

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

**NOTICE REGARDING JUDGE GORTON'S STANDING ORDER ON INTERIM
CJA 20 VOUCHERS IN EXCESS COMPENSATION CASES**

Judge Nathaniel M. Gorton has issued a Standing Order regarding the filing of interim CJA 20 vouchers which is designed to facilitate the prompt review and payment of CJA 20 vouchers in cases involving claims for compensation that exceed (by approximately two times) the applicable statutory maximum for felonies and non-capital post-conviction proceedings (currently \$9,700), and other representations.

Interim excess compensation payments are typically allowed only after an attorney's motion for same is granted. Judge Gorton will not require CJA counsel to file a motion for interim excess compensation, but, absent leave of court, will require CJA counsel to file an interim CJA 20 voucher once the total unpaid fees and expenses that appear on the CJA 20 voucher reach \$19,000, and will require the interim CJA 20 voucher to be submitted with a memorandum explaining why the case is "extended" and/or "complex" and the charges sought are reasonable. CJA counsel will also be required to file subsequent interim vouchers once the total unpaid fees and expenses incurred reach \$9,000. Memoranda accompanying second and subsequent vouchers should identify the amounts paid on prior interim vouchers.

Timely filing of interim vouchers once the aforementioned fee totals have been accumulated will enable the court to review the vouchers in closer proximity to the time the services were rendered and reduce the financial hardship to CJA counsel that can result when payment is delayed until the conclusion of a case. This order will apply to cases filed before Judge Gorton on or after the effective date of the attached Standing Order and to all cases then pending before Judge Gorton unless leave of court is granted to proceed otherwise.

May 7, 2010

Sarah Allison Thornton
Clerk of Court

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

**STANDING ORDER RE: THE FILING OF INTERIM CJA 20 VOUCHERS IN EXCESS
COMPENSATION CASES BEFORE JUDGE GORTON**

Whereas, THE District of Massachusetts has adopted a Plan for Implementing the Criminal Justice Act of 1964, 18 U.S.C. §3006A, that provides for the appointment and compensation of private counsel in a substantial proportion of cases; and

WHEREAS, the timely submission of interim CJA 20 vouchers will facilitate the prudent administration of CJA funds and relieve court-appointed attorneys of financial hardships;

The following procedures shall govern the submission of CJA 20 vouchers seeking compensation in excess of the applicable statutory maximum in cases before Judge Gorton, unless leave of court is granted to proceed otherwise:

(1) Counsel shall submit a first interim voucher once the total unpaid fees and expenses (i.e., the amount to be inserted on CJA 20, line 27) reach or exceed \$19,000. Said voucher must be supported by a memorandum that explains why the case is "extended" and/or "complex" and the excess compensation claimed is necessary to provide fair compensation. *See Guidelines for Administering the CJA and Related Statutes, Vol. 7, Guide to Judiciary Policy, Part A, Ch. 2, §§230.23.40, 230.30(b), 230.73.10.*

(2) Thereafter, counsel shall submit subsequent interim vouchers any time the accumulated (and not previously paid) fees and expenses equal or exceed \$9,000. All subsequent interim vouchers must be accompanied by a memorandum that briefly reiterates why the case is "extended" and/or "complex", explains the charges sought and summarizes the amounts paid on all previous interim vouchers.

SO ORDERED.

Nathaniel M. Gorton
Nathaniel M. Gorton
United States District Judge

May 6, 2010
Date

Approved by the Designee of the Chief Judge,
United States Court of Appeals for the First Circuit:

Jeffrey R. Howard
Honorable Jeffrey R. Howard

May 7, 2010
Date

Effective date: May 7, 2010