

Compensation of Paralegals, Legal Assistants, and Law Students

The Judicial Conference of the United States approved an amendment to the Guidelines for Judicial Policy and Procedures to provide for explicit authorization and compensation (at rates less than those paid to appointed counsel) for paralegals, legal assistants, law students, and other non-secretarial professional support personnel employed by appointed counsel.

For compensation for these professional support personnel, counsel should fill out a CJA Form 21 (or Form 31 in death penalty cases), including an explanation of the work performed, the number of hours expended, and the rate requested. This form should be mailed to the clerk's office along with counsel's final voucher at the end of the case. No prior authorization is required.

As of January 1, 2010, the statutory maximum payment on a CJA Form 21 for paralegals/legal assistants/law students is \$1,600.00, exclusive of expenses reasonably incurred. The statutory maximum on a CJA Form 31 (death penalty appeal) is \$7,500.00, exclusive of expenses reasonably incurred. Requests for compensation above these statutory maximums must be accompanied by a justification statement that the services are necessary to provide fair compensation for services of an unusual character or duration. Such requests for compensation will be submitted to the Chief Judge for final approval.

Forms 21 and 31 may be downloaded from the court's web site at:

<http://www.ca8.uscourts.gov/cja-forms-instructions>

Counsel should indicate whether the reimbursement check should be made payable to counsel's law firm or the individual paralegal/legal assistant/law student and include the appropriate social security number or EIN number.

For questions, please call Diane Hogenmiller (314-244-2414) or Robin Weinberger (314-244-2434).