

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA

FERNANDO GALINDO
CLERK OF COURT

MARK S. DAVIS
CHIEF JUDGE

December 28, 2023

CJA Panel Attorney Hourly Rate Increases

The panel attorney hourly rates increase from \$164 to \$172 for non-capital work and from \$210 to \$220 for capital work. The new rates apply to services performed on or after January 1, 2024. Where appointment of counsel occurred before January 1, 2024, the new hourly compensation rates apply to that portion of services provided on or after the effective date.

CJA Panel Attorney Case Compensation Maximums (in Non-Capital Cases)

Because of the increase in the non-capital hourly rate, the waivable case compensation maximum amounts for non-capital representations increase to:

\$13,400 (previously \$12,800)

\$9,600 (previously \$9,100)

\$3,800 (previously \$3,600)

\$2,900 (previously \$2,700)

Payments above these amounts may be authorized when certified by the presiding judicial officer and approved by the chief judge of the circuit or their delegate.

The new case compensation maximums apply to a voucher submitted by appointed counsel if that person furnished any CJA-compensable work on or after January 1, 2024. The former case compensation maximums apply to a voucher submitted by appointed counsel if that person's CJA-compensable work on the representation was completed before January 1, 2024.

Investigative, Expert, or Other Services Case Compensation Maximums

The federal pay adjustment also increases the case compensation maximums for investigative, expert, or other services in a non-capital representation.

The new waivable case compensation maximum amount with prior authorization is \$3,000 (up from \$2,800). The \$3,000 amount, which excludes expenses, applies to each individual service provider in a non-capital representation. Payment in excess of this amount may be made when certified by the court or U.S. magistrate judge and approved by the chief judge of the circuit or their delegate.

The new waivable case compensation maximum amount without prior authorization is \$1,000 (up from \$900). The \$1,000 amount, which excludes expenses, applies to the total compensation

allowed for all subsection (e) services combined for which prior judicial authorization was not obtained (absent the court finding in the interest of justice that timely procurement of necessary services could not await prior authorization). The limitation does not apply to each service provider individually.

These new case compensation maximum amounts apply to a voucher submitted by a service provider if that provider furnished any CJA-compensable work in the representation on or after January 1, 2024. The former case compensation amounts apply if the provider's work on the representation was completed before January 1, 2024.

Note: The case maximum for investigative, expert, or other services in capital representations is governed by a different statute, 18 U.S.C. § 3599(g)(2), and has not changed.