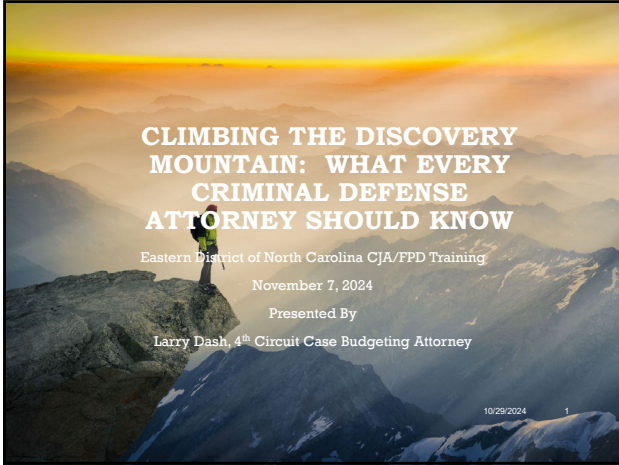




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## WHEN TO BUDGET

When You Anticipate Your Case Will  
Exceed 300 Hours of Attorney Time

When You Anticipate Your Case Will  
Exceed \$52,000

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## HOW TO BUDGET

Currently Using Electronic Budgeting  
Application

Call me at 804-916-2177 or email me at  
Larry\_Dash@ca4.uscourts.gov  
for access to the Program

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## HOW TO SUBMIT YOUR BUDGET

Submit the Budget in eVoucher using the  
BudgetAUTH function

I will give you specific Step-by-step instructions  
on how to file

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### TYPES OF RESOURCES THAT MAY BE AVAILABLE

|                                    |                                      |
|------------------------------------|--------------------------------------|
| • Accountant                       | • Jury consultant                    |
| • Ballistics expert                | • Legal analyst/Consultant           |
| • Computer assisted legal research | • Litigation support services        |
| • Chemist, toxicologist            | • Mitigation specialist              |
| • Computer (hardware, software)    | • Other                              |
| • Computer forensics expert        | • Other medical expert               |
| • Documents examiner               | • Paralegal                          |
| • Duplication services             | • Pathologist                        |
| • Fingerprint analysis             | • Polygraph                          |
| • Hair/Fiber analyst               | • Psychologist                       |
| • Interpreter/translator           | • Psychiatrist                       |
| • Investigator                     | • Voice/Audio analyst                |
| • Statisticians                    | • Weapons/Firearms/Explosive analyst |

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### DUTY TO YOUR CLIENT

NC Rules of Professional Conduct Rule 1.1

Duty to render competent representation including understanding the benefits and risks associated with the technology relevant to your practice

NC Rules of Professional Conduct 1.3 and ABA Criminal Justice Standards for the Defense Function 4-4.6

Duty to monitor your workload and ensure adequate time to carry out your responsibilities

CJA Plan Section XI.C.1. Duties of CJA Panel Members

Attorneys must have facilities, resources, and technological capability to effectively and efficiently manage assigned cases

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**DUTY TO INVESTIGATE**

NC Rules of Professional Conduct 3.1

Counsel's duty to inform themselves about the facts of the client's case and applicable law

ABA Criminal Justice Standards for the Defense Function 4-4.1

Defense counsel's duty to conduct an independent investigation of the "circumstances of the case"

ABA Standard 4-8.3

Defense counsel's duty to "verify" PSR

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**DUTY TO CONSIDER HIRING A  
PARALEGAL, INTERN, OR OTHER  
LITIGATION SUPPORT PERSON  
TO FURTHER YOUR CASE**

Electronic Evidence is the New Normal

No Going Back

Must Fully Accept that Electronically Stored Information (ESI) is Here to Stay

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**VOLUME OF DISCOVERY IN  
DAYS PAST**



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## ORGANIZATION OF DISCOVERY IN DAYS PAST



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## VOLUME OF DISCOVERY TODAY



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## DISCOVERY

- Voluminous
  - 1 TB could be about 3.5 million documents
  - 1 TB may be about 2 million photos

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# ORGANIZATION OF DISCOVERY IN THE ELECTRONIC ERA



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# WAYS TO USE A PARALEGAL, INTERN AND/OR LITIGATION SUPPORT TO FURTHER YOUR CASE

Obtain  
Discovery -  
Organize, Index,  
and Analyze

Prepare  
Summaries,  
Outlines, and  
Chronologies

Create, Update,  
and Maintain  
eDiscovery Data

Conduct  
Automated  
Searches of  
eDiscovery

Draft Affidavits,  
Motions, Trial  
Memorandum,  
Subpoenas, etc.

Obtain Jury List  
and  
Biographical  
Information on  
Jurors

Prepare Trial  
Notebooks,  
Organize and  
Mark Trial  
Exhibits

Work with  
Experts,  
Consultants and  
Witnesses

Gather and  
Prepare  
Sentencing  
Information

Research the  
Law

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# WAYS TO USE AN INVESTIGATOR TO FURTHER YOUR CASE

Find New Leads / Evidence / Witnesses  
Meetings with Client  
Public / Social Media Profile  
Prep for Cross Examination  
Obtain Mitigating Evidence  
Crime Scene Reconstruction

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### HOW DO I FIND AN INVESTIGATOR, INTERN, OR PARALEGAL

- Fellow CJA Attorneys
- Your CJA Panel Representative
- Colleges/Universities/Law Schools
- Professional Organizations
- Federal Public Defender/Case Budgeting Attorney

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### GUIDE TO JUDICIARY POLICY VOLUME 7, CHAPTER 3 (SEE 18 USC § 3006A(E))

\$1,000 maximum, without prior approval (all Service Providers combined)

\$3,000 maximum, with prior approval by District Court Judge (per Service Provider)

Anything above \$3,000 needs Circuit Court Chief Judge approval

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### GUIDE TO JUDICIARY POLICY VOLUME 7, CHAPTER 3 (SEE 18 USC § 3006A(E))

**Waiving the Case Compensation Maximum**

Advance Approval should be obtained from the court and the Chief Judge of the Circuit (See § 310.20.20(b))

**Without Prior Authorization**

May be waived if the judge finds “in the interest of justice,” “timely procurement could not await prior authorization” (See § 310.20.30(b))

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**EFFECTIVE REQUESTS**

Who?  
What?  
Where?  
When?  
Why?  
How?



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**UNITED STATES DISTRICT COURT**  
**EX PARTE REQUEST FORM SEEKING ADVANCE AUTHORIZATION**  
**FOR INVESTIGATIVE, EXPERT, OR OTHER SERVICES**

Name of Attorney:

Case Name:

Name of Service Provider:

Hourly Rate Requested:

Number of Hours Requested:

Total Amount Requested:

Justification for Requesting Service:

Provider's Relevant Experience and Qualifications (attach a CV if appropriate):

Fee Arrangement, if Applicable:

Brief Explanation of Services and Expenses to be Included:

Whether You Anticipate Requesting Additional Services/Funding from This Provider (if so, please provide details):

Attorney's Electronic Signature:

Date:

Case No.:

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**GETTING YOUR SERVICE PROVIDER PAID**

Use an Engagement Letter

Monitor their hours and work

Submit their vouchers before you file your own final voucher

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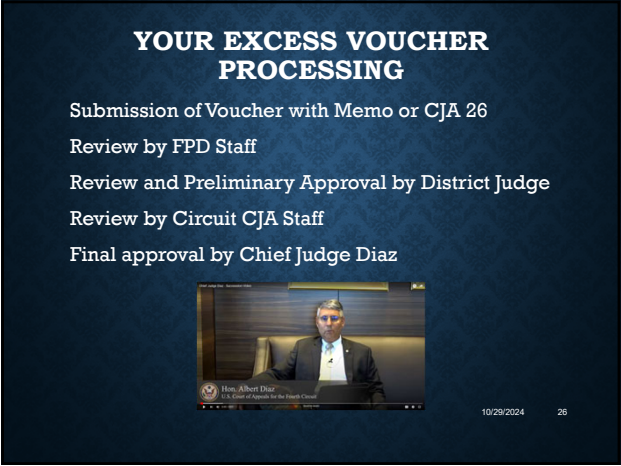
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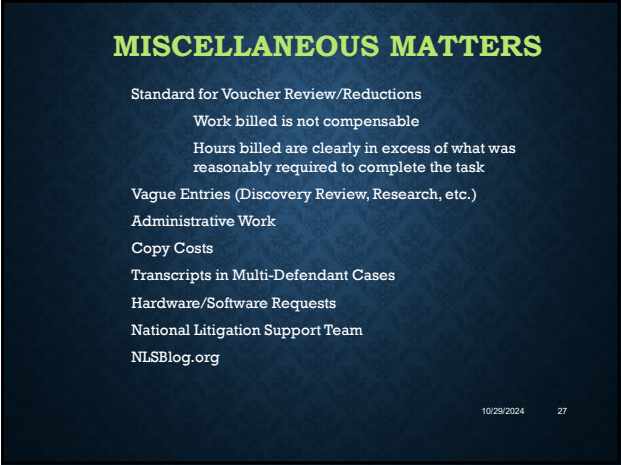
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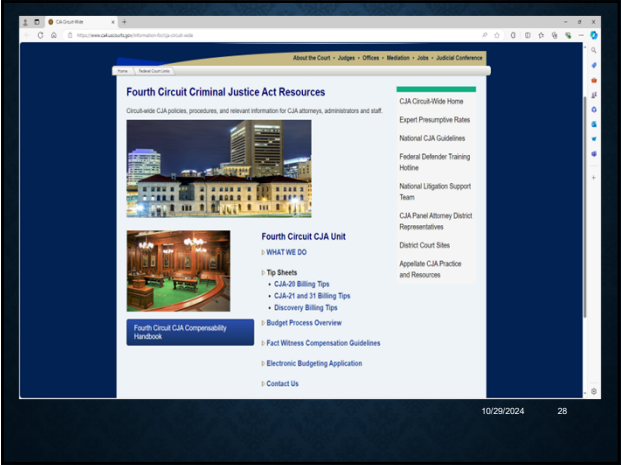
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