

**TRAVEL RULES FOR COURT-APPOINTED COUNSEL
IN THE COURTS OF APPEALS
Updated 2/28/2023**

The guidelines referenced below are JCC issued travel guidelines and policies that are applicable to Court-Appointed Counsel program in the Courts of Appeal. Appointed counsel must use these rates not those used by state or federal employees.

Receipts for travel expenses must be retained as documentation for claimed expenses. Although receipts need not be submitted with a claim, the project or the JCC may request a copy when reviewing a claim. (Please refer to the JCC’s separate policy on retaining expense receipts.)

Court-appointed counsel are always expected to make all travel decisions based on the least costly method of travel.

1. **Time**—Overnight travel—panel attorneys should provide the day, month, and year of the travel. Include the departure time and the return time.
2. **Location/Type**—Provide the location of where the expense was incurred, the type of expense, and the purpose of the trip on your claim form.
3. **Lodging**—For cases where counsel was appointed on or after January 1, 2017, the maximum reimbursement rate for lodging is based on county (see list below) plus taxes per evening.

Maximum rate list by county:

\$150 in San Francisco County

\$140 in Alameda, San Mateo, and Santa Clara Counties

\$120 in Monterey, San Diego, Los Angeles, Orange, and Ventura Counties

\$110 in all other counties not listed (which includes Sacramento and Fresno)

- Panel attorneys are expected to seek out the most reasonable lodging and to use free hotel shuttle when available.

4. **Meals**—For cases where counsel was appointed on or after January 1, 2017, the state rates for meals are the actual cost up to but not more than:

\$8.00— Breakfast

\$12.00—Lunch

\$20.00—Dinner

- Meals are only reimbursed for overnight trips that qualify for per diem allowances. (Please refer to the per diem expenses policy.)

5. **Transportation**—Transportation costs will only be reimbursed for the least costly and most efficient mode of travel. For example, if a panel attorney chooses to drive to their destination but it is less expensive to fly, the attorney will only be reimbursed for the cost of flying. The

attorney may provide to the project a MapQuest showing the mileage from their departure location to their destination location and a copy of an airfare estimate.

Driving: If the attorney drives, please provide the mileage from point to point.

- The current mileage rate for court-appointed counsel is \$0.50;
- Travel to visit the client in prison, if round trip is over 50 miles, must be preauthorized by CCAP. (See Preauthorization for Travel rules.)

6. Carfares and Parking– Carfare and parking expenses should be kept to a minimum. When traveling to and from an airport, a shuttle or other form of public transportation should be used.

- Use of a taxi will not be reimbursed, unless it is shared and the cost is less than a shuttle. If the panel attorney does use a taxi, the attorney will only be reimbursed up to the cost of the least expense form of travel.
- Parking is reimbursed based on the least costly parking method. When using airport parking, the attorney must use the least expensive long-term parking lot. Valet parking is not reimbursable, therefore, use self parking.
- Rental cars are not reimbursable unless it is unavoidable. In general reimbursement will be made for round-trip mileage only, at \$.50 per mile. When it is absolutely necessary, the use of a rental car must be pre-approved by the project director or assistance director.

7. Traveling from Out of State– Current statewide travel policy is to reimburse the attorney for round-trip travel to their destination from the nearest California border. The attorney will need to calculate, and the project must verify, the least expensive mode of travel. If driving, calculate the cost from the border to your destination to compare to travel by train or air from a border point of entry into California. Sometimes, the cheapest mode of travel may be a direct flight from say Chicago to San Diego. This would be allowable as long as it is less expensive than the cost of time and mileage from the border to the destination.

8. Ride-Shares (recommended) and Parking– Rates are researched as of 2/28/2023; *claim your actual cost and retain a receipt.*

Nearest airports for the Third and Fifth District Courts of Appeal:

Shuttles and Parking at Court Location Airports			
Court	Airport	One way Transportation Rate	Economy/Long Term Parking Cost***
Third	Sacramento (SMF)	*	\$10.00 plus tax
Fifth	Fresno (FAT)	**	\$8.00 plus tax (day) \$14.00 + tax (overnight)

***Third District:** The least expensive option to/from the Court of Appeal is a ride-share option such as Uber or Lyft at ~\$20 each direction; ask for a receipt. SuperShuttle Express, curbside cabs for hire, and car rentals are also *not* recommended as being far more expensive by comparison.

**** Fifth District:** Research to compare current taxi rates to ride-share such as Uber or Lyft as both are available at Fresno Airport to/from Court of Appeal; ask for a receipt.