

# COMMISSION ON LEGAL COUNSEL FOR INDIGENTS

## GUIDELINES FOR USE OF PRIVATE INVESTIGATOR

Approval must be obtained from the Valley City office prior to retaining a private investigator if expenses in the case assignment will exceed \$500. Regardless of whether the amount needs preapproval, if an attorney is going to expend any money on a case they will be seeking reimbursement for they shall email the Commission at [clcivc@nd.gov](mailto:clcivc@nd.gov) to notify the Commission of “intent to expend funds”. When choosing which private investigator to retain, the attorney should note that the Commission will not pay an investigator at a rate of more than \$65/hour. The attorney should communicate with the investigator as to the dollar limit and type of services approved and instruct the investigator that charges in excess will not be paid without obtaining authorization prior to incurring. If appropriate, the attorney should remind the investigator that the Commission will reimburse for additional charges, such as for color copying, long distance calls or fax charges, only in the amount actually incurred, support by a receipt, and only to the extent such is within the dollar amount approved. It may also be appropriate to instruct the investigator that absent express written permission in the extraordinary expense request, the Commission will not reimburse a private investigator mileage within the metropolitan area where the investigator's home or office is located; pay the hourly rate for meeting with the Defendant (as generally, the attorney should meet with and interview the client; and the commission feels this is the job of the attorney); nor pay for an investigator to review discovery not germane to the issue being investigated as directed by the attorney.