

To: CCAP Panel Attorneys
Updated: June 25, 2014

BILLING RELATED TIME M E M O R A N D U M

The purpose of this memo is to assist panel attorneys in entering their hours in the correct line items of their compensation claims, especially in categories for related time. In the past, the correct usage of some line items has been unclear, resulting in ambiguity and lack of uniformity. Here are some principles that should help:

(1) Time spent on a subject, *whether completed or not*, should be on the line item for that subject, not on a line for “other” services.

- For example, preparation for oral argument should be on the *oral argument* line (not Line 24) even if the ultimate decision is to waive argument.
- Similarly, work in considering a reply brief should be on Line 8 and preparation for (including investigation) relating to a habeas petition should be on Line 11, even if a brief or petition is not filed. (See more on *Habeas Billing Time and Expense Memo*: http://www.capcentral.org/claims/guidelines/billing_habeas_time_062514.pdf.)
- Attorneys should indicate in the comment/explanation section of the appropriate line item whether the oral argument was made or a brief or petition was filed and provide the date of the argument or the date the court filed the pleading and/or a comment describing the work done.

(2) Communication with the client and the trial attorney should be entered on Line 1 with exceptions for some habeas-related work:

- This includes providing information to the client or trial attorney, such as explaining how a habeas petition works or the reasons for deciding not to file a habeas petition. (See more on *Habeas Billing Time and Expense Memo*: http://www.capcentral.org/claims/guidelines/billing_habeas_time_062514.pdf.)
- Whenever claiming hours greater than the guideline, one should always include an explanation.
- All communications with persons other than the client or trial counsel should be entered on Line 23.

(3) Line 11 is for habeas corpus related work when billed along with the related appeal. A stand-alone habeas appointed case is billed with time on the related line numbers 1-24:

- See *Habeas Billing Time and Expense Memo*: http://www.capcentral.org/claims/guidelines/billing_habeas_time_062514.pdf

We hope these clarifications are helpful.