

Notice to Counsel Regarding CJA Compensation Rates

The Executive Committee of the Judicial Conference of the United States determined that it is necessary to implement a temporary emergency \$15 reduction in the hourly rates of compensation for Criminal Justice Act (CJA) “panel” attorneys appointed to represent eligible persons under the CJA, 18 U.S.C. § 3006A, the Antiterrorism and Effective Death Penalty Act of 1996 (AEDPA), codified in part in 18 U.S.C. § 3599, and the Guidelines for Administering the CJA and Related Statutes (CJA Guidelines), Vol. 7, Part A, *Guide to Judiciary Policy*. The Executive Committee also decided to defer into FY 2015 up to four weeks of payments to panel attorneys and other service providers that otherwise would be payable in FY 2014.

Both the panel attorney non-capital hourly rate of \$125 and the maximum capital hourly rate of \$178 (for federal capital prosecutions and capital post-conviction proceedings), which the Judicial Conference has authorized pursuant to the CJA and AEDPA, will be reduced by \$15, to \$110 and \$163 respectively, **for work performed from September 1, 2013 through September 30, 2014**. Where the appointment of counsel occurred before this effective date, the new compensation rates apply to that portion of services provided on or after September 1, 2013. The case compensation maximums reflected in CJA Guidelines § 230.23.20 will remain the same.

After careful deliberation the Executive Committee determined that the impending budget shortfall facing the Defender Services program constitutes an emergency requiring immediate action on behalf of the Judicial Conference to preserve the appointed criminal defense function performed in the Federal Judiciary. Federal defender organizations have already have taken drastic cuts to respond to FY 2013 sequestration funding reductions by laying off employees, implementing furloughs, reducing or eliminating training, limiting expenditures for expert services, and, in the case of community defender organizations, reducing employer benefits contributions. Both the rate reductions and the payment deferrals are subject to the receipt of additional funding or the taking of other steps to reduce funding requirements. The Executive Committee recognizes that these actions are undesirable and will continue to monitor developments and revisit its decisions as events warrant.