

## HANDOUT FOR CONTRACT COURT INTERPRETERS

### **Services Provided Under CJA (Criminal Justice Act)**

The Criminal Justice Act of 1964, as amended (18 U.S.C. § 3006A) requires each United States District Court to place in operation a plan for furnishing representation for any person financially unable to obtain adequate representation under certain circumstances. This Court has established such a plan. This Criminal Justice Act Plan (CJA) provides counsel appointed under the plan payment of fees and expenses as well as payment for investigative, expert, and other services counsel has incurred. Interpretation and translation services are considered expert services within the scope of this plan.

In general, pre-trial interpretation and translation services provided to appointed counsel, away from the courthouse, are payable under CJA. When the service is rendered during the same half or full day of a court appearance, it is considered part of the interpreter's half or full day service and cannot be billed separately or in addition to the half or full day. Interpreters must maintain contemporaneous time and attendance records for all work performed, as well as expense records. Such records, which may be subject to audit, must be retained for three years after approval of the interpreter's final voucher for a case.

When services are to be billed to CJA, interpreters should follow these guidelines to expedite payment:

1. Prior to beginning work requested by the CJA attorney, if the interpreter estimates the cost for services is expected to exceed \$800.00, exclusive of expenses, prior Court authorization to obtain the services should be obtained by the attorney of record. This process is done by the attorney who will submit an ex-parte CJA 21 voucher.

2. When the case has ended or the court appointed attorney is certain the interpreter's services are complete and will not be used again in the case, the attorney will send the original CJA 21 voucher to the interpreter.
3. When submitting a CJA voucher for **written translations**, attach a separate invoice detailing the numbers of billable words, rate per word, and the type and purpose of the document(s) translated. Interpreters should refer to the rates the Department of State pays for written translation of documents.
4. When submitting a CJA voucher for **tape/CD work**, attach an invoice reflecting the actual time worked, rounded off to the nearest 1/10 hours multiplied by hourly rate.

The hourly rate paid for interpreting services should be in accordance with the Administrative Office established fee schedule for the interpreter's classification level at the full-day rate divided by eight hours.

5. When the voucher is received from the attorney, the interpreter will complete the portion of the voucher entitled "Claim for Services and Expenses"- boxes 16 and 17.

In box 16a of the voucher, indicate the amount of compensation you are claiming for the service provided. In box 16b indicate any travel expenses, and in box 16c indicate other expenses incurred in performing your duties. Complete all items in box 17, sign and date.

6. Interpreters should review their vouchers to ensure that they do not contain errors, duplicate payment claims, or other improper charges. Any overpayments are subject to collection, which may include deduction of amounts due from future vouchers.
7. Make a copy of the CJA voucher and any supporting documentation for your records. Deliver the completed CJA voucher and any supporting documentation to the attorney of record who will then certify the interpreter's service, and complete box 18. The attorney of record will return the completed CJA voucher to the Clerk's Office for review and payment. Incomplete CJA vouchers will be returned to the attorney of record, which will delay payment to the interpreter.