount approved will display.

Voucher Info will now display Interim/Final and if approved by circuit, date approved by circuit will display

This shows the total available to current counsel less any amount paid or pending payment for prior counsel. This amount is also less the amount billed on current counsel's pending voucher.
 *NOTE: Counsel may not show in order of appointment so current counsel should look at the total listed at the bottom of all counsel listed.

Defendant Detail Budget Report-Attorney (cont'd)

The service provider section has been similarly updated.

| Expert and Other Services Budget - Requiring Authorization | | | | | | | | | | Defendant: John Doe | |
|--|----------------|------------------------------|----------|---------|------------|-------------------------------|----------|---------|------------|--------------------------|----------------------------|
| Voucher Dates | Voucher Number | Claimed | | | | Approved | | | | Voucher Info | |
| | | Fees | Expenses | | Total | Fees | Expenses | | Total | Claim Status | Circuit Approved |
| | | | Travel | Other | | | Travel | Other | | | |
| Authorization Number: 0970.0662475 | | Amount Requested: \$8,250.00 | | | | Amount Authorized: \$7,500.00 | | | | Attorney: David Attorney | |
| Specialty: Investigator | | | | | | | | | | | |
| Vendor: Susie Privateye (Investigator) | | | | | | | | | | | |
| 07/02/2018 to 01/18/2019 | 0970.0672569 | \$5,467.50 | \$506.88 | \$31.06 | \$6,005.44 | \$5,385.00 | \$506.88 | \$31.06 | \$5,922.94 | Interim 1 | |
| 02/10/2019 to 02/22/2019 | 0970.0799600 | \$367.50 | \$0.00 | \$0.00 | \$367.50 | \$360.00 | \$0.00 | \$0.00 | \$360.00 | Interim 2 | |
| 03/04/2019 to 03/26/2019 | 0970.0809955 | \$1,470.00 | \$83.52 | \$0.80 | \$1,554.32 | \$1,252.50 | \$83.52 | \$0.80 | \$1,336.82 | Interim 3 | |
| Total Claimed/Approved: | | \$7,305.00 | \$590.40 | \$31.86 | \$7,927.26 | \$6,997.50 | \$590.40 | \$31.86 | \$7,619.76 | | |
| Pending Approval: | | \$0.00 | \$0.00 | \$0.00 | \$0.00 | | | | | | |
| AUTHORIZATION TOTALS | | | | | | | | | | Attorney: David Attorney | |
| Authorization Number: 0970.0662475 | | Amount Requested: \$8,250.00 | | | | Amount Authorized: \$7,500.00 | | | | | |
| Specialty: Investigator | | | | | | | | | | | |
| | | Claimed | | | | Approved | | | | Fee Amount Remaining | |
| | | Fees | Expenses | | Total | Fees | Expenses | | Total | After Approved | After Pending and Approved |
| | | | Travel | Other | | | Travel | Other | | | |
| Total Claimed/Approved: | | \$7,305.00 | \$590.40 | \$31.86 | \$7,927.26 | \$6,997.50 | \$590.40 | \$31.86 | \$7,619.76 | \$502.50 | \$502.50 |
| Pending Approval: | | \$0.00 | \$0.00 | \$0.00 | \$0.00 | | | | | | |