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# POINTS OF INTEREST

JAC'S NEWSLETTER FOR COURT-APPOINTED  
AND INDIGENT FOR COSTS ATTORNEYS AND  
DUE PROCESS VENDORS

## A Word From JAC's Executive Director

Greetings from the Justice Administrative Commission (JAC)! I hope you find this latest edition of Points of Interest (JAC's Newsletter for Court-Appointed and Indigent for Costs Attorneys and Due Process Vendors) helpful and informative. Included is an update on JAC's planned improvements to its public website and the Online Billing Submission systems as well as other helpful articles. If you are interested in providing feedback, there is a link to a short survey on the last page. Also, JAC will be conducting its annual surveys of attorneys and due process vendors later this year. Please participate in these surveys because the feedback provided helps us identify issues and areas which need improvement. As stated in JAC's Mission statement, JAC's goal is "[t]o support the entities we serve and Florida's judicial system with fiscal controls, best practices, and exemplary service." To that end, please let us know how we can serve you better.



**Rip Colvin**  
JAC Executive  
Director

### Inside this issue:

<b>A Word from JAC's Executive Director</b>	1
<b>JAC Plans for New Website Design and Online Billing</b>	1-2
<b>Overview of Types of Contracts</b>	1, 3-4
<b>FEINs vs. SSNs</b>	2
<b>Duplicate Documents</b>	4
<b>Unique Invoice Number</b>	4
<b>Accounting Requirement in IFC Cases</b>	5
<b>Understanding the Rate Structure</b>	5
<b>Requirements and Tips for Opening Cases</b>	6
<b>Returns v. Audit Deficiencies</b>	7
<b>Tips for Process Server Billings</b>	7
<b>Attorney Fee Billing Tips</b>	8

## JAC Plans for New Website Design and Online Billing

JAC's public website at <https://www.justiceadmin.org> will be updated in early 2017 with a new design layout that is more accessible for smart phones, tablets, and other mobile devices. Improvements in content and design will include new sections for due process providers and judicial staff; an updated Public Records section; as well as other improvements. An improved navigational layout will make it easy for users to quickly drill down to find the information needed.

(Continued on page 2)

## Overview of Types of Contracts

Pursuant to Ch. 27, F.S., JAC has adopted various contracts for attorneys and due process providers. Many of the contracts are now available online through **My JAC**. Based upon inquiries to the JAC Help Desk and other JAC staff, there has been some confusion about which contract(s) an attorney or due process provider should sign to be paid by JAC.

### **Contract for Payments Related to Attorney Services Provided to Indigent Defendants (Registry Contract)**

A private attorney must enter into a Registry Contract when the attorney is on a court-appointed registry (other than the capital collateral registry). A private attorney must also enter into a Registry Contract when the attorney receives off-registry appointments. Starting with the 2016-2017 fiscal year, this contract covers all registry and off-registry appointments made during a fiscal year (July 1st through June 30th). Once an attorney executes this contract, the attorney will not need to enter into another Registry Contract until the next fiscal year (unless execution of a new contract is necessary due to a change in the attorney's tax identification number). The Registry Contract does not cover cases involving privately retained counsel or pro bono counsel. A review

(Continued on page 3)

## JAC Plans (Continued from Page 1)

The **My JAC** secure login at <https://www.justiceadmin.org/login/login.aspx> will also be deployed with the new website design in the spring of 2017. Many improvements and additions will be made to facilitate online billing for attorneys and due process vendors. Informative tips and descriptions throughout the online billing submission systems will be improved. The interface for uploading supporting documentation will now show each document's file size to ensure transmission.

Attorney billing will be enhanced with new layout updates for flat fee and hourly attorney billing that make navigating the steps to submission easier for the attorney. A field for Capital Collateral educational expense reimbursement will also be added.

A major update to online billing for due process vendors will be implemented. This update will provide the ability to fill out and submit JAC's Invoice/Voucher Covers online (generating an electronic JAC voucher cover so a scanned JAC voucher cover is not needed). New upload fields will be added for supporting documentation with improvements to the interface.

This update will also include a new process for attorney certification of due process bills online through **My JAC**. The attorney certifying the due process vendor bills will be able to view supporting documents online and then sign the billing electronically if the attorney approves.

As part of JAC's efforts to improve the billing process, JAC will be implementing a Final Billing Checkbox for Investigator Billing as part of the Online Billing Submission system. Use of this check box will be necessary for billings that are under \$500. Starting with the 2016-2017 fiscal year contract, investigators shall only bill when more than \$500 of unpaid services has accrued on a case or the investigator has concluded services in that case. When the final billing checkbox is selected, the due process investigator will be certifying the completion of all investigative services and that no further billings will be submitted on that case.

JAC will also be phasing out the email address [compliancereview@justiceadmin.org](mailto:compliancereview@justiceadmin.org) in the near future. Since the Online Billing Submission system allows for responses to audit deficiency notices to be submitted as an amendment to the existing billing, a primary purpose of this email address is now served by those systems. Submission of other documents by email will be via [pleadings@justiceadmin.org](mailto:pleadings@justiceadmin.org). Billing questions and other questions should be directed to **JAC's Help Desk**.

## Federal Employer Identification Numbers (FEINs) vs. Social Security Numbers (SSNs)

Last year JAC processed approximately 56,000 bills for direct payment to court-appointed attorneys and due process vendors. These direct payments are processed using one of two types of federal Tax Identification Numbers: a Federal Employer Identification Number (FEIN), or a Social Security Number (SSN). Payments are disbursed via check or electronic funds transfer (EFT) to the bank account associated with a vendor's tax ID.

A SSN is assigned to a person by the Social Security Administration (SSA). This number is used for purposes of obtaining work, recording wages earned, recording credit scores, and collecting various government benefits, including social security. A lost or stolen SSN can allow a person to assume your identity, damage your credit score, obtain fraudulent benefits, and gain access to benefits you earned. In most cases, a SSN can only be assigned, replaced or recovered in person at a SSA office. General information regarding SSNs is available at: <https://www.ssa.gov/>.

A FEIN is assigned to a person or entity by the IRS for business purposes. FEINs may be used to identify your business income for tax purposes for a specific individual or business entity. FEINs are required when an entity has at least one employee on its payroll. FEINs are free, may be obtained online, and provides an extra layer of protection against identity theft. The use of a FEIN keeps your SSN a step removed from persons who would misuse it. It can be sent via email, and printed on invoices without incurring the same risk of identity theft associated with a SSN. General information regarding FEINs is available at: <https://www.irs.gov/pub/irs-pdf/p1635.pdf>.

Increased internet usage to conduct business results in identification numbers being transmitted more often. This results in more opportunity for them to be intercepted and misused. In 2016, 62% of fraud, and 86% of identity theft was made possible through the internet. (Identity Theft Increases Massively available at: <http://virusguides.com/identity-theft-increases-massively/>) An average case of identity theft can take up to 120 days to resolve. (Identity Theft Information for Taxpayers and Victims available at: <https://www.irs.gov/uac/newsroom/identity-theft-information-for-taxpayers-and-victims>)

To protect your identity, JAC redacts all SSNs, and will always use a mask showing only the last four digits (i.e. XXX-XX-1234) when confirmation of your Tax ID is necessary. Nonetheless, JAC highly encourages court-appointed attorneys and due process vendors to utilize a FEIN rather than their SSN when seeking payment for services in order to avoid potential identity theft issues.

## Overview of Types of Contracts (Continued from Page 1)

copy of the Registry Contract is available on JAC's public website. The Registry Contract may only be executed through **My JAC** by clicking on the box labeled **Attorney Registry Contract**.

Although the Registry Contract covers off-registry appointments, the off-registry order of appointment must contain the necessary findings under s. 27.40(7), F.S., in order for the attorney to receive compensation for that appointment.

The Registry Contract only becomes applicable for registry appointments in a particular circuit when an attorney is approved by the Chief Judge for that circuit and JAC receives the circuit's registry. An attorney will need to contact the appropriate local court personnel for information about applying for the circuit's court-appointed registry. A listing of each circuit court's registry personnel can be found at: [https://www.justiceadmin.org/court\\_app\\_counsel/JAC%20Website%20Court%20Registry%20List.pdf](https://www.justiceadmin.org/court_app_counsel/JAC%20Website%20Court%20Registry%20List.pdf).

### **Attorney Contract for Payments Related to Due Process Services Provided to Persons Who Are Indigent for Costs (IFC Contract)**

A private attorney must enter into an IFC contract when the attorney is retained or providing pro bono services to indigent defendants who would otherwise be entitled to appointed counsel under the provisions of Ch. 27, F.S. (IFC Cases). This contract covers all cases in which defendants are found indigent for costs during the fiscal year (July 1st through June 30th). Unlike findings of indigency for appointment of counsel, findings of indigency for costs must be through court order as directed by s. 27.52(5), F.S. The bulk of IFC cases are criminal or delinquency cases. Once an attorney executes this contract, the attorney will not need to enter into another IFC Contract until the next fiscal year (unless execution of a new contract is necessary due to a change in the attorney's tax identification number). A review copy of the IFC Contract is available on JAC's public website. The IFC Contract may only be executed through **My JAC** by clicking on the box labeled **IFC Contract**. If an attorney is on a registry and also has IFC cases, the attorney will need to execute both the Registry Contract and the IFC Contract.

### **Contract for Payments Related to Attorney Services Provided to Capital Collateral Defendants (Capital Collateral Contract)**

For a private attorney appointed to a capital collateral case pursuant to s. 27.710, F.S., to receive attorney's fees and costs, the attorney must enter into a Capital Collateral Contract with JAC. The attorney must enter into this contract within 30 days of receiving a capital collateral appointment. The Capital Collateral Contract is case specific and remains in effect through the duration of a specific case or until the attorney is discharged. A review copy of the Capital Collateral Contract is available on JAC's public website. An executable copy of the Capital Collateral Contract may be obtained from JAC's Contracts Section ([contracts@justiceadmin.org](mailto:contracts@justiceadmin.org)). To obtain an executable contract, the attorney will need to provide the order of appointment and a copy of the Florida Supreme Court opinion affirming the sentence of death.

### **Contract for Payments Related to Due Process Services Provided to Indigent Defendants (Other Than Attorney Fees) (Due Process Vendor Contract)**

These contracts for payment are entered into by due process providers who provide services in court-appointed and indigent for costs cases. These contracts create the mechanism through which JAC makes direct payment to due process providers retained by court-appointed or indigent for costs counsel. JAC contracts with due process vendors for the sole purpose of establishing a process whereby JAC pays the vendor directly for services procured by an attorney working under a JAC Contract or where a court has entered an order on behalf of a pro se defendant. Any contract for services is solely between the attorney (or pro se person) and the due process vendor. There are three types of due process contracts:

#### **Type 1- Due Process Costs Limited to Established Rates**

##### **(Court reporters, interpreters, investigators, process servers, and other ordinary due process service providers)**

The Type 1 Due Process Contract is for vendors providing ordinary due process services in private court-appointed cases such as court reporters, interpreters, videographers, private investigators, mitigation specialists, and private process servers. This contract provides that all services will be compensated at the rates established by law. If a vendor bills in excess of the established rates, JAC is authorized to adjust the billing to the correct rate and process the billing for payment. This contract applies to services provided during the fiscal year (July 1st through June 30th). A review copy of the Type 1 Due Process Contract is available on JAC's public website. The Type 1 Due Process Contract may only be executed through **My JAC**.

#### **Type 2 (Extraordinary due process service providers such as psychologists, medical doctors, and forensic experts)**

The Type 2 Due Process Contract is for vendors providing extraordinary services such as psychologists, psychiatrists, medical doctors, and experts. Although these services should be at the established rates, the contract provides a mechanism to exceed

*(Continued on page 4)*

## Overview of Types of Contracts (Continued from Page 3)

those rates where the vendor's expertise or other factors warrant compensation at a rate higher than established rates. Except in exceptional circumstances, the Type 2 Due Process Contract will not be executed with vendors of ordinary due process services such as court reporters and private investigators. This contract applies to services provided during the fiscal year (July 1st through June 30th). A review copy of the Type 2 Due Process Contract is available on JAC's public website. The Type 2 Due Process Contract may only be executed through **My JAC**.

### **Non-Standard (Experts and other providers providing services on a single case)**

The Non-Standard Due Process Contract is case specific. It will only authorize due process services for a particular case. Otherwise, it mirrors the Type 2 Due Process Services Contract. The Non-Standard Due Process Contract is generally used for out-of-state vendors and in other instances where JAC is unable to accept a Type 1 or Type 2 Due Process Contract. Before an executable copy of the Non-Standard Due Process Contract can be finalized, a due process vendor will need to provide JAC with a court order authorizing their services. The vendor may submit the order via email to [contracts@justiceadmin.org](mailto:contracts@justiceadmin.org). The Non-Standard Due Process Contract remains in effect through the duration of a specific case. Instructions for completing the Non-Standard Due Process Contract and an executable copy of the contract are posted on JAC's website.

## Duplicate Documents

JAC has an Electronic Document Management System (EDMS) in place to store documents received on each case. Once a document is submitted, please do not resubmit the same document when submitting new billings. JAC auditors must review every document submitted with a billing to ensure it is not a duplicate document.

For example, a due process vendor has been billing JAC since 2011. Each time a new billing packet is submitted through the Online Billing Submission system and the vendor uploads all the orders on the case since 2011, JAC auditors must then review each order and verify if the documents are on file in the EDMS. Therefore, the submission of duplicate documents lengthens the auditing process. This can result in longer processing times for billings submitted to JAC.

It is not necessary to submit case opening documents, such as orders of appointment, charging documents, or orders finding defendants indigent for costs every time a motion is emailed to [pleadings@justiceadmin.org](mailto:pleadings@justiceadmin.org) or a billing is submitted to JAC. Once a document has been docketed by JAC, it is maintained in JAC's EDMS through case closure. It is more time consuming for all parties involved when duplicate documents are submitted.

Finally, when responding to audit deficiencies, please do not resubmit the entire billing packet or a new billing packet. Instead, please submit the requested information online using the tracking number assigned to the original billing. Submitting a new billing is only necessary when JAC returns/rejects a billing for payment.

## Unique Invoice Numbers

When submitting billings, please use a unique invoice number for each invoice submitted to JAC. This applies even when submitting invoices on different cases. The use of a unique invoice number will help to identify a particular billing. If there are questions about an invoice, having a unique invoice number will make it easier to locate that billing in JAC's Online systems as well as allow the Help Desk to identify that invoice.

When creating unique invoice numbers please keep in mind:

- The maximum length for invoice number is nine digits.
- The invoice number listed on the voucher cover **must** match what is entered into the Online Billing Submission system.
- The invoice number may be alphanumeric; however please refrain from using common invoice numbers such as "12345" or "0001", as many other vendors and attorneys have used similar invoice numbers. Please refrain from using the "#" symbol in your invoices because this can create issues with JAC's Online Billing Submission system.
- Please do not use "0" or "NA" as invoice numbers.
- Please do not leave the invoice number section blank.

If you are amending a pending billing or responding to an audit deficiency, you do not need to submit a new billing. Instead, you should amend the existing billing using the JAC tracking number provided when you originally submitted your billing.

## Accounting Requirement in Indigent for Costs Cases

In cases where the defendant is found indigent for costs under s. 27.52(5), F.S., defense counsel is required to submit an accounting of the defense costs paid by state upon the defendant's conviction. As part of its review process, JAC staff verifies the status of the case upon submission of billings. If the case has concluded with a conviction, further payments by JAC cease until an accounting has been filed in the matter.

Upon conviction, a defendant is liable to pay the amount of any due process costs provided by the state and the clerk of court as directed by s. 27.52(5)(i), F.S. If the defendant is convicted, the attorney representing the defendant is responsible for providing an accounting to the trial court delineating the costs expended on behalf of the defendant within 90 days after disposition of the case, notwithstanding any appeals. The trial court shall then enter an order determining the amount of costs paid which will thereafter be recorded by the clerk as a lien against the defendant. The lien is enforceable in the same manner as provided in s. 938.29, F.S.

A copy of the accounting must be served on JAC via [pleadings@justiceadmin.org](mailto:pleadings@justiceadmin.org). If the accounting is filed within 90 days of final disposition, JAC will continue to process any outstanding billings for that case as long as those costs are reflected in the accounting. However, if the accounting is not filed within 90 days, the attorney will also need to provide the order imposing a lien pursuant to ss. 27.52(5)(i) and 938.29, F.S. JAC needs the order to establish that the trial court was willing to impose the costs on the defendant even though the accounting was untimely.

**If the attorney fails to provide a complete accounting such that costs are not included in the accounting/lien order, JAC is not authorized to pay or reimburse any such costs that remain unpaid.**

To facilitate an accounting, JAC can provide a certificate indicating the amount of invoices paid by JAC and the amount of pending invoices received by JAC that have not been processed for payment. The certificate will only address those billings that JAC has received as of the date of application. It will not include any invoices which have been returned or rejected for payment. It is the attorney's responsibility to ensure that all billings have been submitted prior to JAC's issuance of a certificate. The form to apply for a **certification of costs** is available on JAC's website at:

<https://www.justiceadmin.org/IFC/application%20for%20certification%20of%20costs%206-26-15.pdf>

The certification of costs will not include any costs related to the court, clerk of court, or sheriff for which prepayment was waived pursuant to s. 57.081, F.S. Ultimately, it is the attorney's sole responsibility to provide a full accounting to the trial court of any costs paid by JAC and other state entities for the defense of the case.

## Understanding the Rate Structure for Attorney and Due Process Vendors

**JAC's role in setting rates for attorneys and due process vendors is very limited.** JAC's primary responsibility is to review billings for compliance with statutory and contractual requirements pursuant to the terms of ss. 27.40, 27.52(5), 27.5304, and 29.007, F.S. Each year, the Legislature sets the actual rates for attorneys and due process vendors for that fiscal year in the General Appropriations Act. JAC does not lobby to change these rates. Instead, upon request from legislative staff, JAC provides data on the fiscal impact of any potential rate changes so that sufficient funds are budgeted to address any changes in the rate structure.

For attorneys, the applicable flat fees are determined by the date of appointment. JAC maintains flat fee rate charts on its website showing the applicable flat fees based upon the date of appointment. For due process vendors, the applicable rates for a fiscal year are also posted in rate charts on JAC's website. Currently, there are uniform statewide rates for court reporter services, investigators, and mitigation specialists in capital death cases. For other due process services, the rates are based upon the rates in effect as of June 30, 2007 (the rates adopted by local Indigent Services Committees as posted on JAC's website).

## Notice of Corrective Action

As part of JAC's ongoing efforts to improve the billing process, JAC will be implementing a Notice of Corrective Action in an effort to reduce deficient billings. When JAC receives a deficient billing, JAC staff may be in a position to resolve the deficiency through various online sources. When JAC is able to resolve a billing in this fashion, JAC staff will issue a Notice of Corrective Action to advise the attorney or due process vendor of the problem with the billing so that the issue can be avoided in the future while still processing the billing for payment.

The goal behind the Notice of Corrective Action is to facilitate payment of a billing while advising the attorney or due process vendor of the billing issue for the future. JAC hopes to use this Notice to reduce barriers to payment while educating attorneys and due process vendors so that their future billings do not contain similar errors. It remains the responsibility of the attorneys and due process providers to provide all of the documentation necessary to support their billings in the initial submission.

## Requirements and Tips for Opening Cases

Before billings can be submitted on a case, the case needs to be opened in JAC's system. As JAC continues its transition to online billing, the need to open cases timely becomes more important. Attorneys and due process providers cannot submit a billing through JAC's Online Billing Submission system until the case has been opened in JAC's system.

For private court-appointed cases, the preferred method to open the case is via JAC's Online Case Opening system through **My JAC**. Alternatively, the attorney may submit the case opening documents via email to [pleadings@justiceadmin.org](mailto:pleadings@justiceadmin.org). Once the order of appointment and other case opening documents have been docketed (such as the charging document in criminal cases), the case will be open for billing submission purposes.

For indigent for costs (IFC) cases, the process is a little more involved. IFC cases cannot be opened through the Online Case Opening system. Instead, the attorney needs to submit (via [pleadings@justiceadmin.org](mailto:pleadings@justiceadmin.org)) the motion to declare the defendant indigent for costs, a completed application for indigency, an affidavit concerning the estimated attorney fees and the payment source for those fees, and the charging document (if available). JAC will then open the case in JAC's system and respond to the motion. If the motion is granted, the attorney will then need to submit the order declaring the defendant indigent for costs (IFC Order) also via [pleadings@justiceadmin.org](mailto:pleadings@justiceadmin.org). Once the IFC Order has been docketed, the case will be open for billing submission purposes.

### General Tips for Opening Court-Appointed Cases

- Before entering a new case, search JAC's database in **My JAC** to verify the case is not already open.
- Use the case number listed on the order of appointment to open a new case instead of the invoice number. Upload the order of appointment and charging document separately under their respective areas, instead of together.
- With limited exceptions, the order of appointment needs to reflect that Office of Criminal Conflict and Civil Regional Counsel has a conflict precluding representation. The exceptions include appointments to guardianship cases (Ch. 744, F.S.), judicial waiver of parental notice of abortion cases (s. 39.01114, F.S.), and children with special needs in dependency cases (s. 39.01305, F.S.).
- For off-registry appointments, the order of appointment should indicate the basis for an off-registry appointment. Pursuant to s. 27.40(7), F.S., the order needs to find that there were no registry attorneys available or other good cause for the off-registry appointment.
- The attorney should review all documents for the case number, legibility of the document, and legible signature/certification of the judge before uploading. This is particularly important when scanning color documents, such as orders of appointment. Color scans should be converted to black and white documents before being uploaded.

### Dependency/Termination of Parental Rights (TPR) Tips

- Use **New Court Appt** under sequence label only when the attorney is being reappointed to a Dependency case after the case is reopened. Use **TPR** under sequence label when entering a TPR case instead of **New Court Appt**.
- Dependency/TPR Petitions are not required for case opening. Do not redact the initials of the children on orders of appointment. The initials of the children and the name of the parent need to be clear on the order of appointment submitted to JAC. If the parent's name is not included on the order of appointment, please annotate the parent's name on the order.
- Pursuant to s. 27.5304(6), F.S., the addition of a new child to an existing case is not a new case for billing purposes even if a new case number is assigned. Please do not open a new case when a new child is added to an existing dependency case.
- JAC only has authority to pay for appointment to parents under Ch. 39, F.S., and for children with statutorily specified needs under s. 39.01305, F.S. **JAC has no authority to pay for appointments for legal custodians, grandparents, or stepparents.**

### Criminal Case Tips

- Generally, the attorney must submit the information or the indictment for felony cases, or the petition for juvenile delinquency cases. If no information, indictment or petition was filed, a notice of non-action, docket entries, or other court pleading must be submitted to establish that case status. Police Reports/Notices to Appear are acceptable for Misdemeanor and Traffic Cases.
- For violation of probation cases, the affidavit of violation of probation must be provided. For postconviction cases, the pertinent portions of the motion for postconviction relief must be provided. For appellate cases, both the charging document and the notice of appeal must be provided.
- If there are pleadings/documents that elevate the charge for billing purposes, please include those with the charging document. In particular, this applies to first degree felonies that become punishable by life because of a sentencing enhancement not represented in the charging document.

## JAC Billing Process: Returns v. Audit Deficiencies

JAC's role is to audit and process billings for submission to (and in order to avoid rejection by) the Department of Financial Services (DFS). With this in mind, a general understanding of the JAC audit process might help to ensure quick and efficient processing of your invoices. JAC receives billings from attorneys and due process providers; audits them for statutory and contractual compliance; and forwards compliant billings to DFS for payment. When JAC receives a billing with incorrect information or missing documentation that may represent a potential state liability, JAC responds as follows:

- Correcting the billing and processing it to DFS for payment;
- Sending a deficiency notice identifying the deficiency(s); or
- Returning/Rejecting the billings for possible correction and resubmission as a new billing.

When uploading a billing (or request for billing reinstatement) through **My JAC**, the submission goes into a queue with many others throughout the state. The status of the billing will not change on the website until the submission has been reviewed, at which time it would generally be processed for payment unless there is a deficiency. Although, processing time is often quicker, this can take up to three weeks or more depending on the type of billing and number of billings in the queue.

### Audit Deficiency Notice

If an Audit Deficiency Notice is received, please review the notice for an explanation of the deficiency. The auditor will typically request missing information, clarification, or documentation that will allow the auditor to process the billing for payment. To respond to a Notice of Audit Deficiency:

- Login to **My JAC** and click on Attorney Invoice Submission OR Due Process Invoice Submission, as appropriate (on the left side of the screen).
- Go to Step 2 and search for the case and click on the appropriate case number when it loads.
- Check the box that says, "Please check \_\_\_ if you are amending/adding documents, or responding on an audit deficiency to an existing invoice for this case."
- Use the drop down to select the tracking number for the bill.
- Amend as needed including uploading required documents and signing the request for billing reinstatement at the bottom of the Notice of Audit Deficiency.
- Click the online billing certification link and submit.

### Notice of Return Voucher

If a Notice of Return Voucher is received, please review the notice for an explanation of the billing issue(s). For example, the Notice may reflect the billing is not payable because it is a duplicate submission or lacks a proper signature (such as only initials). For billings that can be cured, all issues listed in the notice will need to be resolved and the entire billing packet resubmitted through **My JAC**. Unlike audit deficiencies, the original billing cannot be amended. Please use a modified invoice number (e.g., 123 would become 123A) as the system will not accept a duplicate number.

## Tips for Process Server Billings

- Check the rate for your circuit.
  - 1) The following circuits have an established rate of \$20: 5th, 9th, 11th and 13th Circuits
  - 2) The following circuits have an established rate of \$25: 2nd, 4th, 10th and 18th Circuits
  - 3) All other circuits require a motion and order authorizing private process servers. The motion and proposed order will need to contain the rate authorized. Generally, the rate for private service of process should be between \$20 to \$25.
- Each individual's name and date of service or non-service must be entered into the voucher cover. If additional entries are needed, please attach a separate sheet listing the names and dates of service or non-service. The return/affidavit of service must be included as part of the billing packet. The return of service should include the name and address of the witness served, the date and time of service, the type of service, and the date of the hearing or deposition. If this information is not included in the return of service, a copy of the subpoena should also be provided.
- JAC generally does not pay for subpoenas served on in-county Law Enforcement Officers, State Attorneys, or Inmates. If there are exceptional circumstances that warrant private service of process of these individuals, the attorney must file a motion justifying private service of process.
- Rush service always requires a motion to justify the need for such services. Similarly, out-of-state service of process also requires a motion. The rate authorized for rush or out-of-state service must be included in the motion and proposed order.



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## Attorney Fee Billing Tips

When billing for attorney fees and costs including extraordinary fees/hourly billing, the following tips may help expedite the processing of your billing:

- Make sure the case has been previously opened in JAC's database. A case may be opened through the Online Case Opening system available at [My JAC](#).
- When submitting online documents, please submit them as separate files, i.e., the order of appointment should be submitted separately from the charging document. Do not create separate files for each page of a document. All documents submitted need to be legible and scanned right side up. Documents should be scanned in black and white, with a resolution no greater than 300 DPI.
- Total file size must be less than 20 MB (megabytes) for all documents. If the combined file size for the invoice and all of the documents exceeds the 20 MB limit, then proceed to submit your invoice and the court documents (such as the disposition) and part of the remaining documents (such as the hourly statement or progress docket) so that the total file size of the documents does not exceed 20 MB. Once the invoice is submitted, then a tracking number will be issued with regard to that invoice. The tracking number can be used to amend the billing through [My JAC](#) and upload any remaining documents that were not previously uploaded.
- Make sure that any hourly statements/timesheets are typewritten and legible. JAC no longer accepts handwritten hourly statements.
- When submitting an hourly billing, enter any prior flat fee payments on the case for which JAC is entitled to offset against the hourly billing.
- Remember to enter all case numbers where there are multiple cases for the same defendant in a criminal case or multiple cases for the same parent in a dependency case when the cases involve concurrent representation of the client on those cases.
- If billing for reimbursement of travel costs, please remember the traveler (such as due process vendor) and the attorney must completely fill out the Department of Financial Services travel voucher and sign the travel voucher. An Excel version of the travel form is available on [JAC's Website](#).
- Please remember to scan and upload any necessary receipts, proofs of payment, expense logs, or other documentation supporting any costs for which reimbursement is being sought.
- Please make sure that the bill is signed with a full signature (first and last name). Billings will be rejected with only initials for signatures.

Regarding billing for criminal cases, if an attorney has been appointed to more than one case for the same defendant within a thirty (30) day period or more than one case for the same defendant reaches final disposition within a thirty (30) day period, the attorney must bill simultaneously for all cases appointed to that defendant. An attorney shall not seek to bill one or more of the cases on a flat fee basis if the attorney is seeking extraordinary fees on any other case for the same defendant.

For attorneys who will be submitting substantial hourly billings, the attorney may wish to obtain a program that allows the creation, modification and annotation of documents in PDF format. There are many programs available for this purpose. Such a program can substantially reduce the size of files by numerous means such as directly converting a file generated in Microsoft Word or Excel into PDF format or by converting an existing PDF file to reduce its file size. These programs can also allow for annotation of documents to highlight pertinent information (such as a single sentence in a lengthy order) or redact confidential information (such as social security numbers).