

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF FRESNO**

CLAIMS PROCESSING POLICY FOR COURT-APPOINTED VENDOR

(EFFECTIVE – JULY 30, 2020)

1. MAILING ADDRESS FOR SUBMISSION OF CLAIMS:

- Submit claims via U.S. Mail to: **Court Claims Processing, Fresno Courthouse, 1100 Van Ness Avenue Floor 1M, Fresno, California 93724.**
- Submit claims via hand-delivery to: **Fresno Courthouse, 1100 Van Ness Avenue, Fourth-Floor, Room 401, Claims Processing Window #6, Fresno, California.**
- Claims submitted via facsimile and/or email will be rejected.

2. COMPENSATION:

- The Superior Court and/or the County will compensate court-appointed attorneys for pre-approved services and expenses until the case is completed at the Superior Court level.
- Fees for services concerning hearings before the District Court of Appeal shall be determined by the supervising judge of the case specific division of the Court.

3. APPOINTMENT OF VENDOR:

- Effective January 2, 2019 all Court vendors inclusive of Physicians, Paralegals, Investigators, or Legal Document Assistants seeking direct appointment by the Court to provide services will need to complete the Court's qualifications screening process.
- Any of the above-referenced vendors already on the Court's approved vendor list as of January 2, 2019 are exempt from the Court's screening process as long as they have provided services recently. Vendors already on the Court's approved vendor list who have not recently provided services may be subject to screening at the discretion of the Court.
- Any of the above-referenced vendors wishing to be on the Court's approved vendor list after the date of January 2, 2019 will need to complete the Court's current qualifications screening process before an appointment can be made.
 - Appointed or retained counsel for any party may choose to retain the services of any Paralegal and/or investigators they deem appropriate. However the Court assumes no responsibility as to said vendors qualifications.

4. PREPARATION OF CLAIMS:

Vendors must provide a copy of the court order authorizing appointment, and the original, plus one copy of the following:

- A completed Application and Order for Payment Form;
- An "Attachment A" consisting of all detail supporting any request for payment for services rendered and/or mileage; and
- An "Attachment B" consisting of all detail supporting any claim for reimbursement of expenses other than mileage. Original receipts and/or proof of payment (i.e. cancelled checks) must accompany each request for payment of expenses or the expense will be disallowed.

5. DETAIL OF CLAIMS:

All requests for payment must include the following specific information:

- (a) The month, day, year of service.
- (b) The name and title of person who actually performed the service.
- (c) The type of material read, reviewed or researched; the number of pages involved; and the number of times material was read, reviewed or researched.
- (d) The name of person interviewed or consulted, whether the contact was in person or by telephone, and - without disclosing confidential information - the general purpose/description of conversation.

- (e) The type of motion or document prepared, including the number of pages in each document.
- (f) The amount of time spent on each activity detailed in .1 hour (6 minute) increments.
- (g) Each activity within a bundled entry of time must be itemized by .1 increments.

6. TIMELY SUBMISSION OF CLAIMS:

- Requests for payment must be submitted on a timely basis. Requests submitted more than six (6) months after services are provided will be deemed an untimely submission and will not be eligible for compensation.
- Requests submitted more than 90 days after the date of each specific service provided will be reduced by 15% without further notice.
- All claims for one billing period must be submitted on a single invoice.
- Invoices for services rendered or expenses during a billing period for which an invoice was previously submitted will be returned unpaid.
 - For example: If a claim is submitted for dates up through December 31, 2018, no future invoices listing charges for services or expenses prior to and including December 31, 2018, will be paid.

7. PAYMENT AUTHORIZATION:

- The Court will authorize payment only for claims that comply with these policies at the rates set forth on the Fee Schedule.
- Claims for services exceeding the authorized amount will be reduced to the amount of the original authorization, without further notification.
- Claims for services rendered without a signed court order authorizing the services will be rejected. **It is the vendor's responsibility to insure that funding authorizations are signed prior to rendering any services.**

8. INTERPRETING SERVICES:

- If interpreting services are needed for court-ordered psychological and/or psychiatric evaluations, please contact the Court Interpreter Services at 457-4910 for assistance.
- All other interpreting needs must be pre-approved as an Ancillary Service request.

9. CORRECTION OF ERRORS:

Claimants will receive telephonic or written notification of any adjustments made to requests as a result of mathematical errors, incorrect rates or inaccurate activity categories.

10. CHANGE OF VENUE:

Upon order of the Court, travel, meals and mileage will be reimbursed in accordance with current State Administrative Office of the Courts travel policies. For further information contact Claims Processing.

11. SAME DEFENDANT / NUMEROUS CASES:

- When a vendor provides a service for the same defendant, on numerous cases, the request for payment for that service shall be submitted on a single invoice on the lead case.
- Unless unusual circumstances exist, the vendor will be reimbursed for the actual time of the simultaneous service, not separately for each individual case addressed while performing that service.

Claims not submitted directly to Claims Processing may delay your payment.

Payment authorization will be made only for claims that comply with these policies and that do not exceed the hourly rates set forth on the attached Fee Schedule.

FEE SCHEDULE FOR COURT-AUTHORIZED SERVICES

EFFECTIVE – AUGUST 1, 2018

Legal Services

COURT-APPOINTED ATTORNEY - \$240 flat fee of for the first 3 hours worked regardless of the actual time spent.
\$80 per hour for the 4th hour and each hour thereafter.

(Completion of Attachment "A" is required for all hours from time of appointment)

GUARDIAN AD LITEM - \$35 per hour.

PARALEGAL - \$25 per hour.

INVESTIGATORS - \$35 per hour.

LEGAL RUNNER - \$15 per hour.

Non-Legal Services

EXPERTS - Hourly rate not to exceed \$240 per hour.

INTERPRETERS – Certified and registered: \$35 per hour

Non-certified and non-registered: \$25 per hour

TRANSCRIPTION (other than court proceedings) \$2.13 per page

PSYCHOLOGICAL/PSYCHIATRIC EXAMS – Standard rate
Psychologist - \$480 per exam
Psychiatrist - \$660 per exam

Supplemental report /re-referral within a 12 month period \$360.00, unless otherwise pre-authorized by the Court as measured from date of appointment on initial evaluation to date of appointment for the supplemental report /re-referral.

COURT-APPOINTED REIMBURSEMENT FOR ACTUAL EXPENSES

The Court will authorize payment to reimburse attorneys/vendors for actual costs incurred for the following services, when the cost is verified with an original receipt, unless otherwise indicated:

1. Blank audio/video tapes
2. Exhibits
3. Facsimile transmissions - up to \$1.00 per page.
4. Film processing
5. Photocopy expense: a) in-office copying: actual cost up to \$.10 per page
b) outside copying: actual cost with original receipt
6. Postage/shipping
7. Long distance telephone charges only. Claim must include a copy of telephone bill with case-related calls highlighted.
8. Transcription of recorded statements (e.g., 911 calls, interviews, etc.), other than transcripts of court proceedings, per fee schedule.

The Court will not authorize payment to reimburse attorneys/vendors for the following expenses:

1. Travel expenses (except in change of venue cases or otherwise pre-authorized by the Court)
2. Office supplies (e.g., file folders, binders, index cards, Xerox paper, etc.)
3. Clerical activities/support (typing, photocopying, facsimile transmissions, mailings, etc.)
4. Local telephone calls
5. Meals (except in change of venue cases or otherwise pre-authorized by the Court)
6. Local parking expenses
7. Invoice preparation; conferences with Court personnel regarding how to prepare invoices; and time spent obtaining judge's signature on orders; conferences with Court personnel regarding appointment; placing matters on calendar; taking matters off calendar; inquiries regarding case status; requests for copies of Court orders.
8. All other expenses, unless specifically pre-approved.

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO
POLICY FOR COURT APPOINTED GUARDIAN AD LITEM
EFFECTIVE APRIL 23, 2013**

California Code of Civil Procedure Section:

372. (a) When a minor, an incompetent person, or a person for whom a conservator has been appointed is a party, that person shall appear either by a guardian or conservator of the estate or by a guardian ad litem appointed by the court in which the action or proceeding is pending, or by a judge thereof, in each case. A guardian ad litem may be appointed in any case when it is deemed by the court in which the action or proceeding is prosecuted, or by a judge thereof, expedient to appoint a guardian ad litem to represent the minor, incompetent person, or person for whom a conservator has been appointed, notwithstanding that the person may have a guardian or conservator of the estate and may have appeared by guardian or conservator of the estate.

The guardian or conservator of the estate or guardian ad litem so appearing for any minor, incompetent person or person for whom a conservator has been appointed shall have power, with the approval of the court in which the action or proceeding is pending, to compromise the same, to agree to the order or judgment to be entered therein for or against the ward or Conservatee, and to satisfy any judgment or order in favor of the ward or Conservatee or release or discharge any claim of the ward or Conservatee pursuant to that compromise.

REPRESENTATIVE DUTIES OF A COURT APPOINTED GUARDIAN AD LITEM (GAL)

GAL is appointed by the court to represent the interests of Infants, the unborn or incompetent persons in legal actions for the duration of a legal action.

GAL does not need to be an attorney; if an attorney is appointed, rate will be paid at the GAL rate included in the court's "FEE Schedule for Reimbursable Hours" schedule.

GAL appointed for a dependent minor or incompetent person is not to act as legal counsel.

Reasonable expenses of the GAL, including compensation shall be determined by the court and paid as it may order.

DUTIES OF A COURT APPOINTED GUARDIAN AD LITEM (GAL) FOR DEPENDENT MINOR

GAL primary role is to advocate for the best interests of the child, including, but not limited to:

- Attend staffings and/or court hearings.
- Review and compile relevant facts of the case.
- Give testimony.
- Make recommendations to the court; GAL is not expected to make diagnostic or therapeutic recommendations, but is expected to provide an information base from which to draw resources.
- Comply with applicable laws and rules.
- Maintain confidentiality.
- Avoid impropriety or the appearance of impropriety.
- Disclose any conflict of interest.
- Establish appropriate boundaries with children.
- Take reasonable steps to insure personal safety.

GAL is not to act as minor's legal counsel; nor does GAL act as legal counsel to the minor's child(ren). Similarly, GAL is not to speak to minor's child(ren) legal counsel.

GAL may investigate, attend to the child's emotional needs, and monitor the child's family situation.

GAL is not to transport the minor.

GAL is not to be the support system, but to help the child build relationships and make sure a support system is provided through others (i.e. social worker, attorney, etc.).