

PAYMENT OF EXTRAORDINARY ATTORNEY FEES

It is the policy of The Commission that payment for attorney fees for an attorney's work in a case assignment shall not exceed the following amounts, unless the attorney has obtained approval from The Commission prior to incurring the additional fees:

\$ 2,000.00 in a felony;

\$ 850.00 in a misdemeanor;

\$ 1,500.00 in a post-conviction matter;

\$ 850.00 in a juvenile matter;

\$ 2,000.00 in an appeal;

\$ 500.00 in any other matter.

A case assignment which includes both felony and misdemeanor matters shall be deemed a felony for the purposes of this policy.

The request to incur fees in excess of the above listed amounts must be made on a form approved by The Commission and sent to the Executive Director's office for review and decision. The request must identify why the case assignment is expected to involve fees in excess of the amounts listed above. The request must set forth the anticipated amount of the fees.

In determining whether to grant a request for extraordinary expenses under this section, The Commission will consider, but not be limited to, these factors:

1. The complexity of the case assignment, both factually and legally. What is it about this case assignment that requires extraordinary expense?

2. The amount/length of time already spent on the matter.
3. The amount of time generally spent by other attorneys on similar matters.

No Extraordinary Attorney Fees will be approved and paid by The Commission unless this procedure has been followed.

Adopted at the December 11th, 2006 meeting, Proposed amendments March 5, 2024.